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**Advocacy, Activism and Southern Feminism: An ethnographic  
study of regulatory sex work activism in New Delhi, India.**

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## Abstract

The thesis examines the experiences of female sex workers (FSWs) and FSW activists living and working under a regulatory model in Delhi, India. It explores how FSWs and FSW activists navigate both their reliance on NGOs that are committed to the implementation of this regulatory model, with their lived experience of a model which has failed to protect them from systemic structural violence. To understand the impact of the regulatory model, the thesis explores the experiences of representatives of sex work NGOs, advocates, sex worker activists, and both former and current sex workers.

The thesis employed a qualitative, interpretative methodology which had three specific strands: Firstly, an ethnographic study of the Red-Light district located in GB road was undertaken during an internship with Kat-Katha, a large NGO delivering services to FSWs in Delhi. This involved shadowing support workers engaging with key actors in the community including FSWs, brothel owners and pimps. Secondly, online focus groups were conducted with representatives from twelve NGOs (at federal, state and local levels) also delivering services to FSWs. Thirdly, in-depth interviews were conducted with 33 sex worker representatives attached to the NGOs. This data was supplemented by documentary research gathered from archives at Kat-Katha. This data is understood through the lens of theories of southern feminism. Crucial, is the centring of the local expressed through religion, indigenous knowledge, diverse culture and patriotism which offers nuanced accounts of the participants in this study. In its rejection of universal categories of gender, southern feminism re-imagines the accounts of FSWs and their advocates through their use of sisterhood and collective action by focusing on strategies of navigation and resistance in building new relationships with State power.

The findings are organised around key intersections between FSWs, FSW activists and their advocates and state actors responsible for the implementation of the regulatory model. The thesis revealed how the prevalence of stigma and structural violence within government hospitals has contributed to poor health outcomes for sex workers leading to them to seek help outside of these institutions. The relationship with policing has also failed. While the government and supportive NGOs claim that their services can offer protection from police

violence, the findings reveal that violence against sex workers is widespread with little access to justice. Again, FSWs and FSW activist's only recourse is to avail of protection through pimps locally on GB road. In conclusion, a grassroots regulatory model that honours the long historical context and sisterhood of Indian sex work while theorising the contemporary Indian sex work movement is proposed. It suggests transforming the radicalisation observed in NGOs into in-between bridges, that can uphold institutionalised secularism, between the local community and the bureaucratic government. Ultimately, the thesis posits that generating collaborative grassroots knowledge will more effectively address the pervasive stigma and structural violence that this community consistently encounters.

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## Definitions:

1. *Devi*: Female Goddess according to Hindu tradition. Symbol of power, prosperity, and growth.
2. *Dasi*: Literally translates to servant. Like slavery but the proposed terminology is specifically used for females and due to the strong co-relation between class, gender, and caste in India, it is commonly used for lower caste, class women.
3. *Veshya*: Used traditionally for women in sex work and signifies the 'evil' impurity that pollutes the serenity of society and minds of men. It has now been reclaimed by regulatory sex workers/activists to remove the stigma attached to the word and associate pride of the work and the people involved in it.
4. *Dalit*: Commonly known as the untouchables-they comprise of the section of population that occupies the lowest rungs of society according to the traditional Hindu caste system. They are believed to be born just to provide service to the other higher castes and live off their scraps. Because of this widely prevalent belief, their shadows are even considered to be polluting and hence are not allowed access any communal services or ceremonies.
5. *Hijra*: In the Indian subcontinent, the term *Hijra* means Eunuchs, intersex people, or transgender people. The irregularity of the male genitalia is central to the definition.
6. *Kothi*: Could be loosely translated to a mansion or bungalow in English but in this context, it can have two meanings. First, it is understood as small, narrow houses in the red-light areas where the sex workers live and work. Second, it could mean an effeminate man/boy who takes on a female gender role in same sex relations, often with a desire to be the penetrated member in sexual intercourse.
7. Caste system: This is unique to the Hindus of India in which people are stratified at birth into a hierarchy of social standing based on their religiously assigned occupations regardless of their talents, interests or potential. It has no possibility of any mobility, and any intent of trespassing is met with heavy physical, mental and emotional violence. However, the Constitution does not legally recognize the caste system and condemns/punishes all kinds of violence and discrimination. It also provides special reservation to the oppressed classes in all education and employment sectors.

8. Concubines: The Oxford Dictionary identifies concubine to be a woman who cohabits and have sexual relations with a man to whom she is not legally married. She is a mistress that has inferior social standing than a wife.
9. *Devadasi*: Literally meaning servants of God. These pre-pubescent women were dedicated /married to Hindu Gods to serve them, the temple and the priests of the temple. They had very high status in the past but with time they transformed to just sexual slaves or child sex workers.
10. *Karma*: A principle that believes that things happen to someone because of their previous/past life negative actions.
11. Hindu Right-wing: Also known as Hindutva or Hindu Nationalism has been very simply described as Hindu extremism which is almost fascist in the classical sense, adhering to a concept of homogenized majority and cultural hegemony.

## Acronyms and Abbreviations:

- FSWs: Female Sex Workers
- IPC: India Penal Code
- ILO: International Labor Organization
- UNDP: United Nations Development Program
- UNAIDS: Joint United Nations Program on HIV/AIDS
- USAID: United States Agency for International Development
- DFID: Department of International Development
- DWCD: Department of Women and Child Development
- ITPA: Immoral Trafficking Prevention Act
- SITA: Suppression of Immoral Traffic Act
- CLA: Criminal Law Amendment
- SR-VAW: Special Rapporteur on Violence against Women
- CEDAW: Convention on the Elimination of all Forms of Discrimination against Women
- VTVPA: Victims of Trafficking and Violence Protection Act
- NHRC: National Human Rights Council

- NACO: National AIDS Control Organisation
- RTE: Right to Education
- PIL: Public Interest Litigation
- TIP: Trafficking in Persons
- AHTU: Anti-Human Trafficking Unit
- Durbar: Durbar Mahila Samanwaya Committee
- SANGRAM: Sampada Grameen Mahila Sanstha
- VAMP: Veshya Anyay Mukti Parishad
- NNSW: National Network of Sex Workers
- AINSW: All India Network of Sex Workers
- NGO: Non-Governmental Organisation
- NFSA: National Food Security Act
- PDS: Public Distribution System
- MSP: Minimum Support Prices
- BPL: Below Poverty Line
- SAFE: Safe Abortion for Everyone

- ICDS: Integrated Child Development Services
- POSCO: Protection of Children from Sexual Offences
- MGNREGA: Mahatma Gandhi National Rural Employment Guarantee Act
- G.B Road: Garstin Bastion Road
- FIR: First Information Report
- GOI: Government of India
- SRB: Self-Regulatory Board
- NCW: National Commission for Women
- SWAI: Sex Work Association, Ireland
- BJP: *Bharatiya Janta Party*

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## Chapter 1: Introduction

### 1.1 Visualization of the field:

All day long there is a constant buzz in the *mohalla* (neighbourhood), where various traders manage their small roadside stalls focused on machinery, automobile parts, hardware, tools and food. However, after the sun sets, the lively *mohalla* morphs into a glitzy exotic market for sex. My first encounter with G.B-road took place on a scorching Tuesday afternoon, with temperatures soaring to 46°C, accompanied by my gatekeeper *Sushma* (name changed), a 32-year-old, volunteer from Kat-Katha. Upon entering the *mohalla*, I was immediately struck by the distinct aroma that filled the air-spices sizzling in hot *ghee* (oil), bleach, decaying garbage from the open drains, and the sweat of a bustling crowd. Under the relentless summer heat, amidst extreme pollution, a complex cacophony surrounded me: people engaged in loud conversations, traders completing sales, music and news blaring from the radios and phones, all while the constant drilling of construction echoed nearby. Amid this chaos, I noticed groups of women relaxing under the coolness of ceiling fans through the tiny, barred windows.

These windows serve multiple crucial roles in the lives of female sex workers (FSWs) and FSW activists on G.B Road. They allow for price negotiation during business hours, facilitate communication with other traders, provide a means to purchase goods, and offer a glimpse into the mysteries of the famous narrow lanes. Most importantly, they act as a ‘magical doorway’ connecting sex workers to the outside. Much like the ‘magical portal’ in ‘The Chronicles of Narnia<sup>1</sup>’, I felt as though these windows transported me into an alternate reality- one that diverged from what I considered ‘reality’, ‘logical thinking’ and ‘normal civilisation’. From a distance, it appeared that the FSWs lived in a parallel universe, seemingly detached from societal rules and expectations. They appeared content in those tiny spaces, often forgetting the outside world. Observing them, I saw women smiling, laughing, singing, dancing, praying, which created the illusion that the FSWs and FSW activists on G.B Road were integrated and accepted by society. However, the underlying truth was far more complex than this façade suggested (data taken from my observation and field notes).

## 1.2 Terminologies used:

The terminologies used for sex work and sex workers are as varied as they are contentious. This contention made me conscious of the ongoing debate about the terminologies people like

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<sup>1</sup> A series of seven portal fantasy novels by British author C.S. Lewis, originally published between 1950 to 1956.

policy-makers, government bureaucracy, general mass, news reporters and others were using for the community of FSWs which is prostitutes or 'prostitution campaigners' versus the sex workers, activists and representatives of various sex work NGOs who wanted to be identified with, which is sex workers, sex work activists or women in sex work. In addition, the practicing and retired sex workers turned activists prefer to identify themselves as women in sex work and/or sex work activist in opposition to prostitution campaigners. They argue that the term 'prostitution campaigner' comes with a lot of privileges and elitism. A separation between the two helps them to bracket themselves from the abolitionist perspective and from the elite western academic activists who are more comfortable in identifying themselves as a prostitution campaigner (also argued by Sanders et.al 2009).

Indian-based feminists and indeed the National Commission for Women, have for long maintained that the use of the term 'prostituted women' rather than 'sex worker' is more appropriate given their understanding that Indian sex workers are forced into sex work due to poverty. Variations included victims of commercial sexual exploitation (CSE) and survivors of CSE (as identified by Kotiswaran 2019, SANGRAM and VAMP 2018). Feminists have further argued that the term sex work is useful for discussing developing world prostitution as it allows a recognition of the structures of domination and female agency practiced by third world women while abandoning divisive patriarchal politics of good and bad women (as explained by Kempadoo 1999). I have thus, chosen to respect the decision of the sex workers and activists and use the terminology of sex workers, sex work activists and women in sex work while addressing them. I have retained the word 'prostitution' when discussing the religious historiography of sex work and sex work activism in India and while directly quoting feminists, theorists, scholars and researchers who have used the terminology prostitutes/ion. I have also retained the word prostitutes/ion while referring to organisations, institutions and movements that has adopted the said terminology.

I have used the term (i) FSWs, to identify both active and retired commercial cis-female sex workers who are not activists, advocates, or associated with any sex work NGO/CBO that participated in my study, (ii) FSW activist, to identify practicing commercial cis-female sex workers who are activists and working in association with a sex work NGO or CBO. It also applies to retired commercial cis-FSWs turned activists and advocates who are working with the NGOs/CBOs full-time (iii) advocates, to identify academic activists, legal and paralegal activists, and volunteer activists that supports the regulatory model, (iv) representatives of sex

work NGOs/CBOs to include the paid employees of the organisations and (v) community of FSWs, to include all FSWs, FSW activists, advocates, representatives, male pimps (not an activist) and brothel owners who are retired FSW turned activist. Moreover, when I talk about the ‘community of FSWs’, I have used the word ‘community’ with the awareness that it conflates a diversity of debates, and experiences and hides tensions and conflicts within groups intersected by factors like class, caste, race, gender and capital. It has a strong impact on the FSWs and FSW activist’s sense of belonging to the community (also argued by Wilken 2015).

### 1.3 A brief about the study:

My research explores the discourse of advocates and representatives of sex work NGOs regarding the regulatory model. It records the experiences of FSWs and FSW activists as they navigate the Indian regulatory model of activism. My initial interest in the topic emerged during my Postgraduate studies in Maynooth University, especially in light of Ireland’s adoption of the contentious client criminalisation model in 2017, following a successful campaign led by migrant and feminist non-governmental organisations (see Ryan and Ward 2018, McGarry and FitzGerald 2017, Ward 2017 on this campaign). A lone front line sex work activist organization, Sex Workers Alliance Ireland (SWAI), offered the only resistance to the law’s introduction. Further recriminations would centre on whether SWAI should hold membership of the National Women’s Council, a key support of the client criminalisation law. These debates within the Irish context led me to question the interplay between sex workers and sex work activists in a range of non-governmental organisations that regulate sex work policy in Delhi, India.

The omission of this more nuanced interplay between actors seemed perplexing. The preponderance of research within India had focused largely on street sex work zones thereby subjecting sex workers to arrests or harassment (also argued by Kabeer 1994, Arya and Roy 2006, Shah 2014). There is an associated concern with violence that is generated through the business of sex work (as explained by Kotiswaran 2001, 2014, 2019, 2021, Pai et.al 2013, 2014, 2018). Sex work activism is also understood often within a health context in response to the HIV/AIDS (as argued by Hiersche 2014, Gopalakrishnan 2022) or as the consequence of the growing NGOization of the sex work movement, subsuming it within the wider southern feminist activism (also explained by Polletta 2004, Fernandes 2013, Roy 2016). I draw from

Weitzer (2014) and argue that such literature gives insufficient attention to settings or social movements where sex work is legal and regulated by authorities. Distinct research priorities have been largely shaped by a set of conceptual tools within a tradition of social movement theory that has prioritised structural accounts of legal, policy and organisational change.

In my research, I have critically examined the historical, legal, and ideological constructions of sex work in India, arguing that contemporary frameworks regulating and representing sex workers are deeply rooted in colonial and casteist legacies. I trace how colonial governance, particularly through Christian morality, codified law, and nationalist discourses, recast pre-colonial sexual economies and Hindu practices into rigid binaries of purity and deviance. The British state's criminalisation of sex work, coupled with the politicisation of Hindu womanhood during the freedom struggle, constructed the female sex worker (FSW) as the antithesis to the idealised '*Bharat Mata*', thereby institutionalising stigma within both legal and cultural domains. This historical backdrop, I argue, continues to shape the legal and moral architecture of sex work regulation in postcolonial India.

Drawing on a range of feminist theories, including radical, intersectional, critical race, and southern feminist frameworks, I argue that mainstream feminist discourses have often replicated the exclusionary and punitive logics of state power. Abolitionist and carceral feminist positions tend to conflate sex work with sexual violence and reinforce a dichotomy of victimhood and deviance that silences FSW's political agency. In contrast, I foreground critiques by scholars such as Phipps, Collins, and Grant to show how structural, cultural, and epistemic violence is reproduced through feminist respectability politics, racialised moral hierarchies, and neoliberal criminal justice responses. By theorising violence as intersectional and systemic, I argue for a shift toward sex worker-led frameworks that recognise constrained agency, labour rights, and the legitimacy of sexual citizenship. This necessitates repoliticising feminist praxis to confront how caste, class, religion, and colonial legacies continue to shape sex work as a contested and racialised site of governance.

Further, I drew from Roy's critique of NGOization, feminist and sex work movements in India, to analyse how the professionalisation and institutionalisation of activism under neoliberal development regimes have shifted the focus away from grassroots mobilisation toward donor-driven compliance and moral governance. While NGOs have facilitated limited access to services and legitimacy, they have also reinforced punitive paternalism and embedded sex

work within a carceral logic of rescue, rehabilitation, and responsabilisation. These dynamics have generated forms of precarity and discipline that re-inscribe hierarchies rather than challenge them. In light of this, I argue that a re-politicised, rights-based approach to sex work must not only resist state violence and institutional co-optation but also engage critically with the existing regulatory models in India that shape the everyday realities of sex worker organising and activism. To further investigate the impact of such politicised Hinduism on the community, the activism practiced the advocacy supported and the policies governing them, it is crucial to first define the regulatory model. The subsequent section will provide an overview of the dominant global discourse surrounding regulatory sex work activism and the various ways the Indian model diverges from it.

#### 1.4 The regulatory model of sex work activism:

The global academic discourse on sex work and sex work activism is dominated by the dual discourse of abolitionism (see Sanders et.al 2009, Reger 2014) and pro-professionalisation of sex work (see Sutherland 2004, Sanders 2016). However, with the onset of a neo-liberal world, academics and feminist activists like Heywood and Drake (2003), Showden and Majic (2014), Plummer (1998), Aune and Holyoak (2017), Altman (2018), Davis (2015) and many others, highlights the significance of government intervention and legal recognition for the overall welfare of the unified community of sex workers (especially FSWs).

To address the changing needs of the global community of FSWs, feminist scholars such as Davis (2015), Vijayakumar (2018) and Vijayakumar et.al (2015, 2019) propose a regulatory model of sex work activism. It is a rights-based approach that is argued to be the middle ground between the abolitionist and pro-professionalisation of sex work activism. They argue that this model pushes for legal recognition of the services provided by the community of sex workers. Through proper government intervention and bureaucratic administration, the model strives to organise the community, based on the administrative structure of the state system. They are of the view that one can only fight the state by having a proper understanding of its functioning and by being an active, respected, and legal economic contributor to society. Hubbard et.al (2008) also urges all sex workers to transform themselves into 'peer educators' and organise themselves into a 'local civil society' that is recognised by the state. Much like any other southern women's movement (as discussed by Roy 2011 2015), the FSWs and the FSW

activists then are expected to publicly hold pride in their work, be knowledgeable about the various legal and bureaucratic policies of state and are expected to properly replicate government administrative functioning while fighting their routine battles for equal rights and recognition (also discussed by Showden and Majic 2014).

Drawing their inspiration, significance, and relevance from the global third wave of feminist activism that is emerging in the 'post-feminist' context, feminist activists, and scholars such as Vijayakumar (2018), Ritzer (2012) and Aune and Holyoak (2017) postulate that the evolution of sex work activism within the post-feminist discourse is greatly under-theorised. This lack of bottom-up, grassroots research and gendered knowledge about the real opinions of the community is leading to conflict and confusion around its definitions. A growing need thus, has been felt to reframe the regulatory model of sex work activism within and beyond the third wave of feminist activism that is uncoupled from the post-feminist discourse (also discussed by Davis 2015, Kotiswaran 2021). Heywood and Drake (2003) further argue that it is only when the regulatory model is understood and practiced in separation from the global feminist model of activism, that the academics, activists and advocates of the model will be able to address the structural violence experienced by women and sex workers in developing countries like India.

However, critics like Hubbard et.al (2008) warn academics and activists against this separation as they believe that the contemporary regulatory model should rather be understood within the 'wave metaphor' to imply continuity and solidarity between the different generations of global feminist and sex work activism. He is of the view that this separation has the capacity to create an illusion that the contemporary regulatory model emerged in isolation and is not influenced by the previous two generations of feminist activism. Such understanding, he argues, is especially harmful while conceptualising feminist and sex work activism discourse in developing (previously colonised) countries like India as then it negates the influence of the rich socio, cultural, political, and religious history of the country on the current regulatory model of sex work activism.

#### 1.4 (a) Is the Indian and Dutch regulatory model identical?

The key question that needs to be addressed then is if the regulatory model of sex work activism in India is identical to the regulatory model practiced in Netherlands? Drawing from Hubbard et.al (2011), Scoular (2011), Kotiswaran (2008, 2011, 2014, 2017, 2018, 2019) and Pai et.al (2013, 2014, 2018) I would argue **No**. But it is similar. The regulatory model of sex work activism practiced in India is inspired by the *gegoden* (passive tolerance) regulatory model of the Netherlands that influences the western sex work policies. Hubbard et.al (2011) argues that the pragmatistic characteristic of Dutch social policy has meant that the sex industry has long been regarded as an activity whose impacts on society must be dealt with through pragmatic tolerance. Boutellier (1991) explains that the Dutch government have identified sex work as requiring particular government attention because of the risks of exploitation and coercion which adhere to commercial sex, as well as the potential nuisances that might harm local communities because of sex work. Hence, while sex work has never been illegal in the Netherlands, it has been subjected to multiple forms of regulation and constraint that have limited how, when and where sex may be sold and bought (also discussed by Aalbers 2005).

The *gegoden* model marked which areas street soliciting or the establishment of the brothels were acceptable. For example, Amsterdam permitted several tolerated areas of sex shops, window sex work and brothels as well as an area of tolerated street sex work (Amsterdam Act 1982). They are often referred to as Tolerance zones by British commentators or *tipplezones* in Dutch- cited as a model system of regulation and hence accepted by the U.N, are established in peripheral areas and are subject to police supervision. It also includes *huiskamer* (living rooms) for social chats, health or license related discussions, eat, drink drug prevention and others, along with *afwerplaats* (service area), where sexual services are transacted (as discussed by Hubbard et.al 2011).

#### 1.4 (b) The Indian regulatory model of sex work activism:

It has led all U.N signatories including India to attempt to replicate the dominant regulatory model. However, the way this model is practiced and implemented in India is slightly different to in its western counterparts. This is because:

The current Indian regulatory model of sex work activism was first introduced by VAMP (a local collective in Karnataka) in 1996. The principles supported by the organisation first gained recognition after the onset of the BJP government in 2014 due to their right-wing Hindutva policy that politicised the caste and nationalism element of the Indian regulatory model of sex work activism (as discussed by Vijayakumar 2018). With an explicitly rights-based approach to sex work, at a time wherein the global approach to sex work activism was decriminalisation, the advocates of VAMP argued that the global feminist, sex work discourse and approach to activism was inadequate to effectively conceptualise the rich diversity, culture and historical traditions of (predominantly) Hindu FSWs of the country (discussed by SANGRAM and NNSW 2016). This realisation led the advocates of VAMP to push the Indian government for a more government controlled regulatory model of sex work activism, that is similar to the Dutch model, but is amended to include the distinct needs of Indian sex workers (specifically caste, race, impact of Colonisation and different religion) (discussed by SANGRAM 2018).

The model moves beyond the legal framework and is working towards creating sensitisation programs for the active inclusion of sex workers as peer educators and active agents of change. It includes equating sex worker's rights with women, human and labour rights while creating the possibility of including sex workers in policy formulation and implementation (see Kotiswaran 2008, 2011, 2014, 2017, 2018, 2019, Pai et.al 2013, 2014, 2018). Unlike the Dutch model which was inspired by the LGBTQ+ mobilisation and practice of activism, the regulatory model in India was inspired by the Independence movement, Gandhian socialism and the anti-caste Ambedkarite movement (as explained by Basu 1995). It was a conscious choice made by advocates of the regulatory model to include the influence of caste-based politics and the legal-religious influence of British Christianity on the lives of FSWs and FSW activists in India. It resulted in further politicisation of the model: deeming anyone to be castist and anti-Indian if they did not adhere to the model (also discussed by Liddle and Joshi 1985, Sharma 1994).

Moreover, the sex workers and activists in India are not concentrated in *tipple-zones* (as argued by Hubbard et.al 2011). There is a higher concentration of sex workers and activists in red-

light areas like G.B Road in Delhi, but they also practice sex work outside of the red-light areas. The proposed regulatory model of sex work activism in India arguably encompasses all different kinds of sex workers (see Kotiswaran 2008, 2019, Pai et.al 2013, 2018, Vijayakumar 2018). Unlike the Dutch model, the municipality in India is not involved in the process of development of a 'quality mark' for sex businesses (as discussed by Boutellier 1991, Aalbers 2005). There is also no provision for publishing model contracts for sex workers and licensees within the Indian sex working community (also explained by Hubbard et.al 2011, SANGRAM and NNSW 2016).

Moreover, similar to Lobo's et.al (2021) qualitative investigation of the Australian sex industry and their advocacy for a 'nothing about us without us': sex workers and activists in India too have adopted this methodology to create a collective identity/community or sisterhood (as conceptualised by Ferree 2010) of sex workers who can educate and support each other against similar odds. This feeling of belongingness and community greatly contributes then for a top-down flow of information and implementation of policies between different kinds of FSWs and FSW activists and government institutions (discussed by SANGRAM and NNSW 2016, Vijayakumar 2018).

### 1.5 Brief outline:

Chapter 1 provides a brief about the study and introduces the regulatory model of sex work activism. It then discusses the difference between the Dutch and Indian regulatory model of activism and argues that an understanding of this separation is crucial in theorising the contemporary Female sex work (FSW) movement in India. Chapter 2 contextualises (predominantly female) sex work and sex work movement in India by providing a religious and legal historiography. Chapter 3 highlights the dominant western feminist theorisation of sex work and the Indian feminist theorisation of sex work. The Chapter then presents the central discussions surrounding structural violence (Galtung 1990, Anglin 2010) and stigma (Goffman 1963) faced by women and sex workers in India. Chapter 4 highlights the genesis and relevance of southern feminist social movement studies while theorising the contemporary regulatory sex work movement in India.

Chapter 5 documents the methodological approach taken in the study. Chapter 6 draws from my primary field data and secondary data to highlight the discourse of activists and the

advocates of sex work NGOs/CBOs regarding the contemporary regulatory model of sex work activism in India. And Chapter 7 discusses the FSWs and FSW activist's reported experience of the contemporary regulatory model in India. Chapter 8 then records and analyses different accounts of policing experience between the FSWs and FSW activists, advocates and representatives of various sex work NGOs/CBOs. Similarly, Chapter 9 illustrates the barriers encountered by FSWs and FSW activists while accessing free government health care facilities in India. Finally, Chapter 10 provides concluding arguments and remarks.

## 1.6 Conclusion:

To conclude, this Chapter provided a brief outline of my research. Through an introduction of the regulatory model of sex work activism practiced in India, I have highlighted the relevance of my research and the academic contributions the thesis makes.

## Chapter 2: Contextualising Sex Work in India

### 2.1 Introduction:

This Chapter will explore the legal and religious historical context that frames my discussion of sex work activism in India. It focuses on the influence of religion, culture, law, colonialism and the role of Independence movement in shaping a legal and social context of the dominant understanding surrounding sexuality and sex work in India. Within this backdrop, this Chapter will trace the evolution of the regulatory model and the activism it proposes, through the status of Indian women and female sex workers (FSWs) while discussing how sex work activism is understood within the wider feminist activism discourse (both globally and in India).

### 2.2 The relevance of British colonial legacy:

The British Raj-which was a period of direct British rule over the Indian subcontinent is believed to have officially begun in 1858 and continued its rule, until the Independence of India and Pakistan in 1947 (Wolpert 2023). However, the Law Commission of India Report (1975) claims that they were communicating and trading with the various Indian monarchies and merchants since the 1600s. The then Indian traders used to lure traders from Europe, by conveniently placing dancing parties of courtesans and prostitutes near the ports to greet and entice them. Eventually, the British started keeping some Indian women as concubines. Howell (1999) and Sarode (2015) argues that this unionisation created great fear in the minds of the British monarchy. They feared that this unionisation would only result in the British soldiers getting sick and bring back a myriad of deadly diseases that the locals carried, but that it would lead to an ‘Indianisation’ of their people.

There was a growing fear that this unionisation could motivate the British soldiers to start assimilating and adopting the Indian culture, produce mixed race babies that would have the capacity to question their ‘white men’s burden’ theory<sup>2</sup> used to justify colonisation (Rao 2017).

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<sup>2</sup> A psychological and ideological basis for British imperialist strategies that justifies the need for colonisation to

To counter this, they introduced the Company Commandments of 1668 on sexual offences and attempted to curb prostitution with local, disease ridden Indian women and prostitutes. It was inspired by the Governor *Anguri*'s rule (1669 to 1671) and was used to implement government control over brothels while safeguarding the spirits of their British soldiers from 'wenches and loose Indian women' (also discussed by Law Commission of India Report 1975).

## 2.2 (a) Indian women and the empire:

Within this backdrop, Howell (1999) claims that the British had a conflicting stance regarding their involvement in local politics. On one hand they were affirming that they were a liberalising force in the colonies for women, while on the other hand they proposed a policy of non-interference in Indian culture and religion. Everett (1981) argues that the British policy of non-involvement never actually worked out in practice as the Hindu concept of law, conflicted with the western missionaries, as most Hindu laws (apart from Brahmin laws) were unwritten, based on custom and varied across time, culture, region and caste boundaries. To 'refine' Hindu law in accordance with western administration, Warren Hastings-the then Governor of Bengal decreed in 1772 that Brahmin written law should be the sole legal authority of all Hindus (also discussed by Sharma 1994). Kumar (2024) suggests that the intention here was to subject lower caste women to the strictures previously suffered, by higher caste women only. This mainstreaming of Brahmin law laid down the severest restrictions<sup>3</sup> on women to preserve the notion of 'purity and pollution' of the caste system.

This restructuring allowed the British to refocus their attention on the 'prostitution problem' and attempted to 'solve' this problem through similar western legal administration. Howell (1999) shares that in 1812 the Police Rule, Ordinance and Regulation Act was introduced, which listed brothels as a source of disturbance. At the time of the passing of this Act, prostitution was not considered a crime on its own but was deemed instrumental in a myriad of crimes. This Act allowed the procurement and enticement into prostitution to be ruled as offences in 1827, 1860, 1921 and 1923. Brothel keeping was similarly deemed illegal in 1860, 1902, 1923 and 1930. In the meantime, Liddle and Joshi (1985) claim that the British administration was keen on establishing their 'western principles' to be more liberal compared

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civilise and modernise the 'savage' (Rao 2017).

<sup>3</sup> Divorce, remarriage and female ownership of land was strictly forbidden.

to the age-old Hindu Indian traditions. It led to the British Colonizers to outlaw certain abuses and restrictions against women. For example, *Sati* (widow burning) was prohibited in 1829, widow remarriage was allowed in 1856. The age of consent to sexual intercourse was fixed at 10 in 1860 and raised to 12 in 1891<sup>4</sup>. Female infanticide was prohibited in the Acts of 1795, 1804, 1870 and child marriage was forbidden in 1929. Various laws were introduced that improved women's inheritance rights and were passed in 1874, 1929 and 1937, eventually culminating in the Hindu Women's Right to Property Act-which gave unlimited property rights to widows only (as presented by Smith 1968).

## 2.2 (b) Introduction of Christian morality:

Sharma (1994) on the other hand, suggests, that as the British colonizers were highly influenced by Christian morality, they introduced a provision for the restitution of conjugal rights-based on Christian ecclesiastical law<sup>5</sup>. Taking inspiration from this law, the secretary of the Government of India in 1838 advised the Government of Bombay to apprehend every common prostitute behaving in an 'indecent' manner. Azhar et.al (2020) further argues that this notion of sex work as a debased act, committed by the lower classes, castes, was eventually established as a stark contrast to honorable Indian womanhood. The white colonizers and the brahmin bourgeoisie came together and successfully separated the 'good' Indian women from the 'bad' by often twisting the traditional Hindu scriptures with Christian morality, class, and caste-based politics.

Ironically however, Liddle and Joshi (1985) proclaim that the British encouragement of regulated prostitution worked against their attempt in 1856 to free one of the most oppressed sections of Indian women through the passing of the Widow Remarriage Act. Many high caste widows, especially child widows were either abandoned or subject to such domestic abuse that they were forced to leave their home. Most of these girls and women had no alternative but to support themselves through prostitution. Chattopadhyay and Duflo (2004) reports that about 90% of prostitutes were young Brahmin widows. To regulate such numbers<sup>6</sup>, Britain in 1964,

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<sup>4</sup> The Age of Consent Bill introduced by taking inspiration from *The Maiden Tribute* (1883) by Josephine Butler.

<sup>5</sup> Allows a person to sue his spouse for refusal to fulfil the sexual obligation of marriage.

<sup>6</sup> As they still wanted to appease the knowledge and the power of the upper caste, rich and resourceful Brahmin

tightened Indian law again by replacing the interpretation of religious law by Indian pundits with its interpretation by western educated judges. They then attempted to enforce the western interpretation with brute military strength (also argued by Howell 1999).

Legg (2009) here claims that, with the increase of British military in India, the demand for sex workers in British cantonments also increased. The need for carnal pleasure further escalated the risk of the spread of venereal diseases. To contain this spread, the British officials took inspiration from the 1790s lock hospitals. These lock hospitals were specifically designed to lock up deranged prostitutes and work towards their rehabilitation. But, owing to lack of funds and proper management, the conditions there were very unpleasant. A sanitary report on the hospitals in June 1841 showed that there was an average increase in venereal diseases across the British army in India. The blame for this was put on lax enforcement of the cantonment regulations. The Annual Report on Lock Hospitals, 1849 stressed that there were too many women in unhygienic conditions, with no proper care treatment or any form of surveillance (as presented by Howell 1999). Gopalakrishnan (2022) believe that the lack of adequate care and administration resulted in a mass failure of the initiative and took the lives of thousands of Indian prostitutes and British soldiers. To overcome this failure, the British administration in the 1850s, decided to centrally supervise and regulate the business under 75 military districts. In addition, there were also marketplaces for sex work that were open to common Indian people which came to be known as Lal Bazar or red markets/areas (as discussed by Hussain 2019).

## 2.2 (c) The new cantonment rules:

Ramachandran (2024) argues that the colonial anxieties about public order, decency and morals, targeted sex workers and *hijras* (trans) whose non-normative sexualities were deemed ungovernable and required control through new forms of governance and surveillance. Thappar et.al (2016) explains that the Company introduced special Cantonment Rules to contain the hygiene problem in the Lock hospitals. They claim that under the new rules, licensing of girls for practice after a thorough medical check-up was made mandatory. For a regiment of 1000 soldiers, 12 to 15 native young girls were chosen as prostitutes. These girls needed to be untouched by the public and thus, 'pure' and disease free. The 'pure' prostitutes were admitted in enclosures called *Chaklas* within Cantonments. These prostitutes were referred to as *Lal*

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men.

*Kurti* or Queens Ladies to further elevate their status and separate them from the local, 'dirty' common prostitutes. A *mahadarni* (madame/leader) was also appointed by the government and was responsible for the control and pimping of these prostitutes (as explained by Gopalakrishnan 2022).

Oldenburg (1990) argues that this separation of the Queens ladies with other prostitutes created a rift between different kinds of FSWs, such as royal courtesans, common prostitutes, traditional prostitutes, mobile prostitutes, part-timers, and others. This divide grew when the British eroded the social status of *tawaifs* (royal/elite prostitutes) and other courtesans to punish their participation in the iconic 1857 rebellion. (first organized freedom struggle). Back then, the high ranked courtesans were the highest taxpayers and had heavily funded the rebellion. They also provided their *kothas* (*tawaif's* court/house) as a hideout for those rebels. Bhandari (2010) and Hiersche (2014) explain that when the colonial administration became aware of this secret operation, they came down on the local prostitutes with an iron fist. They decided to attack the community by arresting them and then publicly flogging and/or humiliating them. The most crushing legal regulation was the introduction of the Contagious Diseases Act of 1868 which made it the law for women suspected of prostitution to register with the police and submit to an invasive medical examination. It essentially gave the power to the police to determine who was a prostitute and so, deserved to be punished and humiliated (also explained by Liddle and Joshi 1985).

#### 2.2 (d) Impact of new cantonment rules:

Bhandari (2010) and Gopalakrishnan (2022) explains that the Act caused a lot of resistance both in India and in the west. In Britain, Feminist Abolitionist Movements and Anti-White Slavery Campaigns demanded the repeal of the Contagious Diseases Act (1868) in the entire British Empire due to its inhumane implementation procedures. Victorian reformers like Josephine Butler who inspired the formation of The Maiden Tribute and Catherine Booth of the Salvation Army were pioneers of the resistance. It was however only repealed in India by late 1888 amidst mass unrest and growing rebellions (also discussed by Hiersche 2014). This repeal had no influence on the Indian Penal Code that was drafted in 1860 in accordance with the British administration. Chitnis and Wright (2007) state that the Indian Penal Code along with the Code for Criminal Procedure introduced new sections, articles, bills and mandates, to

effectively govern the Indian Women. It made abortion illegal unless medically indicated to save the life of the pregnant women in 1967 and was only legalized much later in 1971 through the Medical Termination of Pregnancy Act<sup>7</sup>.

Similarly, Section 372 and 373 prevented the sale of minor girls for the purpose of prostitution. Sections 366 A, 336 B and 370 punished activities incidental to the sale of minor girls for prostitution, such as importing girls from a foreign state and trafficking. It led later to the inception of the Immoral Traffic Prevention Act of 1956. The Penal Code of 1860 introduced Sections 372 and 373 which made the buying and selling of girls and women into prostitution a criminal offense. Azhar et.al (2020) argues that by continuing with the colonial Christian principles, the term ‘common prostitute’ was introduced into the Indian legal discourse which gave rise to a devalued form of prostitution by defining it along the lines of Christian ‘impure morality’. This Code also introduced Section 377<sup>8</sup> which punished those who committed sodomy and other homosexual acts with life in prison (also discussed by Human Rights Watch 2013, Hiersche 2014).

Others like, Gopalakrishnan (2022) argue that this Act forced the government to widen their understanding regarding prostitution and include other factors like safe sex practices, abortion, reproductive health, menstruation, and other normal medical conditions in addition to communicable venereal diseases like HIV/AIDS and STD/Is. Accordingly, the 1916, Royal Commission on Venereal Diseases report, recommended free treatment of patients, better education regarding sexual health, better coordination amongst all stakeholders and other remedial measures for better government regulation<sup>9</sup>. Hiersche (2014) highlights that from 1917 to 1939 there were mass inquiries led by the government to investigate all possible external factors that affect the lives and businesses of prostitution, to create enough knowledge for proper and permanent rescue and rehabilitation policies. It was for the first time in Indian history, that there was a political focus on rehabilitation of prostitutes who were victims of Indian depravity. Provinces like Bengal, Burma, and Assam were immediately against this proposition and against any further government interventions in brothels and the community. But the Colonial power crushed any resistance with a strong military power.

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<sup>7</sup> Influenced from 1967 English law as it gives the same eugenic grounds for abortion.

<sup>8</sup> Known popularly as the Sodomy law.

<sup>9</sup> Leading to the establishment of National Council for Combating Venereal Diseases in India in 1922: eventually renamed to NACO (National AIDS Control Organization) in 1992.

## 2.2 (e) Impact of world war I:

It is important to note here as Pati (1996) postulates, the changes in British policy after the First World War. Up to that point, Britain defended their right to rule with arguments such as western cultural superiority and claims about the advanced position of their British women. However, after World War I in 1918, Britain's moral right to rule India was undermined by many factors. It included Indian participation in the war, America's stance on self-government, Gandhi's rise as national leader, and Britain's promises about increasing India's self-determination. Sharma (1994) argues that the dominant policy at the time was to defend the interests of the Indian women within the context of economic deterioration and the growth of the nationalist movement. It meant that the British colonial administration decided to adopt a more tactical approach to governance by avoiding the women's question altogether and focusing more on securing its borders. This approach was further assisted by Gandhi's decision to deploy all women in the freedom struggle and make them a part of the wider Independence movement (also discussed in Liddle and Joshi 1985).

In the meantime, Chitnis and Wright (2007) is of the view that the ebb and flow of political bargaining between the English Crown and the native male elite (Hindu/Muslim traditionalist) was fought primarily on two grounds:

1. Whether it was the British administration's responsibility to accommodate traditional religious laws of different communities by secularizing and 'enlightening' the Indian society.
2. Or if it was the native Indian male's responsibility, to bring in the 'glory' of the ancient Indian past that discourages the logic of the civilizing mission - as British colonization was viewed to be extremely emasculating for the Indian men.

Now, since both parties were highly motivated by their respective religions, they found themselves consolidated on the subject of the Indian women. This was because it was the alleged degraded position of Indian women and the 'barbaric' actions of Indian men on the women, that justified the colonial mission in the first place. It then brings into the picture a third group - the British feminists who claimed a moral imperative to reclaim for Indian women the dignity and rights of western women. Ironically however, (as Pati 1996 describes) English women had very few legal rights during the Victorian period, but that merely highlighted the

problem of all women in general. Kumar (2024) claims here that the condition of the Indian woman, became the battleground on which the contests of power between British and Indian men and between British men and women were fought.

## 2.2 (f): Influence of the league of nations:

Eventually, with the formation of the League of Nations in 1920 in Geneva, the British administration was forced to acknowledge the ‘women’s question’ as the League of Nations joined hands with many global women’s campaigns to rebel against the repressive policies surrounding women and sex workers. It most importantly included the WSM<sup>10</sup> in India (Southard 1993). The formation of WSM put further pressure on the British Colonizers to acknowledge the resistance of the Indian women. García (2012) however, states that as the abolitionist perspective was quite dominant (both globally and in India)- at the time, it highly influenced the ideology of the League of Nations. The growing popularization of the abolitionist ideology, influenced the Indian feminist activists to join hands with the British feminists, campaign for the curtailment of sex trafficking and ensure better regulations, rescue, and rehabilitation policies. During this time, the British East India company in collaboration with the League of Nations, also acknowledged prostitution as a ‘necessary evil’, as they believed that a society could not function without them. This shift in socio-political ideology was only witnessed in central politics as in the local level the British introduced many grassroots legislations like East Bengal and Assam Disorderly Houses Act of 1907 for the discontinuance of unregistered brothels-eventually implemented in Calcutta, Uttar Pradesh, and Punjab (Jha and Sharma 2016).

Similarly, the Bombay *Devdasi* Act and U.P *Naik* Girls Protection Act were enacted in 1934 to push prostitution out of the central state administration and make it more localised. The intention here was greater and more efficient government regulation and scrutiny of all aspects of the community. It further led to the enactment of Madras Devadasis (Prevention of Dedication) Act of 1947, wherein, devadasis were given the legal right to marry. The Act of 1947 also made it illegal to ‘donate’ (Bhasin 2003, 2004) underage girls to Hindu temples (Sithannan 2006, Ramberg 2014). Some of these local legislations were only repealed after the

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<sup>10</sup> Women’s Suffrage Movement, argued to one of the most crucial beginnings of mainstream organized feminism in the country

introduction of the ITPA, 1956 (see Law Commission of India Report No.64,1975) as the ITPA was an amalgamation of all such local polices (also explained by Jha and Sharma 2016).

#### 2.2 (g) Indian women and the freedom struggle:

Pati (1996) maintain that women's subordination held a special significance for the maintenance of the British empire. The way male dominance was used by the colonists, meant that when women began to work collectively against male supremacy, it was hardly surprising that they emphasized imperialism as one of the major causes of their inequality. They attributed their oppression not to men as a group, but to customs resulting from wars, invasions and imperialism. When the National Social Conference was formed in 1904, its primary aim was to explore social issues that focus on women's emancipation. It included a focus on aspects like female education, *purdah* (veil to cover the face), child marriage and sexual equality.

These issues were taken up for a constitutional guarantee when the INC (Indian National Congress) first began to consider complete self-government. The campaign for changes in family and personal law became channelled into the Hindu Code Bill-which (against the women's movement wishes), applied only to Hindu women. This Bill created a lot of controversy and after independence, Nehru and Ambedkar brought the Code to the provisional parliament, where it was met with a storm of opposition. However with continued campaigning, mobilising and canvassing by the women's organisations, the Code eventually became a law in 1955, 1956 and provided for monogamy, divorce, secular marriage, equal inheritance rights for women and improved adoption and guardianship rights over children. It was applicable to all women (Hindu or otherwise) and all FSWs (also explained by Liddle and Joshi 1985).

#### 2.2 (h) Politicisation of Hinduism:

The Hindu Code Bill, brought back the discussion surrounding the power struggle between the British Raj with their Christian missionary values and the native Indian men with their Hindu traditionalist customs. Religion again became the common component that influenced most of the Bills, Memorandums, Codes, Acts and other legal pronouncements to effectively control the Indian women and FSWs (as discussed by Sharma 1994). It becomes crucial then to present

a religious historiography of India (predominantly Hinduism) that explains the rationale behind the justification used by the native Indian men. More so because of the consolidation of a new concept called *Bharat Mata* (Mother India) during and after the freedom struggle. It gave birth to a new concept of 'ideal Hindu woman' and politicised the Hindu religion. First portrayed in the works of famous Indian painter Abanindranath Tagore<sup>11</sup> in 1905 this concept of *Bharat Mata* (as argued by Mukherjee 2019) is a perfect portrayal of how Hindu religion was influenced by British Christian morality and became politicised.

The image of the *Bharat Mata* (as imagined in the paintings) was of an Aryan (light skinned), helpless, innocent, virgin mother<sup>12</sup>, with multiple hands<sup>13</sup>, draped in simple cotton saree and a blouse<sup>14</sup>, calling out to all the Indian men for protection against British forces. Sharma (2019) argues that the decision to adorn the woman in a simple cotton saree and a blouse is a result of an orientalism<sup>15</sup> of the saree and the textile industry (especially cotton) as the pre-colonial average middle-class women could not afford to wear cotton and did not necessarily wear a blouse. The blouse was introduced by the British, as they were uncomfortable with women exposing their breasts, which did not align with their British-Irish Christian morality. They took inspiration from then British women's fashion and introduced the 'blouse' which physically embodied the British-Irish Christian morality in to the new politicised Hindu religion.

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<sup>11</sup> Who took inspiration from a painting by Bankim Chandra Chatterjee in the 1882.

<sup>12</sup> Drawing from the concept of virgin Mother Mary in Christianity.

<sup>13</sup> Symbolizing the imagery of the Hindu goddess.

<sup>14</sup> Upper garment to cover the breast.

<sup>15</sup> The study of how the East (Indian) is viewed, studied, stereotyped and dominated by the west (Said, 1977).



Pic 2.1: Early *Bharat Mata* painting by Abanindranath Tagore.  
Source: Karmakar (2023)

Pic 2.2: New *Bharat Mata* painting.  
Source: Patel (2015)

This new Hindu religion (as popularised by both Tagore and Chattopadhyay) came from a nationalistic fervour that transformed the women's body to a site of religious politics and nationalism. She was elevated to a 'divine status' so that she could be separated from any impure elements, such as foreign religion, culture, traditions and sexuality. This separation was then utilised to validate the right-wing Hindutva ideology through the introduction of the hymn *Vande Mataram* (I praise thee mother in Sanskrit), by Bankim Chandra Chattopadhyay (1882). Patel (2015) argues that this hymn soon became the song of the emerging freedom movement in India and was often used to blame foreign forces (like British Christianity and Middle Eastern Islam) for ruining the innocence of pure Hindu women and bringing ruin to the otherwise fertile, prosperous and harmonious Indian society. The native Indian men were now identified as warriors who needed to fight for the dignity and integrity of their nation and their traditional 'ideal' Hindu women (as conceptualised by Chitnis and Wright 2007). The following section, introduces, the age-old Hindu laws (starting from the pre-Vedic age), still followed by all Indian women, even today (also argued by Kumar 2024). It also discusses the impact of such radical expectations on how the community of FSWs are understood.

## 2.3 Religious historiography of India:

Bose (2010) discusses the multiple and often contradictory definitions of an ideal Hindu woman within Hindu religion as encompassing a wide range of roles and characteristics. He insists that: “*Hindu religious culture correlates philosophical speculation and social imperatives to situate femininity on a continuum from divine to mortal existence. This creates in the Hindu consciousness multiple, often contradictory images of women, at once as wielders and subjects of authority. The conception and evolution of the major Hindu Goddesses, placed against the judgements passed by texts of Hindu sacred law on women’s nature and roles, illuminate the Hindu discourse on gender, the complexity of which is further compounded by the distinctive spirituality of female ascetic poets*” (2010:01).

Put simply, it means that the wide variety of Hindu beliefs and practices makes it difficult to generalize on most aspects the ‘Hindu way of life’. Given the multiplicity of doctrines, rituals, the inseparable interaction of religious and social philosophy, through several thousands of years, it is not surprising that on almost every facet of Hinduism, there is a difference of opinion. However, contradictions are particularly common in fields where religious and social ideas intersect or overlap. And not surprisingly, the subject of women is where such contradictions occur the most. Trying to understand women’s nature, setting down their rights and responsibilities as well as determining how men ought to treat women, has proved to be one of the most contentious areas of ethical judgement in Hindu society. Hindus often look for guidance to authorities from the past: most prominently the *Manusmriti*, the *Vedas*, *Athashastra*, *Dharmashastra*, *Mahabahrata*, *Ramyana*. Bose (2020) argues that this has led to the formation of an essential duality of the ‘ideal Hindu women’.

### 2.3 (a) The ideal Hindu women:

Historians like Wadley (1977) and Clothey (2006) are of the view that the notion of Hindu femininity is split into two. On one hand she is a *sati savitri aurat* (fertile, benevolent bestower like *Lakshmi*-Goddess of prosperity) and is endowed with values of modesty, marriageability and silence. On the other hand she is an aggressive, malevolent destroyer, like Goddess *Kali*. Both notions of femininity is considered necessary for a society to function in harmony. It is the ideology of a *sati savitri aurat* that was established to be superior and aspirational for most

Hindu women as the combination of such values made a Hindu women socially respected and desirable. An ideal Hindu woman is a docile and disciplined body that is responsible in maintaining the *izzat* (Urdu term for respect/honour) of the family and the community and portrays complex values of chastity, devotion to one's husband, virginity and beauty. She is expected to follow far stricter rules than her other counterpart-the wild destroyer, often associated with the FSW as she is considered to be in opposition to the ideal Hindu woman, and much like Goddess Kali, is expected to be aggressive destroyer of peace, societal norms and purity of the ideal Hindu woman (as argued by Singh 2021).

Mukherjee (1978) talks about one of the most famous works in Hindu law, the *Manusmriti* (ca. 200 B.C to 100 BC) - written by *Manu*, that comments on the duties and obligations of women. In this sacred Hindu text, *Manu* listed six causes of women's ruin: the habit of drinking alcohol, keeping company with bad people, separation from husband, roaming abroad, sleeping at day time, and living in another's house. Other sacred texts like the *RigVeda* talks about the need to discipline a women as they are considered to be naturally fickle minded and uncontrollable. Raines and Maguire (2001) explain that by pushing towards a separation between the ideal Hindu women and 'the other women', *Pancacuda* condemns any women with the greatest vice of coveting men other than their own husbands. An 'ideal Hindu women' is expected to rise above their 'natural impure' desires and attain divinity by their virtuous deeds. This expectation led to the establishment of *stridharma* (duties of a women) - explained by Goddess *Parvati* in *Mahabharata* (6 to 7 AD).

According to *Parvati* the basic tenants of *stridharma* were fidelity and loyalty. A married woman is expected to serve her husband and his family with these traits. She must be kind even to an unkind irate husband, obey him, decorate her house, supervise the cooking, feed members of the family, guests and servants, manage the house, look after the welfare of the family members, be kind and serve the *brahmanas*, must be righteous, contend, good-natured, charming, sweet-tongued, cheerful in disposition, disciplined in her habits, faithful to her husband, perform religious rites like *vrata* (fasting) and *agnihotra* (light healing fire) for the welfare of the husband. Women who did not follow such prescribed norms were to be outcast from the category of an 'ideal Hindu women'. The outcasts<sup>16</sup> had a different set of obligations

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<sup>16</sup> Such as the FSW.

and expectations that was crucial for the functioning of a harmonious society (as explained by Mukherjee 1978).

### 2.3 (b) The Hindu FSW:

Clothey (2006) and Sarode (2015) further claim that in ancient India, especially in the pre-Vedic period, promiscuity developed as one form of offering to the Hindu Gods. As this society did not have a fixed institution of monogamous marriages and the marriage laws were not so rigid, there was no such official categorisation of a prostitute. It was only in the Vedic period that the institution of marriage was established, and prostitution developed as a by-product. The earliest forms of prostitution are found in the *RigVeda* in 1500 to 1000 B.C. At that time, it did not involve any monetary transaction as it hadn't been recognized as a formal profession back then. Women were involved in prostitution only because of sheer interest in pleasure and entertainment.

As time passed, the rulers from different parts of the country adopted different terminologies and understanding surrounding the discourse of prostitution. The different terminologies were crucial as according to traditional Hindu practices there needed to be a clear separation between an ideal Hindu woman and a prostitute. Some of the terminologies that the rulers came up with were inspired from the *RigVeda* that included mentions of the relation between *Jara-Jatani* (man and woman adulterers) which is a form of extra-marital affair, wherein they would agree to no obligations towards each other. There is a Pali word, *muhuttia* (In Sanskrit *muhurtika*) meaning a temporary relationship without any obligations or commitments. There are mentions of *Maruts* or the Vedic Storm Gods holding a *Sadharani* (a common woman or a public woman, not belonging to anyone-an early form of a prostitution) as a joint possession (*Rig Veda*, mandala 1, Hymn 167 verse 4) (as presented by Clothey 2006).

Other mentions of it are found in Vedic literature that includes the *Artharveda* where we could find the mention of *pumscali* (a harlot or unchaste woman who walks among men), *mahanangi* (the great naked one) along with *apaskadvari* (the one with bare bosoms) (as presented by Bhattacharji 1987). In the Post-Vedic period, laws become a bit more stringent as society slowly began to stabilise themselves into structures of 'civilisation'. The ideas of strict monogamous marriage, chastity and concubinage increased due to the sharp separation

between ‘ideal/moral woman/wife’ and the ‘impure/wild outcast/prostitute’ and led to rulers keeping hundreds of girls as slaves used for carnal pleasure. The class of *panyastri* (woman who sells her body) then slowly emerged who charged money for such services, thereby, cementing the business of female prostitution (as explained by Thakur and Sinha 2005).

### 2.3 (c) The business of sex work:

Kumar (2024) suggests that the financial independence and legal precognition achieved motivated the female prostitutes to participate in political affairs of the State. The Kings would often utilise their rich connections and knowledge to gain insights about their kingdoms or win battles against their enemies by sending some of their most skilled courtesans as a present. For instance, in *Mahabharata*, King *Virata* ordered young maids to be enjoyed by the assembly. When Lord *Krishna* was on peace talks with King *Duryodhana*, thousands of young maids were part of a peace treaty to end the long-standing war. Similarly, in *Ramayana* book II Canto XXXVI, King *Dashratha* presents his son *Rama* with an army of slave girls that would help him in the war. Moreover, there have been mentions of 42 *apsaras* (courtesans in God’s realm) including *Menaka* and *Urvasi* (claimed to be the most beautiful women in the world and very skilled with their sexual prowess) in *Mahabharata* who routinely assisted the Gods and Goddesses (also discussed by Meyer 1930).

Thakur and Sinha (2005) also state that in the Jain text of *Vasudeva* Hindi tells the origin story of a *ganika* (popular prostitute) whose services and political contributions were regularly used in maintaining and protecting the sovereignty of the land. Thereafter, the *Jattaka* tales also talks about *vannadasi*, *janpadkalyani*, *ganika* (different names for prostitutes) and others who regularly contribute towards the politics of their society through their services. Such active contribution towards state politics and the power that they held, through their vast knowledge and complex connections with prominent members of society, moulded the Hindu female prostitutes into subjects of utmost respect and recognition. They held pride in their skills and knowledge and were quite satisfied with being separated from the ‘docile’ Hindu women (also discussed by Bhattacharji 1987).

### 2.3 (d) The effect of different Hindu empires on sex work:

Thakur and Sinha (2005) explains that the pride the prostitutes had regarding their skills and trade became even more consolidated with the establishment of the *Mauryan* empire in 321 BC. In this period, *Patliputra* became the first city to have its colony of brothels which was state controlled and had a standardized taxation procedure. King *Kautilya* believed that prostitutes and their practices were important for state revenue and any injury to them was considered an injury to the state. *Kautilya* also believed that one becomes a prostitute either by being born to a prostitute, purchased in war, captured a prisoner, or by adultery. But not all courtesans had the skill to provide the ultimate carnal pleasure which the rich fantasized about. This desire led to a special training of erotica at *Gandharvashala* schools (special school for arts and creative projects) under the arts and knowledge project during the *Gupta* Period in the 4<sup>th</sup> century. *Kamasutra* by *Vatsayana* and *Natyashashtra* by *Bharata* were also developed in this period that further consolidated the specialised skills required to become a renowned prostitute. It was the very first attempt to create a written knowledge on sexual discourse in India (also briefed by Meyer 1930).

However, before the decline of *Harsha's* Empire in the seventh century, Ramberg (2014) notes that the temple economy had started booming to great heights. The tradition of kings offering slave girls to *sages* (priests) was widely practiced. Young girls, mostly from poor low caste backgrounds, were brought to the temples as temple women and were donated to the priests of the local temple. This *Dakshina* (offering/donation) of young maidens to priests was made primarily with the belief of pleasing the Sun god and was most evident in the Vidarbha region of southern India. Known popularly as the *Devadasi* tradition (known as *Mukhi* system in the north) it was widely prevalent in the south of India and was mainly practiced to appease the *Goddess Yellamma* and *Renuka* (Sonwani 2013). They would dance to please the Gods and the priests, clean the shrines and sexually appease the priests. They were expected to be happy and have pride in their 'divine', elevated positions as they had the opportunity to devote themselves to the Hindu (predominantly male) Gods and the agents of those Gods (the priests) (also discussed in Meyer 1930).

As such, Thakur and Sinha (2005) explain that they were separated from the common courtesans or prostitutes who had free will and were involved in receiving monetary benefits and other gifts or rewards for their services. The 'divine' status achieved through this process made them closer to the concept of an 'ideal Hindu women' and hence, were worthy enough to be married. Some of the priests, would even make them their wives and a mother of their

children. Travelers like Abu Zaid Al Hasan in the 9th century and Al Baruni in the 11th century reported that the earnings of temple girls through prostitution would be taken by priests or kings as 'compensation' for their upbringing. Such practices made the *devdasis*, the most marginalised within the community of women and FSWs as they were neither 'pure' enough to receive the status of an 'ideal Hindu women', nor did they have the financial security and the independence of a common prostitute. This meant that the prostitutes were the most powerful group within the community of women (also discussed by Mazumdar 1963).

### 2.3 (e) Effects of post-Vedic era on sex work:

Post the Vedic period, however, as trade started flourishing, Bhattacharji (1987) argues that prostitution began to be used as a market attraction for the international travellers. These special prostitutes were taught *vasikatantra* (include skills like arts, dancing, weapon mastery, and others to pursue possible clients) to keep visitors entertained and pleased. Such practices led to a classification of prostitutes according to their looks, age, skills, and accomplishments. They were then, hierarchically graded and paid accordingly. They were categorized as: *Ganikas* and *Rupajivas* who were good-looking and skilful. They enjoyed a good salary, rent deductions, and even pensions when they got old. Moreover, as their social status was based on their caste/class, they would accordingly be invited to or allowed in the palaces, festivals, and marriages (as discussed by Thakur and Sinha 2005). The *Manusamhita* praises the contribution of such prostitutes by commenting that 'as the lives of the wives became burdened with chores and other responsibilities of the house, family, and relatives, it left the wives and the mothers uneducated and unskilled. This is why married men started seeking skilful superior class prostitutes like *ganika* and *rupajiva*' (also explained by Bhattacharji 1987).

### 2.3 (f) The impact of Islamic principles on sex work:

The growing significance of the prostitutes was met with sharp criticisms, in the Medieval era, with the onset of the Middle Eastern Islamic values of the Sultanate empire (1206 to 1526) according to Mullally (2004). Several aggressive expansion tactics were used in this period to regulate the prostitutes according to Islamic principles. The Sultan gave high salaries and allowances to nobles and chiefs to regulate the market of sex workers according to Islamic principles. This initiative sparked the desire of the nobles and chiefs to imitate the ostentatious

living of the Sultan which eventually led to an increase in the number of concubines. It resulted in the royals not being able to even afford a *harem* (a separate occupancy for concubines, wives, and slave-girls) as they began to spend most of their wealth and time in a private brothel for themselves (Mullally 2004, Bano 2009). Owing to this desire for luxury, there was tremendous demand for foreign prostitutes. This era, witnessed an influx of some of the most prominent concubines of history like *Lal Kunwar* and courtesans like *Anarkali* who are still worshipped by all the Indian female sex workers as Gods of the profession of sex work in India (Lal 2005)

Bano (2009) highlights the failure of the Islamic principles laid down by the Sultane empire to regulate the community of prostitutes. The influx of prominent concubines from the Middle East, further increased the importance of prostitutes within the royal family and the state system during the *Khilji* Dynasty. King *Alauddin Khilji* arranged for a classification of prostitutes into high, medium, and low, based on factors like skills, knowledge, beauty, caste, class, and other qualifications. Similar to previous Hindu rulers, Khilji was also an avid believer in delivering slave girls to other rulers in exchange for political favours and to showcase his wealth. It further contributed to an increase of the fascination for artistic courtesans in the medieval period who were separate from the ‘normal’ prostitutes due to their specialised skillset and wide socio-political knowledge (also discussed by Mullally 2004).

#### 2.5 (g) The impact of Mughal Dynasty on sex work:

With the onset of the Mughal period in 1526, the era witnessed extreme high standards of living among the royals and the nobles. They would often maintain a large harem of women that included concubines, courtesans, royal prostitutes and transgender bodyguards. Lal (2005) highlights that such increased numbers of members in the harem, often led to a stiff competition among the concubines, wives, and slave girls to become the favourite of the king. This was because of the popular belief that if one was able to grasp the attention of the King or any other prominent noble, they would also be able to influence the politics of the land through the royals. Moreover, as a favourite of the King, the life of a royal courtesan would be filled with splendour, riches, power, and respect. However, during *Akbar*'s (third Mughal emperor) reign, he confined the prostitutes outside the capital city as he was a devout Muslim. Akbar also tried to create a gap between a full-time prostitute and a courtesan or an entertainer. On one hand there was a class of courtesans who ‘enjoyed wealth, power, prestige, political access and were

considered authorities on culture' and on the other hand there were public prostitutes whose lives were slowly degrading with new stringent Islamic laws of the land (also discussed by Mullally 2004).

*Tawaiifs* were one such rank of courtesans who enjoyed a high seat in social hierarchy and to be around or in presence of a *tawaiif* was a symbol of high status and prestige. They were paid high royal patronage and many nobles would often send their young children to royal *tawaiifs* to learn basic etiquettes and manners. Mullally (2004) explains that Shah Jahan (fifth Mughal emperor), was fascinated by dancing girls or the *Kanchanis* (dancing female prostitute) who would perform in Court and *seraglios/harem*. During his reign, all kinds of prostitutes were reported to have enjoyed more freedom, respect and higher status.

Despite the growing significance of prostitution many nobles felt that the rulers were getting too involved with 'these unworthy girls' (who did not follow the Islamic principles of modesty). Lal (2005) argues here that *Aurangzeb* (sixth Mughal emperor) wanted to revive the traditional Islamic virtues and was strictly against commercial prostitution. He ordered them to either be married or leave their profession. He even tried to ban prostitution but failed miserably as the rich and the nobles were great patrons of prostitution. On the other hand, the neighbouring Hindu rulers such as King *Indrajit*, *Raja Baz Bahadur* also strongly favoured prostitution. The difference of approaches and ideologies between the Islamic and Hindu rulers often led to clashes of opinions between them (also discussed by Thakur and Sinha 2005). However, as the Mughal empire started to grow and conquer neighbouring kingdoms, the Islamic principles that they preached became stronger and more prominent. As a result, Mullally (2004) argues that the sex workers of the region lost their social security and were ostracized, outcasted and subjected to public violence. This led to *Badauni* (an Indo-Persian historian) calling sex workers the 'filth of the society' and demanding that like sewers, they too must stay outside the cities.

Lal (2005) postulates that the situation however, changed dramatically once again in the 19<sup>th</sup> century-before the onset of the British empire. The *Tawaiif* society grew bigger than before due to the introduction of industrialisation and offshore trading with other countries. They enjoyed elite cultural groups and were called to festivals, marriages, and royal courtyards thereby, once again promoting social mixing. With the growing importance of trade, business, education, and consumerism the elite status of *Tawaiifs* were dissolved and equated with the common

prostitutes. Eventually when the British came to India for trading with the Mughals, the Indian women along with the female prostitutes were to the foreground of most of the religious and political struggles (also discussed by Liddle and Joshi 1985, Sharma 1994). The history of sex work and the changing status of sex work in India over time, forms a historical backdrop to the activity and status of sex work and sex work activism there today. The categorisation of women and of women in prostitution continues to be formed and politicised through discourse of religion and patriotism much as they have been in other centuries. Politicisation involving religion and nationalist forms of patriotism is significant in the formation of the categorisations of FSWs encountered in contemporary Indian culture. Indeed as the study uncovers, religion and patriotism remain substantial forces relevant to the current experiences of FSWs and to the paths that FSW activism in Delhi has taken (as argued by Lal 2005).

#### 2.4 Traditional and Hindu categorisations dividing women and sex workers:

As discussed in Section 2.3, there is no uniform consensus surrounding an ‘ideal Hindu women’. Mukherjee (1978) and Raines and Maguire (2001) argue that as time passed, there did evolve a common conceptualization of who cannot be considered fit enough to be included in the category of an ‘ideal Hindu women.’ There are three idea of an ‘ideal Hindu women’ is thus, defined along three primary traditional and religious based categorisations of women, *Devi* (Goddess), *Dasis* (slaves) and *Veshya* (FSW) which affect FSWs today. Identity, social status and the level of respect, rights and privileges, follow these categorisations.

Saxena (2018) identifies the first category to be *Devi* (Goddess) which applies to most Hindu women in India. They are the ‘normal’, ‘civilized’, ‘cultured’, ‘domestic’ women of the society that are ‘innocent’ and not inflicted by any of the social evils of the world. They are worthy of all the respect, rights, privileges and services of a ‘civilized’ society. However, considering the various range of gender-based violence and other social evils that are seen in the subcontinent, the question of ‘*devis*’ deserving and receiving their due share of respect or recognition is highly doubtful.

Agarwal (2003, 2008) identifies the second category to be the *Dasis*- that could be literally translated into servants of either upper caste men or male gods. As the name suggests they are expected to voluntarily serve the men and the male Gods of Hinduism (including the priests).

This category is caste and class sensitive as it is predominantly the lower caste women or *Dalit* women that are bought and sold as slaves/servants. In *Sanskrit* such women are popularly known as '*Devdasis*' (servants of God) and often argued to be the sole 'surviving grace'. The only purifying ritual for *dalit* women is to wash off their impurities, sin and bad '*karma*' because of being born as an outcaste (Chatterjee 1993). Agarwal (2003, 2008) also argues that the most important aspect in this custom is voluntary acceptance of the role as otherwise it could be argued as a form of slavery, rape, sexual exploitation of a minor, or human trafficking according to the India Penal Code.

Rana et.al (2020) then discusses the *Veshya* community which consists of voluntary, forced, and traditional sex working communities such as the *Bedias*, *Kanjar*, *Koltas*, *Sansi* and *Nats* that practiced sex work and other forms of entertaining service like singing and dancing as a form of their traditional cultural practice. Known for their monarchy and tribal nomadic lives, the women of the community were always solely responsible for maintaining the finances of their families while their fathers and brothers acted as pimps or agents. The traditional sex working community were actively involved in the sepoy mutiny of 1857 against the British crown. To punish their involvement, the British marked the traditional sex working community under the 'Notified Tribes and Criminal Tribes' watchlist (also argued by Oldenburg 1990). This meant that all traditional sex working communities were stripped of their individual identity and were now collectively recognised as a Criminal Tribe that required constant supervision.

The British government also prohibited the traditional sex working community from ownership of agricultural land. Such continued cruel repression greatly hampered their business and, their traditional cultural practice and left the communities almost destitute and extremely marginalised even by their fellow female sex workers. After independence however, the National Commission for Denotified Nomadic and Semi-nomadic tribes, along with the Ministry of Social justice and Empowerment of Government of India, finally recognised their contributions in the freedom struggle and their traditional occupation by including all traditional sex working community into a separate Schedule Caste category with special privileges that were in accordance with the Indian Constitution Schedule Caste order of 1950 (as argued by Rana et.al 2020). This exemplifies the high regard in which patriotism was held by the new rulers of independent India. It also exemplifies the capacity of governments to recognise and protect sex workers should it suit their political view.

Raines and Maguire (2001) claims that the special legal recognition and the privileges provided to the traditional sex working community through the Schedule Caste order (1950), marked a clear separation between the commercial sex workers and the traditional sex working community. It made the commercial sex working community feel extremely jealous as they were now ranked lower than the traditional sex working community. Moreover, since the Indian government periodically refused and failed to recognize and allocate similar rights to the commercial sex working community, it contributed to routine violent outbursts between the two. Examples includes ostracization of the traditional sex working community from dominant discourses, 'sisterhood', public/political representation, and southern feminist/sex work activism.

Chakraborty (1963), in his effort to better understand the growing divide between the commercial and traditional sex working community, focused on understanding the motivation and justifications for FSWs entry into sex work, during the second half of 19<sup>th</sup> century Bengal. He mentions that Bengali women of that time who could not be contained within the folds of social discipline were coerced into sex work as a form of punishment. This was because they were tagged to be too 'wild', 'untameable', 'precarious', 'immoral', 'dirty' and thus, unworthy of becoming respectable Hindu women with rights. Another plausible reason for women choosing the profession was revealed by Tarachand (1991) to be the practice of *Devdasi*, broken homes and familial violence. Sex work for such women provided them with the required escape from disruptive environments and gave them the necessary space to make a career and earn a living. Furthermore, Menen (2007) and Karandikar (2008) also included sex trafficking to be yet another crucial reason for women's entry into sex work in India.

Tarachand (1991) concludes that with similarity outweighing differences between the two communities of commercial and traditional sex workers, most of the contemporary sex workers, activists, advocates, representatives of various sex work NGOs, and policy makers have attempted to address the growing divide by grouping all kinds of sex workers together. The commercial sex workers have taken this opportunity to construct a unified community of FSWs and pressurize the government into recognizing their services to be like that of informal labour. Karandikar (2008) further argues that since, the traditional and commercial sex working community are all human beings and recognise themselves as women, they should deserve the same basic human and women rights that are allotted to other members of society.

For instance, women of the *Bedia* community justify sex work and consider it as a culturally and socially accepted form of livelihood. They argue that the stigma and violence associated with the terminology and the business, is a colonial construction and should be eliminated after Independence.

The commercial sex workers, activists, advocates and representatives of various sex work NGOs align themselves with this sentiment and are attempting to construct their renewed version of activism surrounding this sentiment. This does not mean that the differences, prejudices and stigma that separates the various categories of sex workers have disappeared. But the commercial FSWs argue that they are attempting to rise above such differences and present a unified power and front to fight their common enemies, that include the State and its Constitution, mass prejudice, and structural violence (also explained by Rana et.al 2020). The following sections traces the legal historiography of sex work and sex work activism in India that influenced the contemporary FSWs and FSW activists and advocates of sex work NGOs to continue their reliance on the legal jurisprudence of the Indian state.

## 2.5 The legal context:

There is a considerable if not unanimous agreement amongst most contemporary global feminists such as Charlesworth et.al (2017), Kotiswaran (2011) and Engle et.al (2021), on the negative consequences of anti-sex work criminal laws for sex workers. As a result, international reform trends reflect the view that complete criminalization is less desirable than the remaining three possibilities of partial decriminalization, complete decriminalization and legalization/regulation. There are however exceptions such as the South Korean law of 2004, ‘The Sex Trade Prevention Act’ under which only sex workers that are victims are afforded protection. The South Korean Law is an acute reminder for all feminists that the language of victimization can influence states to formalize conservative social attitudes towards supposedly ‘good women’ worthy of legal protection and ‘bad women’ who are not (as argued by O’Connell 1999).

For the most part however, disagreements between abolitionists and sex work advocates have escalated around the remaining three policy possibilities. However, of late, empirical studies of sex markets around the globe have furthered feminist insights into the working of laws.

Agustin (2007) explores a regulatory proposal that can entrench the divide between native and migrant sex workers in the west. Bernstein (2007) argues here that the feminist inability to anticipate the unintended consequences of their lobbying efforts comes from a failure to appreciate the later changes in political economy heralded by post-industrialization.

Charlesworth et.al (2017) looks into the practice of overreliance on legal formalism and argues that over-reliance has driven illegal and migrant sex workers in San Francisco, Amsterdam and Stockholm further underground while privileging a small tier of indoor, registered sex worker. This makes it difficult for academics, researchers, policy makers and others to formulate a realistic understanding of the community and the sex market now driven underground. Unless an expansive understanding of the law and its pluralism is brought to sex work debates, it is impossible for feminists to work and contribute towards the welfare of the community (also discussed by Kotiswaran 2011). It will often result in big mistakes, like the 1949, UDHR (Universal Declaration of Human Rights) and the UN Charter Unanimous Declaration which read sex work to be a violation of human rights and obligates states responsibility for the rehabilitation of victims of sex work. It resulted in the introduction of CEDAW (Convention on the Elimination of All Forms of Discrimination against Women), which is a legally binding instrument for all its participants. It's Article 6 suppresses all forms of trafficking in women and exploitation of women in sex work and equates human trafficking with sex work (also discussed by Engle et.al 2021)

#### 2.5 (a) Sex work and the law in India:

It is important to be aware of the evolution of laws surrounding FSWs in India after Independence. Misra (2008) and Sagade and Forster (2018) states that the official Constitution was only adopted in November 1949 and came into force on 26<sup>th</sup> January 1950. It took a few years for the political leaders to establish peace and write the Constitution after the brutal partition of the then British India into Pakistan and India. Following the violent partition, the political leaders of both India and Pakistan solely focussed on maintaining peace between different religious groups in their respective countries and formalising their boundaries. This meant that they did not give much attention to the 'women's question, nor the fate of millions of FSWs and FSW activists in India.

Gangoli (1993) states that, as the Indian Constitution was heavily influenced by the British and Irish Constitution, the various legislation that deals with women, sex workers and other vulnerable and marginalised communities, was also defined along the lines of British-Irish Christian morality. Menon and A.J (2020) further argues that when in 1956, the then political party in power (Congress with Nehru as the Prime Minister), introduced the SITA (Suppression of Immoral Traffic Act). It was enacted in response to India signing the International Convention on the Prevention of Immoral Trafficking in New York on May 9, 1950. It's aim was to prevent trafficking of women and girls and to curb the immoral aspects of sex work, it defines 'sex work' as the sexual exploitation or abuse of persons for commercial purposes, and states that the expression 'sex work' shall be construed in accordance with Article 2 of the Indian Constitution - which interprets any transactional sex to be exploitative (also presented by Misra 2008).

This makes sex work in India legal, only if the sex worker adheres to the following requirements:

- Sex Work in public places like place of worship, educational institution, hotel, hospital, nursing home or others (200m in a radius of public places) is prohibited - with a penalty of about 3 months of imprisonment (Section 7 ITPA).
- Soliciting clients, oral entreaty or persuasion for sex work: which includes words, gestures, wilful exposure by sitting beside a window or on the balcony of a building or house in any other way (Section 8 ITPA). The penalty on first conviction is imprisonment for up to six months, or a fine of Rs 500 (€6) or both. For subsequent repeated offence the penalty is imprisonment up to 1 year and a fine of Rs 500 (€6).
- All other activities of third parties including pimping (Section 5 ITPA), brothel-keeping (Section 3 ITPA), seducing a person for sex work in custody (Section 9 ITPA), living on earning of sex workers (Section 4 ITPA) are illegal (also presented by Sagade and Forster 2018, Menon and A.J 2020).

To put simply, the SITA/ITPA like the Nordic model (see Chu and Glass 2013, Kingston and Thomas 2018, Vuolajarvi 2018) criminalises the purchase of sex but not the selling of sex. It also criminalises pimping in public places, communicating in public for sex work, soliciting,

brothel keeping and forced trafficking of under/of age girls/women. Scholars such as Gangoli (1993) and Misra (2008) are of the view that the only difference between the ITPA and the Nordic model was the way aspects such as patriotism, Hindu nationalism and caste-based politics were incorporated. The intention here was to blame the British Colonial administration with their Christian Missionary propaganda for destroying the lives of all Indians including women and sex workers.

#### 2.5 (b) The Constitution on sex work:

Menon and A.J (2020) note that the Constitution of India, in 1950 confers certain fundamental rights and legal rights to the community. As recorded in Budhadev Karmaskar case, the sex workers are entitled to the right to life and personal liberty as in Article 21. Article 23 prohibits trafficking in humans for the purpose of sex work or otherwise. In Part III of Constitution of India, Article 38 directs state to secure a social order for the promotion of the welfare of people while Article 47 obliges the state to raise the level of nutrition and standard of living to good health. Part III also includes Directive Principles of State Policy which are fundamental in governance of the country. Under Part III of Directive Principles, the children of sex workers are given special recognition and care. Recognized as victims of sex work, the state later also introduced Sections 39 and 40 of Juvenile Justice (Care and Protection of Children) Act 2015 which deals with process of rehabilitation, social integration, and restoration of children in need of care and protection (also presented by SANGRAM and NNSW 2016, NNSW 2019).

#### 2.5 (b) Renaming SITA to ITPA:

In 1980, due to intense pressure from the U.N, India signed CEDAW. This decision created a lot of tension among local feminists and the sex working community due to its discriminatory policies. In 1986, the community publicly rebelled, against the global position of the Indian government and the stringent policies of the ITPA, by coming together on the streets of Delhi. They pushed the government to focus on the contemporary local problems that were specific to the Indian sex working community. This resulted in the amendment and renaming of SITA to ITPA in 1986. The amendments expanded the definition of trafficking to include trafficking of women<sup>17</sup> and children for other forms of exploitation (such as begging, illegal organ trading,

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<sup>17</sup> Previously just included underage girls.

selling of girls as slaves and/or dancing girls and others). Furthermore, it increased the penalties for offenders involved in trafficking, increased the focus on rehabilitation and social reintegration of victims and introduced the concept of 'protective homes' to provide a supportive environment for the rehabilitation of the victims (also argued by Mohan 2006).

#### 2.5 (c) The significance of shelter homes in Indian legal jurisprudence:

Ramachandran (2024) argues that the concept and practice of shelter detention in India dates back to colonial forms of governance and to the ideology of an 'urgent need of rescue from sex work'. Similar to the Magdalene homes of Britain and Ireland of the 1900s, the rescue/protective homes and shelter detention centres are argued to be 'ruthlessly reformatory' (2024:225). This is because the ITPA gives judicial magistrates the discretion to place rescued girls and women (irrespective of their choices) in what it terms 'protective custody' until the suitability of their families or guardians to 'take charge of them' is verified. The process involves coordinating with the respective NGOs and police and can take up to three weeks. Thereafter, courts can either order sex worker's release to a 'suitable' guardian or commit them to further detention of one to three years.

Sex worker rights groups have challenged the way the ITPA's prescription of protective custody invalidates an adult women's consent and they have questioned the ITPA's assumptions about custody and guardianship. The advocates have further urged the Supreme Court to take into account the fact that many 'rescued' women are heads of their households and in such situations, often find themselves scrambling to 'produce' fake guardians to meet this legal requirement (as presented by SANGRAM 2018). Moreover, Muralidhar (2004) describes the protective home in Agra to be a prison-like-institution that was under scrutiny for human rights abuses in the 1980s. He states that shelters are 'a penal custodian institution, with rules drawn up along the same lines as those governing prisons' (2004:287). 'Inmates' are not permitted to leave except by court order and only if a suitable guardian (often male), claims their custody or if a police escort is available to deliver them to this custody.

Ramachandran (2024) argues that the ITPA's prescription of shelter homes is shaped by boarder paternalistic assumptions in socio-legal contexts where women are seen as vulnerable and incapable to care for themselves or act responsible since. After partition, the Indian state

attempted to ‘restore’ these women (in alignment with the *Bharat Mata* debate) to their families or keep them in safe custody. However, feminist historians such as Menon and Bhasin (1993) and De (2018) claim that the state’s effort in managing sex work, has been central to the history of welfare bureaucracy and social work in post-colonial India.

#### 2.5 (d) Influence of HIV/AIDS epidemic on Indian laws:

Such ‘welfare’ efforts of the government increased in 1986, when HIV was first detected among some FSWs in Chennai (Solomon et.al 2006). To address the growing concern, NACO (National AIDS Control Organisation) implemented an AIDS Control Program in four phases that prioritised districts with the most infections. They also published material naming the four main drivers of spread of HIV infection in India as, (i) Commercial sex work, (ii) Unpaid heterosexual intercourse between general males and females, (iii) Injecting drug use and (iv) Unprotected anal sex between men who have sex with men (MSM) (as discussed by Paranjape and Challacombe 2016). The NACO report identified the sex workers as being the sole carriers of communicable disease. This report initiated a strong rise in the abolitionist movement which focused on the public health complex. Continued efforts from the abolitionist movement activists, in limiting the spread of HIV/AIDS were greatly applauded by the Indian government and received immense support from UNAIDS and WHO working Group on Global HIV/AIDS and STI Surveillance initiated in 1996 (as presented by UNAIDS, UNICEF and WHO 2004).

#### 2.5 (e) Male sex workers and the Indian law:

Narayan et.al (2013) and Biello et.al (2017) believes that the constant global and national surveillance on managing the HIV/AIDS and STD/I epidemic, brought into the limelight for the very first time, the community of Male sex workers (MSW) and Men who have sex with men (MSM) in India. This was because the U.N, UNAIDS, WHO and other global organisations in collaboration with NACO concluded that their unsafe sexual practices, unprotected sex in a dirty public alley or a street corner, was primarily responsible for this spread. This brought a new academic focus on male sex work, previously mostly ignored in India (also argued by Shinde et.al 2009:43).

Shinde et.al (2009) in association with *Humsafar* (Companion) Trust in Mumbai set out to properly identify and document the category of MSMs, MSWs and other kinds of sex workers that were outside the dominant community of FSWs in India. They are of the view that MSMs are a diverse and often hard-to-reach group, spanning all age groups and socio-economic backgrounds. They are a significant but often ignored population due to the stigma and societal expectations. This, makes it difficult to identify them. Unlike the FSWs, most of the MSWs and other kind of sex workers are unorganised<sup>18</sup> and often work part-time under the guise of masseurs, barbers, cleaners, bar boys, dancer/entertainers and others. Nonetheless, after much research MSMs in India are now categorised into the following subgroups: self-identified MSM (gay identified, *kothis*, *panthis*), behavioural MSM with no identity, bisexual men and male-to-female transgenders (*hijras*). Other groups include subpopulations who are vulnerable because of their occupation/profession, who engage in ‘survival sex’ (Biello et.al 2017).

Srivastava and Bharati (2021) argue that the Indian AIDS Control Programme has recognised the contribution of all sex workers in preventing HIV/AIDS and actively supports various local NGOs that provide Targeted Interventions (TIs). The prevention package includes peer-led outreach education, promotion and distribution of condoms and lubricants, STI clinical services, community mobilization and structural interventions. The STI clinics also provide services for management of STI syndromes, periodic STI check-ups and syphilis screening. Additionally, HIV voluntary counselling and testing (VCT) services are provided either on-site or through referrals (Biello et.al 2017). However, a more negative impact of activism around HIV/AIDS, is that it further strengthened the dominant perception about the sex working community being solely responsible for spreading and containing an epidemic, along with the association of sex work with health impurities and of danger to the non-sex work community (as highlighted by SANGRAM and NNSW 2016, NNSW 2019) .

During this period Kumar (2024) concludes that there was a lot of back and forth with the legislations that governed women and specifically the community of sex workers in India. This was primarily due to two reasons, (i) balance being sought by Congress to keep local customs in harmony with global politics and power and (ii) Indian women’s movements not necessarily providing the impetus for the fundamental rethink of the age-old sex work policy formulated

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<sup>18</sup> Except the community of trans sex workers, which operate outside the dominant sex work discourse due to their elevated social status provided by traditional Hinduism.

in the 1980s and 1990s. The Indian state was left to still consider sex work as a ‘necessary social evil’ that needed to be properly regulated. Such abolitionist ideology kept Indian feminists working towards moral purity and reformation of the ‘impure and dirty’ FSWs. By the mid 1990s, the NCW (National Commission for Women) took a radical feminist view of sex work by viewing it as a human rights violation and the epitome of patriarchy (as explained by Kotiswaran 2011, 2017).

#### 2.5 (f) Legal reforms under the abolitionist ideology:

Menon and A.J (2020) argue that to pressurise the Indian Government into amending the ITPA, thousands of feminists and sex work activists from NNSW (National Network of Sex Work), AINSW (All India Network of Sex Work) and other sex work NGOs came together to protest in the streets of Delhi for months. As a result the Supreme Court of India in the *Gaurav Jain versus Union of India* 1997, case held that the children of the sex workers, have the right to equality of opportunity, dignity, care, protection, and rehabilitation and deserved to be a part of mainstream social life. The achievement of this legal recognition boosted the confidence of the community to continue with their proposed objectives under a radical feminist and abolitionist ideology (as argued by Misra 2008, NNSW 2019, WINS et.al 2020). The FSW activists and their advocates then focussed their attention on the horrors and exploitation of women and girls in commercial inter/national trafficking that operates within the gambit of commercial sex work. They pushed for more surveillance, enhanced penalties and stricter legislation to rescue and properly rehabilitate victims of sex work and trafficking.

As a result, the Government in association with the Supreme Court proposed a Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children (1988 Plan of Action). Menon and A.J (2020) believe that the Plan of Action adopts the radical feminist view but ironically it did not explicitly recommend the repeal of Sections that criminalized sex workers. It was only in 2002 that the MWCD (Ministry of Women and Child Development) proposed the repeal of Sections 8 and 20 of the ITPA due to the global popularisation of the ideology of decriminalisation of sex work (as presented by SANGRAM and NNSW 2016, NNSW 2019). Kotiswaran (2008) using her legal pluralist framework argues that the ITPA is suffering from three forms of biases that when enforced in *Sonagachi* (and in India) are exacerbated and result in discrimination against sex workers. “First, is substantive

bias in ITPA as it does not recognise sex workers to be victims of capitalist patriarchal economies. Second is bad faith bias that operates when corrupt police officials align with the politicians and use violence and stigma as a tool to inflict harm to the community. And third is procedural bias which occurs due to the lengthy, corrupt and violent judicial procedures” (2008:612). She argues that the three biases work together to keep the contemporary regulatory sex work activism model ineffective and exclusionary. It achieves this by intentionally immersing the model in politics, religion and the internal struggle between different kinds of FSWs and between commercial and traditional sex workers (as argued by Kotiswaran 2008, 2011). It is this precise criticism developed by Kotiswaran in relation to the ITPA that forms the basis of the theoretical framework I use in this study to explore the failure of the regulatory model to protect sex workers and sex work activists from violence.

#### 2.5 (g) Influence of global politics on Indian policies:

The value of Kotiswaran’s (2008) critique and the unfolding problems arising from the biases she pointed became clear during the early 2000s. Adhering to protocols introduced by the U.N became a necessity for developing countries like India to maintain the global status and friendships with other western countries. Kotiswaran (2011, 2017) argues that India tried to follow all international protocols as advised. Much like China and Thailand, India too was pressurised to implement the transnational anti-trafficking regime of the U.S that fuelled the expansion of initiatives including rescues, shelters and rehabilitation programs (also discussed by Ramachandran 2024). India in 2000 accepted the U.N resolution on Trafficking (Palermo) Protocol to Prevent, Suppress and Punish Trafficking Against Persons, especially Women and Children. About the same time the USA also passed the VTVPA (Victims of Trafficking and Violence Protection Act) 2000 which ranked countries according to their efforts to prevent, prosecute and punish trafficking.

Sagade and Forster (2018) state that these rankings in the ascending order of performance were Tier-3, Tier-2 Watch List, Tier-2 and Tier-1. Countries that do not comply with its standards fall within Tier 3 of the annual TIP Report and risk the withholding of non-humanitarian, non-trade related foreign assistance alongside being globally embarrassed in the international arena. This U.N protocol put India in the Tier 2 list for the first three years (2001, 2002, 2003) and it was demoted to the Tier 2 watchlist for failing to make ‘significant enough’ contribution in

combating trafficking. Faced with extreme humiliating and frustration, the Government was forced to propose a quick amendment to ITPA by criminalizing customers of sex workers (explained by Misra 2008) and so they, signed the UNTOC (United Nations Convention Against Transnational Organised Crime) in 2002. This protocol called upon the international community to come together and devise internationally viable legal reforms, in their fight towards ‘crimes across border’ (highlighted in U.N 2004).

#### 2.5 (h) Compromises made by India to become a permanent security member of the U.N:

When the TIP report was issued, India tried very hard for the first three years (2001, 2002 and 2003), but was not only able to figure in the Tier-2 list. This was quite humiliating for the Indian government and to address this, Kotiswaran (2011, 2017) states that in 2002, the federal-level Department for Women and Child Development (DWCD) proposed an amendment to the ITPA to expand the definition of trafficking to mirror the UN Protocol and increase penalties against brothel keepers and traffickers (Amendment 2002)-without necessarily criminalizing the customers (also argued by Menon and A.J 2020).

In 2004, India was finally demoted to Tier-2 Watch list, where it remained until 2010 for failing to make ‘significant enough’ efforts to combat trafficking. To challenge this, in 2005, Menon and A.J (2020) notes that the DWCD proposed a further amendment to ITPA to repeal sections heavily used against sex workers. But now this amendment allowed, for the first time, stringent punishments for customers of sex workers. However, due to differences between the Union Cabinet of Ministers in the Parliament - wherein the ministries of Home Affairs and Women and Child Development supported the Bill, and the Health Ministry opposed it, this amendment ultimately lapsed (as presented by Kotiswaran 2011, 2017).

#### 2.5 (i) Effects of global protocols on Indian law regarding sex work:

SANGRAM (2018) suggests that the lapse of the proposed amendment created a lot of unrest in local feminist politics as the western regulatory activism was influencing the Indian feminists and sex workers at the time. To appease this dissatisfaction and attempt to follow the global protocols, the Indian Judiciary decided to remove the words ‘prostitution is exploitation’ from the Criminal Law Amendment Act of 2013. This amendment introduced for the first time in

Indian legal history the possibility of the community of sex workers (highlighted in NNSW 2019, WINS et.al 2020 Menon and A.J 2020) issuing writ petitions and Public Interest Litigations (PILs). Due to one such writ petition filed by Delhi FSWs through NNSW, in which they complained about raids and being beaten up by police in custody, the High Court of Delhi provided a historic undertaking. If any, any police officer has evicted petitioners without going through due procedure as prescribed in the law, the sex workers were to be compensated for illegal detention under Section 17 of ITPA. The Sessions Court, Tis Hazari Delhi, also upheld that the victim working as a sex worker does not confer any right on the accused to violate her and as such sexual relations without her consent will be considered as rape (as discussed in SANGRAM 2018).

#### 2.5 (j) The legal achievements of the regulatory model:

Kotiswaran (2011, 2014, 2019) argues that the constant united pressure finally convinced the NHRC (National Human Rights Commission) in 2004, to reiterate the need for increased criminalization under ITPA. It included prosecuting customers and exempting only minors and victims. Thus, for the first time drawing distinction between trafficked victim and voluntary sex workers. Similarly, in 2008, sex workers mobilised from all over the country to march for their inclusion under the Social Security for the Unorganized Sector Scheme<sup>19</sup> (Menon and A.J 2020). Again, in the Re Deva Kumar case, the Madras High Court supported the establishment of Protective Homes and Corrective Institutions under Section 21. But announced that if the ‘victim’ is above 18 years of age, she cannot be forced to go into such homes. The Court were of the view that sex workers were entitled to a life of dignity in view of Article 21 of the Constitution and the government, must enable sex workers who wish to leave the trade voluntarily to be brought to Protective homes and Corrective Institutions and respect the choice of those who wish to continue (NNSW 2019, WINS et.al 2020). The call for greater government regulation is argued to be the onset of a new regulatory model of sex work activism in India that brought forth the next generation of feminist and sex work activism (Kotiswaran 2011, 2014, 2017, 2019, Pai et.al 2014). This new approach finally allowed India in 2011 to move back to Tier 2 position under the U.N model (SANGRAM and VAMP 2018).

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<sup>19</sup> Which would create the possibility of equating sex workers rights with that of informal labor rights.

## 2.6 Conclusion:

This Chapter explores the historical, colonial, politicised Hindu, and legal contexts that framed the experiences of Female sex workers in India. It emphasizes how British-Irish Christian morality shaped perception of the 'ideal Hindu woman' and the female sex worker. The argument is made that the native Indian men politicised Hinduism in an effort to protect Indian woman from colonial ideologies. Ironically however, the Chapter reveals that while fighting against colonial forces, the native Indian men unintentionally adopted the very principles of British-Irish Christian morality. This occurred through laws, such as the ITPA 1956, socio-cultural expectations that marked a separation between a *sati savitri aurat* and an immoral FSW, and the notion of nationalistic patriotism.

## Chapter 3: Feminist Theories of Violence

### 3.1 Introduction:

This chapter critically engages with feminist theories of violence as they relate to sex work, tracing the evolution of western and Indian feminist discourses and their diverse approaches to conceptualising sex work, stigma, and structural harm. Drawing from abolitionist, liberal, intersectional, and southern feminist frameworks, it explores how sex work has been variably positioned as exploitation, resistance, labour, and identity. Central to the analysis is the intersection of structural, cultural, and direct violence, with a focus on how national and legal discourses, particularly in the Indian context, produce layered forms of harm. The chapter also engages with key feminist critiques, particularly those by Phipps (2009, 2014, 2017, 2020), Grant (2014), and Collins (2017), which challenge carceral feminism, racialised respectability politics, and epistemic exclusions. Through an intersectional and transnational lens, the chapter interrogates the role of caste, class, religion, and colonial legacies in shaping both the lived experiences and theoretical representations of female sex workers (FSWs), while advancing frameworks that centre sex worker agency, resistance, and political subjectivity.

### 3.2 Features of western feminist debates on sex work:

Dolinsek and Hearne (2022) argue that like every other social practice, sex work too has its history. Feminists such as Ferguson (1983, 1984, 1986) consolidate the diversity associated with the historiography of sex work and claim that most of the recent feminist sexuality debates are concentrated in dual disagreements over the ‘correct’ feminist theory of sexuality, social power and sexual freedom. According to Ferguson, “while the first party sees sexuality shaped by sexual objectification as a tool of male domination, the other sees sexuality as shaped by sexual repression that is the product of all institutions, interactions and practices that distinguishes the normal, legitimate, healthy from their opposites” (1984:106-112). The contention presented by Ferguson (1983, 1984, 1986) between the two groups of feminists,

resulted in the dominant dual discourse of abolitionist and decriminalization of sex work perspective.

### 3.2 (a) Abolitionist theorization of sex work:

DuBois and Gordon (1984) identify significant disagreements in early feminist sexuality debates, primarily around the definition of sexuality. One group viewed male sexuality as inherently dangerous to women, while another focused on societal double standards that repressed women (Bar On 1992). These opposing views influenced scholars such as Millett (1976, 2000), Dworkin (1981, 1993, 2003), MacKinnon (1982), and Barry (1979, 1995), who critiqued male authors like Lawrence (1920, 1926), Miller (1965), Mailer (1964), and Genet (1964) for their portrayals of sexual politics.

Dworkin (2003), using the radical feminist perspective that ‘the personal is political’, argues these authors socialized women into accepting violence as intrinsic to sex. Millett critiques their depiction of female pleasure as reliant on passivity by considering it ‘a master humiliation and degradation of the female body’. She connects this to how male fantasy shapes gender identity (also discussed by Beauvoir 1970), justifying violence against ‘dirty women’ like FSWs (Jeffreys 1995, 2011). However, Millett does not explore how Genet’s narrative may produce feminine identification, as her focus remained on coitus as a feminist test case. Viewing sex as commodified and akin to rape, she saw sex work as the most degrading form of objectification, encouraging women to internalize such degradation through media portrayals like pornography and Playboy, in exchange only for love. Inspired by Millett, Dworkin states, “no woman who is a prostituted can afford to be that stupid, such that she would actually believe that tomorrow will come” (1993:1). Like Millett, she compares sex work to gang rape and critiques the “magical function of gendered money” (1993:3), which gives men power by limiting women’s economic independence. When women do gain financial power, men retaliate by punishing sex workers through violence and humiliation.

Dworkin further asserts, “people who defend prostitution want you to feel a kinky little thrill every time you think of something being stuck in a woman” (1993:2), framing sex workers as the literal embodiment of dirt and contagion, luring other women with the illusion of ‘a good life’ (Beloso 2012). For Dworkin, sex workers are punished not for their actions but for their

identity, as anonymous, 'dirty women'. Meanwhile, men affirm their masculinity by targeting women's bodies as conquests. Dworkin (1993) sees the solution as political: taking power away from men and scrutinizing the systems that enable sex work. Barry (1979, 1995), influenced by Millett and Butler (1990), critiques state-regulated sex work and challenges the distinction between free and forced prostitution. She writes, "when society becomes sexually saturated, sex is equated with female body... Sexual essentialism goes beyond promoting inequality to produce oppression" (1995:21-22). For Barry, sex work is a form of female sexual slavery perpetuated through distancing, disengagement, dissociation, and disembodiment. Building on Barry's analysis, MacKinnon (1993) views sex work as a denial of women's humanity. She and Dworkin identify pornography as integral to sex work and advocate civil rights protections for women through the Dworkin-MacKinnon Ordinance to dismantle the institution. Their activism contributed to the founding of organizations like WHISPER (1980) and COYOTE, which challenge systemic violence against women in prostitution (Dworkin 1981, MacKinnon 1982).

### 3.2 (b) Sex work as an abuse of sex:

Dworkin (1981) further criticises the Left for commodifying women through pornography, stating that "the new left-wing pornography is a vast graveyard where the Left has gone to die" (1981:217). Similarly, Millett challenges the notion that sex is biologically natural and its repression political, arguing instead that coitus reinforces male domination and is shaped by broader socio-political structures (Barry 1995). This dynamic produces an 'interior colonization' where women internalize and even defend their oppression (Beauvoir 1970). Barry's ideas influenced Rubin (1984), who framed sex as a natural force governed by a singular norm (Beloso 2012), while Harding (1986) critiques Rubin for creating 'standpoint feminism', pointing to a broader call for feminism's repoliticisation (Bar On 1992).

Responding to this need, MacKinnon introduces a feminist theory of sexuality that uses heterosexuality as its structure, gender and family as its congealed forms, sex roles as qualities generalized to a particular social persona, reproduction as a consequence and control as its issue. MacKinnon (1982), thus, considers 'consciousness raising' to be a prime technique of analysis, structure of organization, method of practice and theory of social change. She argues that this process helps feminists confront the reality of women's condition by examining their

experiences and by using this analysis for individual and social change. For instance, femininity acts like an identity to women. But it is also a desirability for men. Drawing from this practical analysis, MacKinnon argues that feminist consciousness is not just in the head/consciousness because women's oppression is a physical act. Features such as abortion, birth control, rape, incest, sexual harassment, domestic violence, sex work, pornography and others are real and tangible abuses by physical force, violence, authority or economics. They are abuses of sex. Women's experiences then obliterate the distinction between abuses of women and the social definition of what or who a woman is, as sexuality becomes a form of control and power, and gender embodies it. A woman's identity then and how she is identified both sexually and socially exists for a social male (also discussed in Beauvoir 1970). This groundwork sets the stage for a deeper examination of how these structures perpetuate violence.

### 3.2 (c) Systemic violence in sex work:

Phipps's work offers a sustained critique of how dominant feminist politics, particularly in their white, middle-class, and neoliberal forms, often reproduce hierarchies of exclusion and control through violence. Phipps (2020) argues that trauma-led feminist frameworks have increasingly become cantered around a narrow construction of the 'ideal victim': typically white, respectable, cisgender, and passive. These frameworks create a politics of exclusion, where those who do not conform, such as sex workers, trans women, women of colour, and migrants, are rendered either invisible or deviant. Feminism, in this form, becomes a mechanism not for collective liberation, but for securing moral authority and social capital, especially among privileged women. This idea is echoed in Phipps's (2014) work wherein, she critiques the way feminist politics align with neoliberal logics, promoting increased reliance on the criminal justice system, that supports certain forms of autonomy and empowerment while pathologizing or criminalising others. She argues that this is because the feminist calls for justice, are often framed through punitive measures, longer sentences, increased policing, and tighter regulation of sex work, which disproportionately harm the very groups mainstream feminism claims to protect.

Unlike the abolitionist perspective of sex work, Phipps (2017) argues that historical divisions over pornography and prostitution are less about ideology and more about power, specifically, whose voices are centred and whose experiences are legitimised. Anti-sex work feminists, in

seeking to abolish prostitution under the guise of protection, often end up reinforcing state violence against sex workers, denying them agency and voice in the process. She advocates for a non-carceral, sex worker-led feminist politics that disrupts both state violence and feminist complicity (also discussed in O'Neill 2013). By making a powerful call to repoliticise feminism (similar to Harding 1986, Bar On 1992), she argues for a politics that resists both carcerality and respectability, centring the voices and struggles of those excluded from dominant feminist narratives, especially sex workers. Her work insists on solidarity that is intersectional, messy, and accountable, rather than grounded in moral superiority or emotional entitlement. By exposing the ways in which feminism has been co-opted into neoliberal and carceral regimes, Phipps offers an urgent invitation to rethink feminist praxis, not as a tool of institutional alignment, but as a radical project of collective liberation that listens to and is led by those most marginalised.

### 3.2 (d) Racism and classism in sex work:

Phipps (2009) further argues that respectability politics serves as a recurring tool of exclusion. Through her work in *Rape and Respectability*, she interrogates how classed and racialised expectations of femininity determine which survivors are believed, protected, or blamed. Survivors who do not conform to dominant scripts, those who are angry, poor, queer, or sexually autonomous, are often dismissed or viewed as complicit in their own harm. This is not simply an oversight, but a reflection of how feminist frameworks have internalised societal norms about gender and virtue. Phipps (2020) describes this as a form of 'interior colonisation' (also discussed by Beauvoir 1970, Barry 1995), where women are socialised to internalise their own oppression and participate in upholding structures of discipline and control. Feminism, in this form, offers protection only to those who meet its unspoken standards of innocence and decorum.

Extending on Beauvoir's (1970) feminist critique, Hooks (2000) argues that Friedan's (1963) framing of American womanhood ignores class and race by centring white, middle-class women while marginalising the realities of poor non-white women: a critique echoed in Claggett (2023). Phelan's (1990) concept of marginality as both deprivation and resistance further deepens this analysis by emphasising the importance of subjective experience in feminist inquiry. These interventions laid the groundwork for critical race feminism, which

introduced an intersectional approach to examining how racism and sexism intersect to harm women of colour.

Similarly, third-world and anti-racist feminists such as Bindman (1997), Kempadoo and Doezema (1998), Hooks (2000), and FitzGerald and McGarry (2018) critique western feminist universalism, particularly its erasure of non-western women's sexual agency. Rooted in colonial legacies that hypersexualised women of the global south, this exclusion extended into sex worker rights discourse, as seen in the early activities of the International Committee for Prostitutes' Rights (ICPR), where third-world voices were largely absent (Pheterson 1989). In response, sex workers in the global south organised autonomously, forming grassroots collectives and joining transnational networks like the Network of Sex Work Projects. White (1990) interprets these developments within a capitalist framework, viewing sex work as shaped by wage labour relations rather than moral decline.

Phipps (2009, 2014) extends on this line of thought and states that race and whiteness further complicate, dynamics of victimhood and legitimacy. She examines how whiteness operates emotionally within feminist spaces, especially in the deployment of white womanhood as a moral anchor. The politics of white tears highlights expressions of vulnerability and trauma by white women that can serve to centre white experiences while sidelining or vilifying racialised others. When this centring is challenged, it often gives rise to a white rage, which is a defensive, punitive reaction that seeks to reassert dominance and protect institutional investments. Phipps (2020) shows how this emotional economy enables the use of feminist discourse to mobilise state violence, particularly against sex workers, migrants, and people of colour, under the banner of protection and justice.

### 3.2 (e) Role of intersectionality in theorising violence against sex workers:

Collin's (2017) work on intersectionality as an analytical tool and an epistemological project further challenges the dominant knowledge systems that perpetuate epistemic violence such as the silencing, erasure and misrepresentation of marginalized group's experience, especially those of Black women and other marginalised groups such as FSWs. Through a critique of mainstream academic institutions for co-opting intersectionality that strips it of its radical, transformative potential, this domestication, she argues, represents a form of epistemic

violence in itself, as it distances intersectionality from its activists roots and blunts its critique of power. For Collins then, intersectionality is both a knowledge project and social justice practise that is inseparably tied to struggles against racism, sexism, classism and other interlocking systems of oppression. Her conceptualisation of violence as a multidimensional system links epistemic violence to structural violence by showing how exclusions in theory reflect broader patters of social inequality (similar to Phipps 2017, 2020, O'Neill 20).

Drawing on a feminist and intersectional framework, Sanders et.al (2017) illustrate how nationalist politics intersect with gender, race, class, and citizenship, resulting in the regulation of women's mobility and sexuality. They contend that the nation-state, in its efforts to delineate and protect its boundaries, simultaneously disciplines women's bodies, particularly those of sex workers. The structural violence and stigma faced by the sex-working community, they argue, are not incidental but are deeply rooted in the processes of state nationalisation. These are enacted through policy and discourse, such as the Immoral Traffic (Prevention) Act (ITPA), the Trafficking Bill, and regulatory frameworks, which collectively seek to regulate, control, and symbolically appropriate women's sexuality. In this context, the sex worker's body emerges as a contested symbolic site on which national identity, morality, and social order are constructed: a theme also explored in Chapter 2 through the lens of politicised Hinduism. Public discourse and policy frequently construct sex workers as threats to national integrity, public health, and moral values. Through mechanisms such as immigration control, criminalisation, and moral panics, the state positions itself as the guardian of both national purity and the idealised, vulnerable woman (the *sati savitri aurat*). However, as Phipps (2017, 2020) argues, this protective stance paradoxically reproduces violence against the very women it purports to safeguard.

### 3.2 (f) Harm reduction approach to sex work:

Mac and Smith's (2018) justification for a full decriminalisation, worker autonomy, and labour protections then, gains credibility through their comparative analysis of global models, which demonstrates how punitive laws endanger worker's safety, increase stigma, and foster police abuse. They underscore the absence of a progressive version of criminalisation and emphasize that its poverty, not criminality that drives individuals into sex work (see Section 3.3 e). Sutherland (2004) argues that ongoing disputes over sex work prompted Marxist feminists to

lead a second wave of activism. This coalition, comprising of feminist scholars, queer theorists, and sex-trade workers, moved beyond liberal tolerance toward a positive embrace of sexual non-conformity, placing consent at the centre of diverse sexual practices, including commercial, same-sex, public, and sadomasochistic sex.

Reger (2014) confirms that Sutherland (2004) does not endorse a liberal view of consent uncritically, noting that unequal power dynamics complicate consent. Both Reger and Sutherland recognise that sexuality can be a site of both exploitation and agency. Heywood and Drake (2003) argue that centring consent helped shape the discourse of sex work decriminalisation, framing sex workers as consenting adults. This led Bell (1994) to describe the movement's theoretical pluralism as postmodern, challenging overarching narratives like capitalism and patriarchy. Bell (1994) further asserts that this perspective enabled activists to question legal authority by affirming the existence of multiple, sometimes conflicting, truths.

### 3.2 (g) Decriminalization of sex work:

Grant's (2014) intervention provides a significant sociological foundation here, for advancing the decriminalisation model. This is because she argues that it is only by integrating sex work into the recognised economy, we can ensure safety and respect of all sex workers. Drawing on a decade of reporting and her own experience as a former sex worker, she positions sex work as a legitimate form of labour that deserves equal rights and protection. She challenges the abolitionist and rescue discourses by debunking the 'prostitute imagery' that portrays sex workers to be permanently stigmatized, dehumanized, and always 'on duty'. In alignment with Sutherland (2004), Heywood and Drake (2003), and Reger (2014) work on 'consent', Grant challenges the binary framing of sex workers as victims or empowered agents, instead foregrounding a structural and economic analysis that accounts for the constraints and inequalities shaping entry into the sex industry (see also Section 3.3 d, e). Her approach is particularly valuable for its recognition of constrained agency of sex workers, without reducing them to stereotypes or stripping them of political agency (also discussed in O'Neill 2013).

The impact of structural violence on sex worker's lived realities is further illuminated by Ryan and McGarry's (2022) research, which builds a compelling case for decriminalisation through a detailed exploration of how sex workers interact with healthcare systems in Ireland.

Employing participatory action research, their study reveals how legal frameworks, particularly the 2017 criminalisation model, reinforce stigma and institutional power imbalances that compel both native and migrant sex workers to withhold their occupational identities. This silence, often driven by fear of discrimination, exposure, or punitive consequences, is conceptualised as a survival strategy in the face of institutionalised surveillance and moral regulation. The authors frame this concealment as a manifestation of structural violence, whereby health and legal systems perpetuate marginalisation and materially limit access to care. The consequences include reduced utilisation of sexual health services, heightened exposure to risk, and increased psychological distress, outcomes that reflect the broader socio-political marginalisation of sex workers (see Section 3.3).

Ryan and McGarry further draw attention to the layered vulnerabilities experienced by migrant sex workers, who are doubly marginalised due to immigration status, language barriers, and restricted access to support networks: a condition they describe as ‘double invisibility’. Compounding these exclusions is the dominance of religious NGOs and state-sponsored victim narratives, which often claim to speak on behalf of sex workers while simultaneously erasing their voices from policymaking and public discourse. Despite such structural constraints, the authors push for resilience, particularly peer-led initiatives and informal networks that offer critical support and care. It reinforces the need for culturally competent, non-judgmental healthcare and offer empirical and theoretical support for the decriminalisation of sex work as an essential step toward advancing health equity, social justice, and labour rights within a structurally unequal system.

Feminist scholarship is thus called to adopt a historically and structurally informed lens that understands sex work as labour, rather than defaulting to narratives of inherent exploitation. As McGrew (2018) provocatively states, sex work has long been ‘the only thing allowed to women for money’, demanding that feminists consider the socio-economic contexts shaping such labour. While the sex worker-led movement in New South Wales drew a distinction between voluntary and forced sex work to reclaim agency (Kempadoo and Doezema 1998), Doezema (1995, 2001) critiques this binary, arguing it reinforces colonial hierarchies by contrasting the ‘liberated’ western sex worker with the ‘victimised’ trafficked other (also argued by Grant 2014, Phipps 2020). She insists, along with Bindman (1997), that recognising sex work as labour, vulnerable to, but not defined by, exploitation, is essential for inclusion within labour and human rights frameworks. This framing enables a politics that acknowledges

sex workers' agency and resistance while addressing structural oppression (similar to O'Neill 2013). It then pushes for an understanding of sex workers not as passive victims but as political subjects negotiating their place in a world where their bodies are often sites of ideological conflict (Sander et.al 2017).

### 3.2 (h) Alternative theorisations of violence:

On the other hand, Galtung's (1990) and Anglin's (2010) frameworks of structural, cultural, and direct violence could further be used to analyse the systematic violence faced by marginalised communities such as women and FSWs. Galtung defines cultural violence as those elements of culture: such as religion, ideology, language, and science, that legitimize direct or structural violence (similar to O'Neill 2013). He contrasts this with cultural peace and identifies two core concerns in violence studies: the use of violence and its legitimation through institutionalization and internalization (also noted by Beauvoir 1970, Millett 1976). According to Agarwal and Unisa (2007) and Agarwal and Agarwal (2013), cultural violence alters the moral perception of acts. For instance, framing murder for the nation as acceptable but for oneself as wrong and obscures violence, such as the normalized yet illegal practice of sex-selective abortion in India. A systematic theory of violence is thus essential to understand how such moral codes reinforce the marginalization of women and FSWs (Ganatra and Hirve 2002).

Galtung (1969, 1971, 1990) visualizes violence in a triangular formation. Direct violence is understood as an event, structural violence as a process, and cultural violence as an enduring presence. Cultural norms can then, normalize exploitation or render it invisible, creating a flow from cultural to structural to direct violence. This normalization can provoke direct violence as resistance, often met with state counter-violence, leading to trauma. Over time, direct violence sediments into structural forms, entrenching inequality and requiring cultural violence for justification. Galtung (1990) further stresses the importance of understanding structural violence, especially for marginalized groups, as it masks harm by replacing overt acts with slow, indirect ones, such as through malnutrition or lack of healthcare. By extending the causal chain, perpetrators avoid visible violence, while victims lose autonomy under economic threats like siege or sanctions. Such structures leave lasting impacts on both body and the psyche.

### 3.2 (i) Gendered structural violence:

Feminists such as Anglin (1998), Kurtz et.al (2008), and Krusi et.al (2014) apply Galtung's (1969, 1971, 1990) model of direct, structural, and cultural violence to expose layered forms of harm experienced by marginalized groups. Anglin (1998) describes structural violence as the expropriation of vital resources and the operation of stratified systems that undermine survival. Race and gender, she argues, function as imposed categories that justify inequality and expose people to assault, rape, and other hazards. To address this, Anglin (1998) and Kurtz et.al (2008) call for a broader feminist understanding of social and state policies that withdraw support from the 'undeserving' while emphasizing incarceration and control under the guise of order. She notes that discussing gendered violence structures is not to portray women solely as victims, but to highlight their specific experiences under coercive systems, including those faced by FSWs. This lens reveals how power is naturalized through hegemonic interpretations of difference and cultural practices related to reproduction and sexuality. For example, Gailey (2010) shows how U.S. adoption practices reinforce gender hierarchies, exposing older girls in care to higher rates of sexual abuse, justified by discourses framing them as promiscuous and irresponsible.

### 3.2 (j) Structural violence and sex workers:

In the context of sex work, Farley et.al (2008) find that physical and emotional violence is pervasive. Ryan and McGarry (2022) argue that the structural violence FSWs and FSW activists face is not only gendered but shaped by intersecting factors such as race, caste, class, nationality, age, and sexuality. Drawing on Farmer (2004), they emphasize that risks to the community are rooted in macro-social structures, like criminalization, poverty, and racism that is shaped by broader socio-historical forces, including colonialism and globalization. Feminist scholars, they argue, must highlight how these intersections influence the ways gendered violence becomes embedded in ethnic-nationalist struggles. Krusi et.al (2016) identify policing and stigmatization as key mechanisms through which sex workers internalize structural violence, rendering perpetrators, such as the state and its institutions invisible (also Galtung 1969, 1990). This internalization of inequality, also discussed by Beauvoir (1970), Barry (1995), Phipps (2014, 2020), calls for tools like Scheper-Hughes' (2008) concept of 'everyday resilience' to understand how sex workers and activists create strategies, policies, and

programs to resist structural violence and assert their rights (Ryan and McGarry 2022, O’Neill 2013).

### 3.2 (k) Southern perspectives on sex worker agency and harm:

Furthermore, to challenge dominant western moral binaries surrounding sex work, Truong’s (1990) study on sex tourism in southeast Asia introduces the concept of sexual labour, recognising the productive and embodied dimensions of sexuality within broader economic systems. In a complementary move, Chapkis (1997) draws on Hochschild’s (1983) theory of ‘emotional labour’ to examine how sex workers in the U.S. and the Netherlands navigate emotional boundaries within their work. By framing sex work as labour requiring affective management, Chapkis contests universalising moral frameworks and asserts that emotional objectification is not inherently exploitative when workers retain autonomy and self-protection.

Building on this labour-oriented analysis, FitzGerald and McGarry (2018) advocate for a social justice framework that centres parity in rights, resources, and political participation for sex workers (also McGarry and FitzGerald 2017). This shift away from criminal justice aligns with critiques by Levy (2014), Mac and Smith (2018), Phipps (2017, 2020), and Ryan and McGarry (2022), who document the harms of criminalisation, including violence, housing insecurity, and legal discrimination in Sweden and Norway. Fraser’s (2007, 2009) vision of social justice further supports a participatory and inclusive methodological approach, calling for research that centres sex workers’ voices and situates them alongside other marginalised groups such as LGBTQ+ individuals and people with disabilities. This framework opens space for rethinking sex work politics through representation, authority, and epistemic justice. The subsequent section responds to these concerns by exploring how dominant western discourses have shaped, and often constrained, feminist and sex worker activism in India, while also highlighting emerging southern strategies of resistance and theorisation.

### 3.3 Rethinking Sex Work and Structural Violence in India:

Cunha (1992) argues that most of sex work studies in India adopt a structuralist-functionalist approach with a positivist orientation to social science and sociology. With no clear theoretical assumptions, the Indian theorists are conflicted with three contrasting views on sex work: the

moralist (abolitionist), the institutionalist (state-sanctioned regulation) and the feminist: challenges the first two positions and maintains that sex work is only one aspect of structured gendered relations. Others like Gangoli (2008) argue that there were essentially three different ways in which Indian feminists have addressed the issue of sex work: silence, as hurt and violence and as potential choice and liberation. Such contrasts as Agarwal (2003, 2008) and Ramberg (2014) would argue, motivated Indian feminist's theorization of sex work to mirror the Anglo-American discourses. However, the Indian radical feminists are more focused on the aspects of caste and poverty and their impact on sex workers and activism.

### 3.3 (a) Abolitionist feminism in India:

Cunha (1992) articulated a distinct non-western feminist stance by emphasizing the intersectionality of poverty, patriarchy, and caste discrimination. This framework informed a strand of 'cultural nationalism', which, as Kapur (1997) notes, constructs the image of the chaste Hindu woman threatened by the perceived moral laxity of western capitalist societies. Singh (2007) argues that such cultural nationalism eventually aligned with Far-Right Hindu politics, legitimizing abolitionist agendas. Dutta (2019) critiques this convergence for perpetuating colonial tropes that render Third World women as passive victims of violence. In response, Kapur (2010) advocates a 'sex radical theory' that affirms women's subjectivity and partial agency, challenging the dichotomy of victimhood and liberal autonomy (similar to O'Neill 2013).

However, Kapur's intervention is seen by Kotiswaran (2011, 2017) as limited, due to its neglect of structural institutions like family and economy, crucial to post-Independence feminist movements. This has led scholars such as Singh (2007) to critique Cunha's framework for misrepresenting sex workers' realities. Shah (2006, 2014), in her work on *Kamathipura*, identifies this misrepresentation in 'prostitution reporting', a genre exemplified by Gupta's *The Selling of Innocents* (1997), which deploys spectacle to depoliticize sex worker's lives. Empirical studies by Swendeman et.al (2015) and Azhar et.al (2020) counter dominant narratives, showing that sex workers are not passive victims. They have familial roles, operate beyond brothels, and prioritize health issues beyond HIV. These findings have supported a shift in Indian feminist praxis toward a state-regulated model of sex work. Rajan (2003) underscores this shift, arguing that neither abolitionist structuralism nor liberal practice-based

models suffice in the Indian context. Instead, she positions sex work as a critical survival strategy shaped by global capitalism (also discussed in Bindman 1997, Kempadoo and Doezema 1998).

### 3.3 (b) Business (*dhandā*) approach to Indian sex work and sex work activism:

Prominent sex work advocates and academics such as Seshu and Pai (2014) and Kotiswaran (2011, 2017, 2019) argue that Indian sex workers often felt ignored by the mainstream women's movement. They acknowledge that 'sex' in India is complicated as it is intertwined with diverse socio-cultural and political historiography (also argued by Sahni and Shankar 2013). But argue that while advocating for the 'business' of sex work attention should be given to the dangers of structural gendered violence-not pleasure, extreme victimization of a community-not agency and complex intersectionality-not binaries (also discussed in Phipps 2014, 2020, Grant 2014, Ryan and McGarry 2022). By redefining the concept of wage labour to *dhandā* (business) of sex work (as explained by Bindman 1997, Kempadoo and Doezema 1998), they argue that the business framework can encapsulate the complex intersectionality of agency, structured gendered violence, religious history and socio-cultural politics of Indian sex work(ers) and activism. For instance, brothel-based sex work known as *chukri* (bonded labour) suffers discrimination, violence and stigma due to the presence of forced generational servitude. On the other hand *adhya* (contract labour) and independent, part-time, migrant and street sex workers enjoy much more agency, confidence and independence in their work.

### 3.3 (c) Politicizing the community of female sex workers:

Much like Phipps' (2014, 2017) argument for the repoliticization of feminist struggles through bodily autonomy and resistance to moral governance, Harding (1986) and Bar On (1992) emphasize the need to reclaim sex work as a site of political agency. In the Indian context, sex work scholars such as Cornish (2006) and Kotiswaran (2011, 2017, 2018) have similarly drawn on Chatterjee's (2012) concept of 'political society' to theorize the systemic violence and stigma experienced by FSWs and FSW activists. Chatterjee's assertion that aspects of life situated in illegality remain inherently political (2012) offers a framework for understanding sex workers not as subjects outside the law, but as political actors whose lives transcend legal recognition. This framing influenced the National Network of Sex Work Organizations (NNSW) in rejecting traditional legalization models in India. Phipps (2017) critiques neoliberal

feminism for collapsing into moral regulation, particularly through public health discourses that frame women's bodies as sites of risk and control (also discussed in Ryan and McGarry 2022). In a parallel critique, Indian feminists have interrogated the state's HIV prevention strategies, which ostensibly transform sex workers into 'active agents of change' (Reed 2001) but simultaneously impose political surveillance.

While Buzdugan et.al (2009) and Suryawanshi et.al (2016) recognize the emancipatory potential of such programs in enabling mobilization, Cornish (2006) and Kotiswaran (2011, 2017, 2018) caution that these interventions often operate as a 'care-watch' system: a mechanism of surveillance masked as empowerment. Through Phipps's (2017, 2020) framework, this tension can be understood as a conflict between state-regulated empowerment and grassroots bodily autonomy. Phipps reminds us that when the state frames marginalized bodies through narratives of rescue or health optimization, it often reinscribes power rather than redistributes it. Thus, for Indian sex workers and their advocates, forming a political community becomes vital, not just for resisting state paternalism, but for establishing independence from dominant feminist discourses that, influenced by global North moralism, often fail to accommodate the specific socio-political realities of sex work in the global south.

### 3.3 (d) Significance of legal regulation:

To counter state power that reinforce state sanctioned violence (as argued by Phipps 2017), through state surveillance, Sloan and Wahab (2000) and Sutherland (2004), drawing on FitzGerald and McGarry's (2018) social justice framework, propose an alternative ideological orientation. They advocate prosecuting those who exploit, kidnap, or coerce women into sex work, while promoting economic justice, employment, and education for all women. Their approach emphasizes the destigmatization and depathologization of sex workers, supports women who choose to exit the trade, and equally supports those who continue, providing necessary services without requiring them to leave. Crucially, it also validates the diverse experiences of all women in the sex trade. Much like Charlesworth et.al (2017) and Roy (2009) who critique feminism's overreliance on legal formalism, Jayashree (2004), ironically, calls for increased reliance on established legal regulation, an approach also supported by Comte (2004), to resist state surveillance (similar to Mac and Smith 2018). This stance is essential for understanding the complex landscape of Indian sex work and regulatory activism, as it exposes the limitations of a radical, politicised state-regulated model in addressing the persistent

structural violence and stigma faced by the community (Cornish 2006, Kotiswaran 2011, 2017, 2018).

### 3.3 (e) Dimensions of violence suffered by Indian FSWs:

Moreover, when the triangular framework of structural violence as opted by Galtung (1969, 1971, 1990) is applied in the context of FSWs in India, Pai et.al (2013) suggest that the FSWs in India are victims of: (i) direct violence: because of their strained relationship with the police, law and government health professionals, (ii) cultural violence: when their relationship with the bureaucratic institutions, government, media, general mass, academics, and advocates are taken into consideration and (iii) structural violence: when aspects of the stigma associated with the business, and the mode of conducting business such as brothel-based, mobile, street, part-time and others and their race, gender, ethnicity, caste comes into play.

Ryan et.al (2019) argue that examining violence is essential to understanding the health needs of sex workers, whose well-being is shaped by rigid social hierarchies based on gender, sexuality, economy, geography, and labour (also Ryan and McGarry 2022). Based on ethnographic research in Delhi with WPSW (women who practice sex work), healthcare providers, and NGO workers, Ryan identifies key barriers to healthcare access, such as distance, literacy, language, and cost, which often force women to take high-interest loans for private care or turn to traditional systems like ayurveda and tantra. Similarly, Jayashree (2004), studying FSWs in Kerala, notes that residents often report them as public nuisances, prompting police intervention. In other cases, local authorities, in collaboration with neighbourhood volunteers, physically harass sex workers under the guise of ‘cleaning up’ public spaces. Jayashree’s (2004) account of direct violence overlaps with the rise of feminist protests against rape and bride burning, which led to the formation of the Indian Women’s Movement (IWM). Gandhi and Shah (1992) note that in the absence of official data, women’s groups began collecting evidence on violence against women. This led to a BPRD (Bureau of Police Research and Development) report, published in the Free Press Journal (1983), cataloguing violent crimes against women in India between 1977 and 1979.

Sex work	37.2 %
Kidnapping and Abduction	21.7 %

Molestation	14.2 %
Rape	8.6 %
Chain Snatching	7.2 %
Murder	5.1 %

Table 3.1: Percentage of violent acts against women.

Source: Gandhi and Shah (1992)

The list frames sex work itself as violent while omitting data on dowry murders, sexual harassment, and domestic violence. It also overlooks violence in carceral institutions and protective homes, where ‘rescued’ sex workers are disciplined. Drawing on Foucault’s (1975) theory of disciplinary power, Ramachandran (2024) argues that unlike Victorian Magdalene homes or colonial lock hospitals, India’s shelter detentions are more carceral as they are shaped by colonial, racialised logics that enable state regulation of sex work through surveillance and coercion, yet rendered invisible by governmentality. This regulatory approach narrows the Indian Women’s Movement’s (IWM) focus and fosters abolitionist narratives. Scholars like Cunha, supported by the state and the NCW, emerged as leading voices of this agenda (Bhasin 2003, 2004, Kotiswaran 2011, 2017).

### 3.3 (f) Resource, agency and achievements among sex workers:

To address the inability of the state in acknowledging structural violence experienced by Indian female sex workers (FSWs), Kabeer (1994, 2001, 2004), in collaboration with the DMSC in Kolkata, developed a theoretical framework centred on the interplay between resources, agency, and achievements. By documenting the factors that draw individuals into sex work and those that motivate their exit, Kabeer conceptualises resources as the preconditions and catalysts for exercising agency: defined as the capacity to recognise and act upon available choices. Achievements, then, are the outcomes realised through this agency, particularly in relation to the decisions and trajectories of sex workers within the trade. Building on this, Devine et.al (2010) highlight the often-overlooked ‘pleasure pathway’, through which sex work provides women with economic independence, freedom from male dependence, and alternative systems of property ownership and inheritance (also discussed in Phipps 2014, 2017, Mac and Smith 2018). However, Devine also critiques the concept of ‘whorearchy’: a

hierarchy within sex work based on perceived respectability, which shapes the types and intensities of structural violence that FSWs must routinely resist.

This critique parallels Phipps's (2014) analysis of respectability bias, wherein class-based narratives of sexual violence reproduce hierarchies through the trope of the 'deserving victim', marginalising those deemed deviant. In the Indian context, this logic is reflected in state-sanctioned rescue and rehabilitation policies, which reinforce a binary between the *sati-savitri aurat* (the ideal Hindu woman) and the *veshya* (the sex worker) (Mukherjee 2019, Singh 2021). Similarly, Ryan and McGarry (2022) argue that migrant women face double marginalisation and invisibility, while Phipps (2009, 2017, 2020) highlights the racialised victim hierarchies that structure global discourses on sexual violence. The Indian FSWs and FSW activist's intersectional status, as shaped by gender, sexuality, religion, caste, class, education, language, and affiliations with NGOs or CBOs, determines the degree and form of violence and marginalisation she experiences (also discussed in Collins 2017).

FSWs and FSW activists thus face layered violence and stigma rooted in intersecting systems of oppression. Their placement within the whorearchy, as theorised by Devine (2010), amplifies this marginalisation, especially for those at the bottom, such as street-based or *Dalit* sex workers, who are more vulnerable to police brutality, social exclusion, and limited access to healthcare, legal protection, and housing. These hierarchies are reinforced by respectability politics, which privilege compliance with middle-class, heteronormative, and state-sanctioned ideals of femininity, while pathologizing women who resist or transgress these norms. The resulting stigma is not only symbolic but materially harmful, manifesting in criminalisation, surveillance, and systemic exclusion from welfare and justice institutions (Phipps 2014, Grant 2014). As intersectional feminists such as Collins (2017) and Grant (2014) argue, the violence to be structural rather than incidental, maintained through systems that naturalise inequality and deny FSWs full recognition and rights.

### 3.3 (g) Understanding the reasons behind women's entry into sex work in India:

McClarty et.al (2014) on the other hand, explored structural violence within sex working communities by examining the underlying causes of Indian women's entry into sex work. They identified traditional sex work communities (*Devdasis*, *Bedias*, and the *Nat*), economic precarity, familial discord, violence, coercion, deception, subversion, and aspirations for

financial autonomy as key drivers. Their analysis highlights that the manner of entry into sex work and the presence or absence of support systems significantly shape the levels of stigma and violence experienced by FSWs. Expanding on this, Vanwesenbeeck (2013) proposed four primary motivations for entering sex work: financial, sexual, recreational, and coercive, while underscoring that gendered stigma and coping mechanisms differ markedly between men and women. She asserts that the stigma attached to female sex workers stems from their perceived transgression of normative femininity and sexual modesty, leading to a ‘spoiled identity’ (2013).

Similarly, Guha (2024), in her ethnographic study of madams and sex workers in *Sonagachi*, Kolkata, examines how everyday experiences of *kosto* (gendered and class-based struggle) are mediated by acts of *jotno* (care), particularly through the shared ritual of eating. She argues that in contexts where daughters are often denied food by natal families, the act of being fed by *madams* becomes a meaningful expression of care, reinforcing FSW’s decisions to remain in sex work. The concepts of ‘spoiled identity’ (see Goffman 1963) and ‘whore stigma’ (see Pheterson 1990, Benoit et.al 2018) are central then to understanding the stigmatization of women in sex work.

### 3.3 (h) Stigma and Indian FSWs:

Silverman (2011) further argues that in India, stigma is systematically imposed on all marginalized and vulnerable populations, including women and FSWs. This stigma is further compounded when viewed through the lens of intersectionality (Collins 2017, Phipps 2014, 2020), which reveals the multiple and overlapping forms of discrimination Indian women and FSWs face (similar to Ryan and McGarry 2022 double invisibility concept) . Buzdugan et.al (2009) and Vijayakumar et.al (2015, 2019) document the pervasive stigmatization experienced by FSWs. They are perceived as immoral, deviant figures threatening the moral fabric of society. Their economic independence and rejection of submissive gender roles are seen as disruptive to familial norms, and the stigma extends to anyone associated with them.

In contrast, Cornish (2006), through her study of the *Sonagachi* Project in Kolkata, identifies four strategies employed by Indian feminists to counteract such stigma. It includes advocating for the recognition of sex workers’ rights, aligning with other politically successful movements

(such as women's, *Ambedkarite*, and freedom movement), showcasing sex worker's achievements, and using education to transform FSWs into peer educators and active agents of change. She calls on feminists, researchers, and activists to prioritize collective mobilization that fosters immediate symbolic political change, cautioning that material reforms unaccompanied by symbolic shifts, or symbolic ideals lacking material foundation, are both insufficient.

### 3.3 (i) Decolonial approach to structural violence:

O'Neill's (2013) analysis of U.K prostitution within a continuum of coercion and choice directly speaks to the violence and stigma experienced by FSWs and FSW activists in India. As, the politics and business of sex work in India is frequently shaped by entrenched structures of caste, poverty, gender-based violence, and displacement. Her framing of sex work as embedded in wider systems of structural violence, such as state surveillance (Reed 2001, Kotiswaran 2011, Ryan and McGarry 2022) criminalisation, and socio-economic exclusion (Grant 2014, Mac and Smith 2018), offers a lens through which to understand how marginalised women are pushed into and regulated within the trade, not through individual failings, but through systemic denial of rights, protections, and resources. This is acutely visible in India, where laws like the Immoral Traffic (Prevention) Act (ITPA) criminalise associated activities of sex work (like brothel keeping or soliciting), thereby, reproducing precarity without addressing root causes like lack of housing, education, and healthcare (similar to Phipps 2009, 2014, 2020).

Similarly, O'Keefe (2021) concept of bridge-builder feminism, create a space for solidarity across differences that is grounded in mutual recognition, humility and ongoing dialogue, across ideological divides. Through a strong willingness to hold complexity and remain politically engaged without demanding consensus, she encourages feminists and activists to build alliances based on shared goals for justice, safety, and dignity. This framework is particularly pertinent to Indian FSWs and FSW activists as they face structural symbolic violence, stigma and exclusion from mainstream feminist and social movement discourse (also discussed in Phipps 2017). Her pluralistic, justice driven, bridge-builder feminism would encourage feminist actors to engage with CBOs such as DMSC and VAMP in addressing both

material harm and discursive marginalisation experienced by FSWs and FSW activists in Delhi, India.

O'Neill's (2013) insistence on contextualising sex work within broader patterns of marginalisation would also offer a powerful theoretical framework for scholars and activists in India and the global south who are already critiquing development narratives that conflate sex work with trafficking, or who resist 'rescue-and-rehabilitate' paradigms (also discussed in Phipps 2017, 2020). Her work supports a shift from moralistic or victim-centric discourses to intersectional, justice-oriented approaches that consider how caste, religion, migration status, and informal economies shape sex workers' lives (similar to Phipps 2014, Collins 2017). This is aligned with the praxis of Indian collectives like DMSC and VAMP, which resist state paternalism and demand labour rights, healthcare, and legal recognition. O'Neill's analysis not only affirms these grassroots perspectives by engaging in community organising, cultural production, and rights based advocacy, but also challenges western-centric feminist and policy frameworks to take seriously the political agency and lived knowledge of sex workers in postcolonial contexts.

### 3.4 Conclusion:

This chapter has demonstrated that feminist theorisation of violence in the context of female sex work is marked by deep ideological divergences, ranging from abolitionist views that frame sex work as inherently violent, to rights-based approaches that argue for labour protections and decriminalisation. western feminist frameworks have historically marginalised the voices of sex workers and non-western women, while intersectional and southern feminist interventions have foregrounded the significance of caste, poverty, and state violence. Indian feminist thought, influenced yet distinct from global north paradigms, reveals the limitations of universalising narratives and underscores the importance of context-specific theorisation. Concepts such as '*dhandā*', 'spoiled identity', and 'double invisibility' are crucial in unpacking the layered violence FSWs and FSW activists face in Delhi, India. Ultimately, the chapter calls for a shift towards a non-carceral, bottom-up sex worker-led feminist politics that resists structural oppression, honours embodied knowledge, and reimagines justice through collective, situated, and intersectional lenses.

## Chapter 4: Southern Feminist Movement Studies

### 4.1 Introduction:

This chapter examines the NGOization of sex work movements in India through the lens of southern feminist social movement studies. It explores how processes of professionalization, donor influence, and state alignment have reshaped radical grassroots activism into institutionalized, service-oriented interventions. Drawing on the work of Roy (2011, 2016), Lang (2012), and Scoular and O'Neill (2007), it critiques the transformation of feminist praxis under neoliberal governance and questions how NGOs balance empowerment with compliance to national and global agendas. Focusing particularly on the sex work movement, the chapter engages with critiques of the rescue industry (Sanders et.al 2017) and the Nonprofit Industrial Complex (INCITE! 2020) to highlight how sex workers are often framed through narratives of victimhood and moral governance. While acknowledging the strategic gains made through NGO involvement, it argues for a shift toward participatory, rights-based models that centre the autonomy, dignity, and political agency of sex workers and feminists in the global south.

### 4.2 Southern feminist social movement studies:

Roy (2016) suggest that the multiplicities of tension such as feminists debates surrounding violence, employment, age, caste, class, religion, various marginalised communities, and vulnerability, within southern feminism cannot be discerned from Eurocentric sociological research on gender and feminism. She critiques Connell's (2014) 'southern theory'<sup>20</sup> as she considers the north as the metropole and the south as the periphery. Similarly, Lang (2012) argues that the western and global NGO sector mirrors global inequalities, dominate international forums and monopolizes access to transnational public spheres. To address such inequalities, Roy (2016) proposes Bhambra's (2014) idea of 'connected sociologies' that

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<sup>20</sup> Metropolitan theoretical frameworks have to be critiqued, radically rethought and transformed. They cannot just be applied from the metropole to the periphery (2014: 555).

shows the interconnectedness between the north and the south and explores how sociological thought could be conceptualised differently. Drawing from Tambe (2008, 2010) what becomes visible then is an alternative history of feminism explained along the lines of circulating ideas. Roy (2016) however, draws from Fernandes (2013) to warn southern social movement theorists and southern feminists about the tendency to limit the local within the nation-state and define it in nationalist terms: an analytic perspective that has been recently theorized as ‘methodological nationalism<sup>21</sup>’.

The growth of this methodological nationalism is argued to be present in most social movement discourse in decolonised global south countries. Especially after the 1995 United Nations Fourth World Conference in Beijing, which motivated the southern-based feminist social movements to play a major role in trans-nationalizing issues such as violence against women. Post this Beijing conference, the trans nationalization and NGOization of women’s movement in the south, speak an ontology of relatedness that makes it difficult to posit the local, national, home and self as stable categories outside of the global and the transnational (Roy 2016).

#### 4.2 (a) NGOization as institutional transformation:

Lang (2012) examines the transnational scope of NGOs, particularly their roles within global governance structures such as the United Nations and the European Union. She contends that “transnational NGOs often speak for constituencies with limited or no input from them, resulting in top-down claims of global representation” (2012: 162). In conceptualizing NGOization, Lang (2023) frames it as a process through which social movements become professionalized, institutionalized, and bureaucratized within vertically structured, policy-oriented organizations. These organizations tend to prioritize the production of issue-specific, and often marketable, expert knowledge or services. Through an emphasis of the pull factors of NGOization, she illustrates how advocacy is increasingly institutionalized and oriented toward policy outcomes, rather than grounded in grassroots mobilization. While this may broaden avenues for participation, it simultaneously risks institutional cooption and the dilution of transformative political agendas.

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<sup>21</sup> Parallel to the concept of politicised Hinduism (Mukherjee 2019, Chitnis and Wright 2007) and cultural nationalism (Kapur 1997, Singh 2007).

For instance, the concept of the Nonprofit Industrial Complex (NPIC), as critically examined by INCITE! (2020), reveals how the nonprofit sector in the United States has become deeply intertwined with state and corporate power, shaping the agendas of social movements through mechanisms of funding, professionalization, and bureaucratic control. Since the 1970s, this sector has expanded into a vast network of foundations, service organizations, and institutionalized activism, increasingly steering movements toward depoliticized service delivery rather than structural change. The NPIC, functions as a tool of political discipline, rendering grassroots, non-institutionalized movements nearly unimaginable within the dominant political culture. By characterizing nonprofits as a ‘shadow state’, where dependence on foundation support ultimately reinforces the systems activists seek to dismantle, critics such as Roy (2011, 2016) highlight how this dynamic fosters accommodation, competition, and professionalization, thereby, shifting activism away from collective struggle and toward market-driven, grant-responsive operations.

#### 4.2 (b) Institutionalisation of southern women and sex work movement:

Roy (2009) further problematises the institutionalisation of southern women (and sex work) movement through melancholia and politics of melancholia. She argues that the present day anxieties over cooption and resultant depoliticization of Indian women’s movement constitute a narrative of loss of a political, more ‘authentic’ past. The present NGOized practises are seen to be deviating from such idealized past and are thus seemed apolitical. Taking inspiration from Menon (2004), Roy situates such anxieties and melancholia within the institutionalisation of feminism in the form of governmental and non-governmental professionalization. She argues that the professionalization of feminism has enabled women, with little or no political commitments, to practise feminism as a profession rather than as politics. It has not only limited the autonomy of women’s groups but has also obstructed any new thinking, thereby, deepening caste and religion based cleavages through the rise of an aggressive Hindu nationalism<sup>22</sup> (also discussed in Roy 2016, 2019). The current NGOization is then seen as a routine contrast to the real grassroot mobilization of the past (political, radical, spontaneous) as the younger feminists and activists are viewed to be entertaining feminism through paid employment and as such are apolitical, professionalized, careerist and individualized.

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<sup>22</sup> Parallel to the concept of politicised Hinduism (Mukherjee 2019, Chitnis and Wright 2007) and cultural nationalism (Kapur 1997, Singh 2007)

To restore the political, Roy (2009) argues that social and feminist movements in India, should not be understood in separation from those of NGOization, bureaucracy and professionalisation that have arisen in the context of movement organizing, as it is crucial to focus on the impact of politicization in melancholic anxiety. Roy (2006) through her ethnography on revolutionary marriages and the politics of sexual stories in *Naxalbari*, argues that such melancholic anxieties further increases through discursive repertoires or narrative practises, in and through which a particular version of the subject is mobilized in response to existing power relations and forms of social recognition. Particularly in the context of post feminism, neoliberalism and faith. As, Roy (2013) warns feminists of growing invocations of moderate feminism that serve to dismiss, co-opt, diminish or even domesticate feminist practises and legitimize and reproduce global inequalities. By calling out such pessimistic feminist mainstreaming in neoliberal mode to be problematic, she argues that there is an overestimation of the decline in feminist political activism amongst young and ‘new’ feminist subjects.

Taking inspiration from Dean’s (2008) concept of ‘consciousness-raising’, ‘feminist purism’ and rearticulation of the concept of ‘radical’, Roy (2013) describes and critiques institutionalised feminism through idioms of loss, cooption, domestication, depoliticization and moderation. Which means that current moderate NGOization seek not only to replace forms of state sovereignty but also signal the professionalization, bureaucratisation and institutionalisation of feminism in the ideologies and practises of an increasingly neoliberal developmentalism. The arguable loss of radicality and growing professionalisation of feminist activism through NGOs has depoliticised gender and feminism.

Fraser (2009) here argues that, unmoored from the Left, feminism has become exemplary of NGOization, on the one hand, and identity politics on the other as it now serves the legitimisation needs of a new form of capitalism via claims of recognition and not redistribution. For Spivak (2000), the ‘new subalterns’: the poor rural women of the south are integrated into circuits of power and capital through gender and development programs that work for and not with the subaltern. In the process they are imparting quick fix solutions and gender training but are not necessarily interested in the structural change. Sharma’s (2008) ethnography of the neoliberal governmentalisation of women empowerment in northern India reveals development to be a performative practise, a cooption that can bureaucratise women’s lives but also breed subversive tactics by subjugating unruly subjects that protest the

subjectification and subjection of the NGOs and the state. On the other hand, Ram's (2020) research amongst *Dalit* women activists in south India presents a 'transformed activist' under the auspices of local NGOs and highlighting the possibility of agency within structures of power.

#### 4.2 (c) NGOization of feminist activism:

To accommodate such multiplicities, Roy (2013) talks about the 'new subalterns' not passively inhabiting the world of transnational development, not being straightforwardly coopted, contra anti-development and feminist critiques. They are needed to be understood as political subjects, beyond the reform-revolutionary dichotomy and having the capacity to redefine and practise 'radical politics/activism' within the folds of modernity. Roy's (2017, 2019) own work with an NGO called *Janam*, working with poor, working class and scheduled caste rural women in West Bengal further talks about growing precarity in the process of NGOization of feminist activism and the restructuring of women's development under neoliberalism. By identifying NGO interventions to be agents of state development policies, she refocuses the attention on the paradox of producing precarity in the name of empowerment by showing how NGOs can in one hand offer employment opportunities to women, who are otherwise outside of the labour market but can, on the other hand, ensconce them in new forms of precarity, particularly through forms of feminised labour that are gendered, exclusively insecure, poorly paid and short-term.

For instance, their campaign against child marriages by forming a 'vigil group' displays governance feminism by using techniques of empowerment that are regulatory, coercive and rooted in different sources of power such as disciplinary, biopolitical and sovereign. Such frameworks are identified by Roy (2017) as 'punitive paternalism' and defines it as a pastoral role adopted by the NGO representatives as a protector of vulnerable groups to reinforce the punitive power of the state (similar to the politicised Hinduism debate discussed in Chapter 2). It was obvious in the event wherein the said victim rejected the offer of being 'rescued' by the NGO advocates and expressed consent to early marriage.

#### 4.2 (d) A precarious labour and employment:

Such empowerment induced precarity fostered subaltern women's new capacities to aspire for upward social mobility. The power, agency and recognition acquired in the process make them extremely dependent on the NGOs and the ideology they practice. Such development induced empowerment eclipsed questions around structural limitations and the impact of politics, so much so that poverty and inequality became examples of 'failure in the enterprise of selfhood/sisterhood'. By transforming subaltern women into volunteers, fieldworkers, and activists for the provision of tangible material goods (such as education, nutrition, health) and non-material ones (such as knowledge and sensitisation), they were exclusively positioned to pick up the fallout of the state withdrawal from key areas such as education, health, welfare provision in the global south (also discussed in Cornish 2006).

Sharma (2008) shows how the logic of voluntarism was consistent with both gendered, caste and class based assumptions of welfare (also discussed in Roy 2009, 2016). Thereby, ending up strengthening the very class, caste and gender-based social hierarchies that the program was attempting to undo. Moreover, the close connection between state and NGOs makes it possible for some women to move up the social ladder, i.e from being gender advocates within an NGO to filling more influential positions of authority, power or at least find more stable employment within state. The possibility of such upward mobility, naturalises NGOized feminism and neoliberal gendered development through a cruel optimism. As the volunteers were seen both subverting and reproducing localised relations of power, disrupted and stabilised norms around feminised respectability and produced consent and contest to the politics of precarious labour.

Roy (2017) argues that as a consequence of such precarious labour and employment, the actual subjects are increasingly forced, through punitive and carceral means, when they do not comply with what is presumed to be in their best interests. Poor women are policed, shamed and punished by the NGOs who act like a shadow state. Such feminist governmentalities, in the context of sex work and trafficking, then increasingly rely on such incarceration, shaming, victimisation and infantilisation tactics by employing gendered, caste and class based violence to subvert structural state sanctioned violence (also discussed in Chapter 3, Section 3.2 d).

4.2 (e) A radical politicisation of NGOs:

Roy (2011, 2015, 2016) argues that such precarity could often lead to the possibility of ‘NGOization of radical politics’ in India. She quotes Roy (2004), “The NGOization of politics threatens to turn resistance into a well-mannered, reasonable, salaried, 9-to-5 job. With a few perks thrown in. Real resistance has real consequences. And no salary” (2011:587) and argues that the institutionalization and professionalisation of NGO activity undermine if not effectively erode the political edge of progressive social movements like the women’s and sex work movement in India (Roy 2011). The contemporary women’s NGOs are increasingly identified by a funder-driven, expert-based, policy-oriented project culture that has little to do with transformative feminist politics and is more oriented towards a trans/national agenda for neo-liberal development paradigm. To limit this public service contractual model of service that prioritizes a language of competence, Roy (2011, 2015) proposes practicing feminism as a passion for self/collective identity rather than a profession or a political career.

She claims that this distinction between professionalised forms of activism (driven by a political moral code) and passionate feminism has pushed neoliberal governmentality around HIV/AIDs prevention to create a complicated terrain for sexual identity politics in India. Thereby, politicising (through medicalisation) male homosexual identities and marginalizing female identities. This antagonism between passion and profession then speaks of anxieties pertaining to the imminent political future and not merely nostalgia for an idealized feminist past. Women’s identities escape development practices and feminist initiatives but remain attached to secular constitutional reform defined as a successful ‘cooption<sup>23</sup>’ (Roy 2015).

#### 4.2 (f) The radical institutionalisation of women’s movement in India:

Such radical institutionalisation are then adopted by *Mahila Samta Sainik Dal* and the women’s movement assisted in cementing the practise of anyone who did not adhere to it principles, had difference of opinion or were not Hindus were disowned from the collective sisterhood, identified as castist or anti-Indian and were not seen worthy of companionship, assistance or rights (as argued in Liddle and Joshi 1985, Sharma 1994). Such radical ideology further reinforced the position of NGOs as agents of social movements that promulgate collective action through mobilisation (as explained in Roy 2011, 2015, 2016, 2022, Fadaee 2016). Pattnaik and Panda (2005) through their research on the importance of local popular institutions

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<sup>23</sup> A process by which a weaker/smaller group acculturates.

in mobilising, organising people and consolidating the process of institutionalisation, talk about the contributions made by such NGOs in building awareness through community participation, participation in project initiation, implementation, maintenance, mobilisation of the masses, organizing strikes, *gheraos* and rallies.

Similarly, feminists such as Lang have identified “NGOs to have emerged as pivotal communicative actors who structure civil society discourse and contribute to the formation of public opinion” (2012:03). Through a critique on Habermas’s public sphere theory, she integrates feminist and transnational perspectives to emphasize on how NGOs help structure not a singular, unified public sphere but multiple, overlapping, and competing discursive arenas. As such, she argues that it is crucial to question how NGOs claim to represent others, especially marginalised voices, and whether such representation is democratically legitimate. By critiquing substitutional representation (speaking for others), and performative activism (appearance for speaking for others takes precedence over inclusive representation) she advocates for authorization-based or participatory models that are more democratic.

Basu (1995) would further argue that Raveendran (2023) and Roy’s (2016) NGOization lens is crucial while theorising the Indian women’s movement. As, the Indian women’s movement and is a culmination of ethnic national struggles (as argued by Thapar et.al 2016, Mukerjee 2019), the freedom movement and activism for poor women. For instance, Indian feminist activists Sadvi Rithambara and Uma Bharati, are among the most violent feminist leaders of Hindu nationalism in India, that advocated for equal rights for women in poverty. Their aggressive approach towards unification and homogenisation of the women’s movement also meant that anyone who did not adhere to their principles was considered to be against the movement, against women’s rights and sometimes even against the Indian nation (as presented by Liddle and Joshi 1985, Sharma 1994).

Basu (1995) further states that the growing radicalisation of the women’s movement (and the sex work movement within it) in India is enhanced due to the strong presence of Gandhian socialism and anti-caste *Dalit* movement. Popularised by the *Dalits* and Socialists of Pune, this new women’s movement drew on the Black movement in the US (especially African-American activist Angela Davis) and led to the formation of *Mahila Samta Sainik Dal* (League of Women’s Soldiers for Equality). Such *dals* set up women’s centres (include FSW activists) that provided legal aid, health care, counselling, employment through community and

sisterhood based on the long historical and cultural lineage of Indian sex work. Certain workshops on campaigning hosted by *Saheli* (sisters), in Delhi (1983) used advocacy methods (used by the regulatory model) like songs, dance, drama, street plays, religious celebration, painting, reinterpreting myths, epics, folktales and unearthing historical forms of women's resistance.

#### 4.2 (g) Radical NGOization of sex work in India:

The NGOization of sex work in India must be situated within a broader critique of how civil society, under the guise of humanitarianism and development, becomes complicit in state regulation and moral governance. The increasing role of NGOs in sex work governance reflects a shift from grassroots, rights-based organizing to a professionalized sector driven by donor agendas, state policy alignment, and international funding logics. Drawing from critiques of the Nonprofit Industrial Complex (NPIC), such interventions often reflect a neoliberal rationality that reconfigures citizenship, responsabilizes marginalized populations, and frames policy interventions around service delivery rather than social justice.

A key dimension of this process is the role of the rescue industry, as critically analysed by Sanders et.al (2017). Their work interrogates how NGOs and state actors, in the name of anti-trafficking and rehabilitation, frequently impose homogenizing narratives on sex workers, particularly women, by erasing the diversity of their lived experiences and negating their agency. They warn that such efforts often instrumentalize women's bodies to serve nationalist and moralistic agendas, reinforcing binaries between the 'good and bad woman', while undermining the autonomy of those whom they claim to protect. Their analysis calls for a policy paradigm that respects sex workers' dignity, self-determination, and situated realities, rather than reducing them to passive victims or objects of state salvation.

Similarly, Scouler and O'Neill's (2007) analysis of sex work regulation in the UK offers critical theoretical insights that resonate with the Indian context. Using Foucauldian concepts of governmentality, they critique how contemporary policy frameworks in the global north are underpinned by neoliberal logics of responsabilisation and conditional citizenship. Rather than empowering sex workers, these policies often repackage coercive and punitive governance, such as exit programmes, anti-social behaviour orders, and therapeutic policing, under the

guise of welfare. Lopes (2005) through her publication of RESPECT (Rights and Equality for Sex Professionals and Employees in Connected Trades) in July 2000 further argues that unionization/institutionalisation is crucial while theorising the contemporary southern sex work activism. This framework is useful for understanding how in India, too, sex workers are positioned within competing discourses of deviance and victimhood, and how NGO-led rehabilitation efforts frequently operate as extensions of state control. The paternalistic framing of sex workers as failed citizens in need of correction rather than rights-bearing political agents aligns with a broader global pattern of managing, rather than transforming, marginality.

Together, such literatures offer a sociologically grounded critique of the NGOization of sex work, highlighting how civil society can reinforce rather than challenge dominant gendered, moral, and nationalistic norms. They call for a reorientation toward participatory, rights-based models that centre the voices and political claims of sex workers themselves, resisting the depoliticization and technocratic framing that NGOization often entails. In the Indian context, where legal ambiguity, caste-class hierarchies, and communal-nationalist narratives intersect with global donor influence, such a shift is not only urgent but essential for meaningful social change. For instance, in the context of sex work in India, initiatives such as Project Pragati (2005), The Right Guide (2018), and the Phone Broadcasting System for urban sex workers (USWs) (Sambasivan et.al 2011, Biradavolu et.al 2009, Patel et.al 2010) exemplify the intensifying dynamics of hierarchical and bureaucratic NGOization. These interventions, while ostensibly designed for empowerment and health promotion, increasingly operate through top-down, technocratic logics that tether the survival and legitimacy of sex worker collectives to state apparatuses and donor-driven feminist activism. Such models foreground institutional compliance and managerial accountability over grassroots autonomy, often aligning with state-sanctioned moral discourses that are regulated through both neoliberal NGO practices and majoritarian state ideologies.

#### 4.2 (h) NGOization of sex worker health:

A key illustration of the entanglement between neoliberal NGO practices and majoritarian state ideology within the Indian sex work community is evident in India's response to the HIV/AIDS crisis. Influenced by U.S. advocacy models from the early 1980s, this response culminated in the establishment of the National AIDS Control Organization (NACO) in 1992,

with substantial funding from the WHO. Given the collapse of India's public health infrastructure in the early 1990s, this was a crucial intervention. Supported by international agencies such as the WHO, UN, and EU, the All-India Institute of Physical Hygiene (1991), funded by NACO, WHO, and a Dutch NGO, launched HIV education programs with FSWs in Kolkata's *Sonagachi* red-light district (Chatterjee 1993, 2006). Dr. Samarjit Jana, who led the initiative, was acutely aware of the community's exclusion from public health services and implemented a peer-education model that resisted conventional rescue narratives. Sex workers were trained to act as peer educators, conducting door-to-door outreach on sexual health. As Sloan and Wahab (2000) argue, this model fostered solidarity among FSWs and activists, encouraging collective mobilization around health needs. The Indian government, impressed by the model's efficacy in Kolkata, expanded it nationally through mobile HIV clinics, risk-reduction programs, and community-led education initiatives delivered by trained sex worker-activists heading local CBOs (Loomba and Lukose 2012). This framework parallels Azim's (2005) study on Bangladeshi sex workers, which illustrates how rights-based discourses enabled alliances between sex workers, women's groups, and public health organizations. Such collaborations allowed for the articulation of sex workers' rights within broader discourses of women's, human, and labour rights, highlighting how health advocacy became a key site for political negotiation and visibility within both national and transnational structures.

#### 4.2 (i) Impact of *Jana's* peer-led initiatives on the regulatory model:

Biradavolu et.al (2009) argue that the sustained emphasis on peer-led interventions (as pioneered by Dr. Jana) and routine advocacy of state policies, particularly the Right Guide, prompted the Special Rapporteur on Violence Against Women (SR-VAW) in 2020 to stress that 'measures to address trafficking in persons should not overshadow the need for effective measures to protect the human rights of sex workers' (SANGRAM 2018:04). Bardach (1977) contends that the Right Guide operationalizes what Shearing and Ericson (1991) term the 'craft of policing'. It is defined as a collaborative, flexible approach between Indian police, FSWs, and activists aimed at context-sensitive assessments of violence rather than rigid socio-legal enforcement. Through advocacy, NGOs and CBOs are expected to organize sensitization sessions with police to legitimize sex worker communities, contest stigma, address hierarchical power dynamics, and engage police in public health goals, including HIV/AIDS prevention.

However, when police violence and stigmatization persist despite sensitization, the ‘craft of policing’ includes a more institutionalized mechanism: the Crisis Intervention Team (CIT). This model adopts a three-pronged approach: (i) empowering sex workers through legal literacy and collective action to confront abusive policing, (ii) instituting a rapid-response system to mobilize allies for influencing police behaviour, and (iii) encouraging sex workers to pursue legal redress when subjected to arrest, extortion, or fines (Shearing and Ericson 1991). To implement this, Bardach (1977) highlights the importance of developing a systematic, hierarchical reporting structure, from individual sex workers to CBOs, field staff, and NGO advocacy officers. Special attention was given to documenting police-community interactions, particularly for non/semi-literate sex workers. These narratives served dual functions: as material for police sensitization trainings and as educational tools to inform sex workers of their rights and strategies for navigating coercive encounters (Biradavolu et.al 2009).

#### 4.3 Theorising collectivity in southern feminist praxis:

To strengthen support for and visibility of southern, peer-led, inclusive, bottom-up feminist advocacy strategies, scholars such as Fadaee (2016) advocate for the systematic inclusion of southern social movements within social movement theory. This inclusion aims to encourage scholars to recognize the lived realities of people in the global south as integral to world history and transformative global processes. To achieve this, she proposes Bayat’s (2010) concept of ‘quiet encroachment of the ordinary’ that shows how common Muslim masses in the Middle East and North Africa pursue collective identity and action for appropriation of resources and achievement of basic rights. Bayat (2010) refer to such collective actions as non-movements as it highlights the possibility of ordinary citizens having the power to improve their living conditions through mass mobilization. In short, his ‘non-movement’ proposes an alternate way of thinking about the movement itself by focusing on the collective and compensatory behaviour of the unorganised masses. In essence, this notion of ‘quiet encroachment’ speaks to the ‘discreet and prolonged ways in which the poor, struggle to survive and better their lives by impinging on the powerful society at large’ (2010: 14-15) (also discussed in Jackson 2013).

Some examples of southern social movements that have been influenced by Bayat's (2010) concept include, the feminist movement and counter movement in Morocco (Ennaji 2016), the women's movement in Kenya (Daniel 2016), gender and sexual diversity organizing in Africa (Currier and Thomann 2016), democratic social movement of Thailand (Lassak and Pye 2016), Confusion socialist women's movement in China, politicised women's movement against authoritarian militaristic regime in Bangladesh, and use of Filipina indigenes myth and cultural norm by women's movement in the Philippines (Basu 1995). Such southern social movements further reinforce the generated artificial division between politics and culture, as presented by western social movement theories through their resource mobilization approach (McCarthy and Zald 1977), political process model (McAdam 1999), framing theories (Benford and Snow 2000) and new social movement theory (Melucci 1980, Castells 2000) is not applicable while theorising southern feminist social movement theories.

#### 4.3 (a) Locating feminist resistance in cultural contexts of the south:

Omvedt (1993) notes that India's new social movements pivot on the interplay of culture, political struggle, and nationalism, rendering them 'revolutionary in their aspirations and anti-systemic in their impact' (1993: xvi). Expanding this claim, Oommen (2004) argues that a distinct 'Indian modernity' has produced movements unlike western prototypes: whereas Europe's 'old' movements centred on labour, India's foregrounded anti-colonial citizenship claims. Contemporary Indian mobilizations now prioritise equality and social justice through collective identity and action, giving rise to rights-based and quality-of-life movements (Basu 1995, Roy 2011, 2015). In this southern context, identity, politics, and labour become prerequisites for collective action (Basu 1995). Polletta (2004) contends that, in the global south, culture and political structures are inseparable. Building on this insight, Ferree (2010) calls for applying the political-process model to analyse relations between movements and political allies or opponents. Daniel's (2016) study of the Kenyan women's movement, echoing Roy's (2016) critique of NGOization, invokes 'in-betweenness', positioning NGOs and civil society as bridges between state and society through the cultivation of collective identity.

Melucci (1980) and Touraine (1985) would further argue that feminists (including the women's movement, the sex work movement and the LGBTQ+ movement) then, were starting to come to think of themselves as part of a category/community, feel trust, admiration and loyalty to

that collective and adopt its goals and interests as their own. More so, the movements are credited with introducing the concept of emotions and promotion through visible means. This means that from movies to murals, effigies to puppets everything was used as a symbol/frame for public persuasion and performance. Tilly (2008) expressed, that this new attention to emotions has helped researchers and academics understand how all these carriers of meaning have the power to actually move people into action or energize existing paths of action (also explained by Basu 1995, Jackson 2013, Fadaee 2016).

They are also able to generate moral shocks, indignation and anger that direct people's attention to social problems (also explained by Buechler 1995). Feminist activists of India such as Tahmina and Moral (2000) and Kabeer (2002) decided to highlight the impact of such emotions on the ways they conceptualise their identity, rights, contributions and characteristics of 'an Indian working woman'. A stark contrast to the concept of '*sati savitiri aurat*' (as discussed by Wadley 1977, Clothey 2006, Singh 2021), the feminists, academics and activists involved in the Indian women's movement of the time (later adopted by VAMP in 1996), decided to focus on the identity of a working Indian woman to (i) oppose the discriminatory and patriarchal dominance of *Manusmriti* on Indian women (as explained by Mukherjee 1978) (ii) focus on the sisterhood and emotions associated with the history of Indian sex work (as conceptualised by Buechler 1995, Polleta 2004, Tilly 2008) and (iii) argue that all working Indian women (and FSWs) are a part of the capitalist market structure, as she economically contributes to the society and thus, deserves the same rights as any other working member of society.

Waterman (2004) argues that this stance (for the very first time) focussed on the financial worth of a woman's services in a professional/public and a domestic/family setting as previously, most women were confined to their homes and their domestic services towards her family were never assigned any monetary value. It provided the feminist activists with collective bargaining power by forming a national women's trade union. This specific trade union was focused on women-specific workplace issues like harassment, sexual assault, gender pay gap and others and was dedicated to improving the general working conditions of all women by forming a harmonious, unified sisterhood (also significant among the FSW community). Calling all working women (including FSWs) together, they were now strongly equating their legal/political rights with any other in/formal (male) labourer.

#### 4.3 (b) Collective identity and the Indian sex working community:

The significance and contributions of a community/collective and the emotions attached to this collective are further examined by Ray and Radhakrishnan (2010) while working on the sex working movement in India. He notes that they draw on the Marxist macro frame of compensated labour in formulating its collective action and sisterhood politics. This means that in contrast to Bayat's (2010) conceptual framework of referring to collective actions as non-movements, that highlights the possibility of ordinary FSWs and FSW activists having the power and the autonomy to improve their living conditions through mass social movements. The sex work unions and organisations were formulated to be a consensus-building device that often overlooked the tension between different FSWs and FSW activists and their managers (pimps and/or brothel owners) and/or clients. Chatterjee (1993, 2006) however, argue that Ray and Radhakrishnan's (2010) unified front is not without its risk, as it legitimizes the exploitation conducted by pimps, brothel owners, *madams* and clients, now included within the community of FSWs.

While on the other hand, Loomba and Lukose (2012) suggest that, presenting a unified front allows for a stronger and quicker mobilization of different sex workers, activists, advocates, and organizations across the country. This unionization has further allowed the community to equate their rights with other marginalized and vulnerable communities-especially with working women in poverty. Moreover, as Chatterjee (2006) argues, the collective identity that is formed through this nationwide unionization brings all marginalized communities (including the FSWing community) together and creates (sometimes forcefully) a legal and political public space of recognition for themselves. He argues that this approach is very significant for a local social movement to persist and successfully achieve its objectives (also explained by Roy 2011, 2015).

#### 4.3 (c) The possibility of global unionization:

Sanders et.al (2017) and Connolly et.al (2020) discuss the increasing significance of unionization and collectives grounded in shared experiences, leading to the formation of the International Union of Sex Workers (2000) in Soho, London. The campaign's primary goals were decriminalization, full labour rights, and encouraging union membership. Emphasizing

cross-border solidarity and global sisterhood, the union seeks to advance labour, human, and gender rights, while shaping public, social, and criminal justice policies. Operating under the slogan ‘open, organize, empower’, the initiative provides resources in seven languages, aiming to equip sex workers with language skills to enhance workplace negotiation and empowerment (Matthews 2008). Nevertheless, Sanders et.al (2017) highlight significant barriers to effective organization. Evaluations reveal limited impact in areas such as law reform, destigmatization, and working conditions. A key constraint lies in the complex, non-traditional relationships between sex workers and establishment managers (such as brothel owners, pimps, activists), which differ from standard employer-employee dynamics. As such, unionization must be nuanced, context-sensitive, and tailored to the diverse and specific needs of sex workers, particularly those in the global south.

Touraine (1985), Barker et.al (2013), and Bettencourt (2023) attempt to address the limitations of top-down frameworks by advancing a renewed, bottom-up understanding of grassroots collectivization. Beginning with the UNHCR’s definition of civilians advocating for change at local, national, or international levels (Bettencourt 2023), they critique its inability to capture the complex political intersectionality faced by groups such as FSWs and FSW activists in India. To address these gaps, Barker et.al (2013) turn to a critical reading of Marxist social movement theory, arguing that while ‘classical Marxism’ referenced grassroots movements, it failed to offer an explicit theorization. Both Bettencourt (2023) and Barker et.al (2013) attribute this gap to limited academic engagement with an integrated Marxist theory of grassroots mobilization, a shortcoming that, as Bevington and Dixon (2005) suggest, hampers ‘movement-related research’ by reducing the concept of grassroots movements to fragmented analyses of collective action (see also Mehrotra 1997).

Others like Lang (2012) through her examination of intersectional silencing within NGOs and broader public spheres, highlights that women's NGOs frequently navigate a delicate balance between challenging dominant narratives and conforming to them in order to maintain strategic access to media platforms and donor support. Consequently, both the women’s and sex work movements, along with affiliated NGOs, find themselves simultaneously empowered and constrained in public discourse, as they are often compelled to frame their issues in ways that are media-friendly, government-sanctioned, or donor-approved. What is needed then is a more reflexive, participatory, and pluralistic civil society that is adequately able to accommodate

and justify the multiplicities of both the women's and sex work movement in India (also argued in Bardach 1977).

In response to these structural constraints, several activist collectives have experimented with reclaiming autonomy through alternative models of organizing and resourcing. For example, INCITE! (2020) redirected its strategy after a rescinded grant, developing grassroots funding mechanisms such as community events and direct appeals. Sista II Sista took a more radical approach by relinquishing their 501(c)(3) tax exempt non-profit status and returning to a volunteer-led model accountable solely to their community. These efforts reflect a broader vision advocated in the collection: a shift from institutional dependence to autonomous, community-rooted organizing that integrates fundraising with activism and resists the logic of donor-driven legitimacy. Ultimately, the critique of the NPIC reveals how professionalized nonprofit structures can dilute radical aims, while offering strategies for building movements rooted in accountability, collective sacrifice, and grassroots empowerment. Similarly, Jackson (2013) ethnographic study of Swedish sex work organisations reveal that sex worker rights movements embody hallmarks of social movement unionism, that includes democratic structures, solidarity and collective action. Through a participatory leadership and grassroots mobilization wherein such solidarity and unionism is utilised, she calls for a replication of such models in other contexts such as the FSWing movement in India.

#### 4.4 Conclusion:

The NGOization of feminist and sex work movements in India reveals the complex interplay between activism, institutionalization, and governance. As this chapter has shown, the professionalization of feminist praxis, though instrumental in advancing visibility, service delivery, and policy engagement, has also risked diluting the radical and transformative goals of grassroots organizing. The coexistence of multiple ideological frameworks, including the legacies of Indian feminism, postcolonial developmentalism, neoliberal statecraft, and transnational donor agendas, has produced a layered terrain of power. Within this terrain, NGOs function not only as facilitators of empowerment but also as agents of regulation, often reinforcing normative boundaries around gender, sexuality, and citizenship. Roy (2017) critiques this convergence of NGO feminism with regulatory logics, arguing that it diverts attention from structural inequalities toward individualized, managerial solutions. Similarly,

Lang (2012) acknowledges the communicative power of NGOs in shaping public discourse but highlights their democratic deficits. She calls for a model of representation rooted in authorship and accountability, rather than mere visibility. Taken together, these critiques urge a reimagining of feminist movement-building: one that resists technocratic co-optation and centres participatory, autonomous, and justice-oriented forms of organizing.

## Chapter 5: Methodology

### 5.1 Introduction:

This chapter presents the research design, research questions, methodology, methods, ethical considerations, and analytical framework employed to examine the experiences of FSWs, FSW activists, advocates, and NGO representatives in Delhi. It begins by outlining the decolonised research framework (Mohanty 1984, Mohanty and Torres 1991, Tuck and Yang 2012), and then draws on Collin's (2017) intersectional lens to underscore the significance of researcher positionality (Hamil 2020) and critical reflexivity (Pillow 2003, Chambliss and Schutt 2016, King et.al 2017) within a qualitative ethnographic approach (Sinha 2017, Harrison 2018). The chapter discusses the academic relevance of Delhi as the study site, the selected participants, and the terminology used. It then details the data collection process, including sampling, access negotiation, ethical protocols, data storage, and analysis. The chapter concludes with a critical reflexive discussion of fieldwork challenges and the strategies adopted to navigate them (Kotiswaran 2011, Palaganas et.al 2017, Sinha 2017, Pai and Seshu 2013).

### 5.2 Research Design:

Leedy and Ormrod (1980) define research design as a plan that outlines the framework for data collection, while Durrheim (2004) describes it as a strategic structure that connects research questions with the implementation of methodology. In this study, I adopted an ethnographic research design of Sinha (2017) and Harrison (2018), informed by a reflexive and decolonial feminist framework (Pillow 2003, Chambliss and Schutt 2016, King et.al 2017). This approach is particularly suited to the complex intersectionality of identity and violence experienced by female sex workers (FSWs), FSW activists, advocates, and NGO representatives in Delhi. Importantly, it enables critical reflection on how researcher positionality shapes the research process, as discussed by Chambliss and Schutt (2016) and King et.al (2017). More so as, research design does not remain static and continues to evolve within the field. This chapter will chart that evolution, where constraints of my access became apparent and my reading in the field further encouraged me to adjust the original design.

To deepen this reflexive engagement, I drew on the critical interventions of Tuck and Yang (2012) and Pillow (2003), who caution against shallow uses of powerful concepts such as decolonization, reflexivity and social justice. Tuck and Yang argue that real decolonization is disruptive and “cannot be easily grafted onto preexisting discourses/frameworks, even if they are critical, even if they are anti-racist, even if they are justice frameworks” (2012: 3). Settler ‘moves to innocence’ often manifest as institutionalised practise, such as methodological decolonisation and reflexivity as a method, that dilute the radical challenges those concepts pose. This critique informed my turn toward a decolonised feminist research framework and methodology that interrogates how western feminist perspectives often universalise the category of ‘third world women’, which in my case was FSWs and FSW activists in G.B Road. My focus, remained on fostering a transnational feminist solidarity grounded in shared political struggles (predominantly right wing) rather than shared identity (Mohanty and Torres 1991).

Similar to Smith’s (2001) institutional ethnography, I employed a bottom-up reflexive ethnography. This is because, I remained aware of the constrained agency and consent of participants, who were recruited by Kat-Katha representatives. The macro-institutional power process or trans local system of governance (termed as ‘ruling relations’ by Smith 2001) that shaped the relationship between Kat-Katha and the community members of G.B Road under the guise of the regulatory model, created power asymmetries, I was compelled to critically examine (similar to Sinha 2017 and discussed further in Chapter 6). Mohanty’s (1984) critique of western feminist scholarship’s tendency to universalise the experiences of ‘third world women’ and view them as passive victims, in contrast to liberated western women, further sensitised me to the epistemic hierarchies embedded in language, framing and authority-issues that influenced the access I was granted, the data I gathered, and the dynamics I negotiated with participants.

Pillow’s (2003) warning that reflexivity can be misused as a form of validation or self-justification in qualitative research, pushed me to confront my own assumptions and limitations. My own assumptions and limitations thus, saw recognising my own positionality as sufficient while neglecting the power relationships between the NGO and the research participants. This reflexivity served to mitigate power imbalances, enhance ethical awareness, and support the reliability and validity of my research. In alignment with Hamil (2020), I assert that acknowledging one’s positionality is especially critical in human rights research. It situates my privilege in relation to the more complex problem of who is granted permission to claim

humanity (and who is not). Through an anti-colonial theoretical and methodological design, this thesis advocates for deep structural change in how colonization is understood and how knowledge is produced in research (Tuck and Yang 2016). Guided by Pillow's (2003) concept of 'reflexivity of discomfort' and by practising confessional reflexivity, I remained attentive to how my methods shaped the research itself. I argue that reflexivity not only enhanced knowledge production but also enabled a methodological stance, capable of that interrogating its own assumptions and embedded power structures (as discussed in Palaganas et.al 2017, Sinha 2017).

#### 5.2 (a) Methodology:

For my methodology, I drew from Harrison (2018) who define qualitative ethnography as the study of people in their environments and the recording of a thick description of their experiences. On the other hand, Marcus (1994) and King et.al (2017) argue that reflexivity involves an active self-examination of how research findings were produced and more particularly the role of the researcher in their construction. I then drew from Pillow's role of reflexivity as a methodological tool to better represent, legitimize and increase attention to researcher subjectivity in the research process to reflect on my positionality and focus more on doing research 'with' instead of 'on' (2003: 179). To implement the proposed framework, I adopted Palagana's et.al (2017) four forms of reflexivity while collecting and analysing my data. Personal reflexivity was used to provide a detailed, flexible and honest account (as much as possible) of the research process and my positionality. Epistemological reflexivity was used to highlight the limitations of the proposed methods, theory, and scope of my research. Critical reflexivity highlighted the researcher's involvement throughout the research, the socio-political and cultural context of the participants involved in the production of knowledge, confront plays of power relations and address the ethical and political questions that shaped the research process (also mentioned in Sinha 2017). Feminist reflexivity was used to form a 'inbetweenner' (Milligan 2014) partnership with my participants (discussed more in 5.4).

#### 5.2 (b) Methodologies for sexuality research:

I also took inspiration (primarily) from Hammond and Kingston (2014) and their work on methodologies supporting sexuality research to create my respectful, inclusive and flexible

methodology. They argue that methodologies supporting sexuality research have evolved quite dramatically over the past decade. Sexualities researchers such as Weitzer (2005) and Attwood (2010) highlighted the new and innovative methodologies that are supported by the European Sociological Association Sexuality Research Network (ESASRN). They include auto-ethnography, reflexive ethnography, digital ethnography, visual ethnography, and ethnography as discovery (walking, talking, observing and writing) among others. Guided by this ESASRN framework, I adopted an interactionist approach to sexuality and created a respectful, flexible and inclusive methodology which focuses on the capacity of the community to develop a deeper understanding of social structures and power dynamics, due to their unique experiences of oppression and marginalisation (Smith 2001).

#### 5.2 (c) Research Questions:

My primary thesis question was: How do the female sex workers (FSWs), FSW activists, advocates and representatives of various sex work NGOs address the structural violence and stigma they experience under the regulatory model of sex work activism in Delhi, India?

My sub-research questions are as follows:

1. An exploration of the difference of experiences and negotiations by FSWs, FSW activists, advocates and representatives of sex work NGOs, to accommodate the current regulatory model governing sex work in Delhi, India?
2. To what extent are FSWs, FSW activists, advocates and representatives of sex work NGOs challenging this regulatory model governing sex work in India?
3. What alternatives do the FSWs, FSW activists propose to contribute towards grassroots strategies, devised to combat structural violence and stigma against FSWs in Delhi, India?

#### 5.2 (d) Limitations of my research:

Like all social research, this study is not without its limitations. Drawing from Palagana's et.al (2017) epistemological reflexivity lens, I acknowledge that despite a sustained engagement with reflexivity throughout the research process, there remains the risk of what Pillow (2003) refers to as 'reflexivity of validation'. It is understood as a situation, where self-reflection can inadvertently become a form of self-justification rather than a radical interrogation of power. As reflexivity, while valuable, does not inherently rectify epistemic violence or resolve power asymmetries. This concern is particularly relevant given my dependence on Kat-Katha as the sole gateway into G.B Road. This institutional reliance inevitably influenced which voices were amplified, what kinds of narratives were accessible, and ultimately, the kinds of knowledge that could be generated. As a result, the generalizability and representativeness of the findings are necessarily limited. Similarly, informed by critical reflexivity (Palaganas et.al 2011) I acknowledge that my involvement in the research was not neutral as issues of constrained consent, representational bias, and institutional gatekeeping remained.

Although I have made a concerted effort to construct a flexible and inclusive ethnography, take oral consent from the four FSWs and written consent from the other remaining participants, the selections of FSWs and FSW activists of G.B Road were mediated by Kat-Katha, rather than being participant-led. This raises persistent questions around agency, consent, reliability, validity, bias and the embedded power dynamics within the research process. For instance, the NGO representatives who accompanied me during the initial in-person focus group interviews were retired FSWs turned advocates and activists. They knew the space and community well and were essential for ensuring the researcher's and participant's safety, while respecting their schedules (discussed further in Section 5.5). This however, also meant that they exercised significant control over which FSWs and FSW activists from G.B Road participated in the study and over the perspectives that were expected to be shared, thereby, once again underscoring the lack of agency and meaningful consent.

I sought to create a safe space in which participants could exercise their limited agency through the in-person individual interviews, I was however, unable to overcome the entrenched power dynamics between said activists, advocates, and organisational representatives and those who existed outside these structures. This difficulty stemmed from the fact that the representatives of the regulatory model, were employed by a government-supported state body, effectively positioning them as part of the same state system that contributes to the community's marginalisation through the state sanctioned, funded and monitored advocacy and activism

strategies (see Chapter 6). To address such power asymmetries, I critically examined the institution's support for the regulatory model, which had initially led to my denial of access to G.B. Road (discussed further in Section 5.5 c). I then subsequently redacted the interview data collected from the active FSWs who were neither activists, advocates or associated with the participating NGOs/CBOs. The research, while attempting to centre participant's perspectives, was inevitably shaped by broader socio-political contexts, institutional power relations and my own embeddedness within them. It made it harder for an early career researcher, such as myself to propose a radical decolonisation model that adequately addresses the prevailing power structures. I argue that such issues cannot be resolved through reflexivity alone, but must be continuously negotiated and acknowledged (also discussed in Sinha 2017). The following sections seeks to contextualize and justify key methodological decisions made during the research, while remaining attentive to the structural and epistemic limitations that shaped them.

### 5.3 Justifying my choices:

For my thesis, I included commercial Indian FSWs, FSW activists, advocates and representatives of various sex work NGOs. I have used specific terminologies to refer to the community of FSWs that aligns with my respectful and inclusive methodology. I have then explained why there was an urgent academic need to focus on the FSWs and FSW activists of Delhi, India and the significance of their contributions towards wider sexualities research and feminist knowledge. The following section thus, explains the rationale behind my choices and provides a justification.

#### 5.3 (a) Why Delhi?

There were three core reasons for selecting Delhi, the capital of India, as the primary field site for this research. First, there is a noticeable lack of academic literature on sex workers, sex work activism, and sex work organizations specifically based in Delhi. Much of the existing scholarship in India has focused on initiatives such as the *Durbar Mahila Samanwaya Committee* (DMSC) in Kolkata (2001, 2011, 2014, 2018, 2019), with scholars like Prabha Kotiswaran from King's College London contributing extensively to both academic and legal discourses through her long-standing engagement with DMSC. Similarly, organizations such as SANGRAM in Maharashtra and VAMP in Karnataka, led by prominent sex work activists

and legal advocates like Aarthi Pai and Meena Seshu (2013, 2014, 2015, 2018, 2022), have played a crucial role in shaping the regulatory and rights-based discourse around sex work in India. While these contributions have been widely documented, literature that critically engages with the experiences of sex workers and activists in Delhi remains limited and underexplored.

Second, G.B. Road in Delhi is widely recognized as the oldest and largest red-light area in the country (Soofi 2012, Yadav 2020), yet it remains marginal in academic inquiry. Despite the presence of numerous grassroots organizations in Delhi, such as Kat-Katha, GOLD, Catalyst, and Srijan, which adopt a rights-based approach in working with FSWs, there has been limited scholarly engagement with their work. While these organizations produce annual reports and advocacy materials, much of their knowledge remains outside formal academic discourse. This significant gap in the literature motivated the decision to centre G.B. Road as the primary field site and to conduct in-depth, face-to-face interviews with FSWs, brothel owners, and pimps within their *kothas* (residences).

Third, Delhi's position as the national capital makes it a critical site for socio-political and legal transformations. It houses the country's major state institutions: the Executive, Legislature, Judiciary, and key policy-making bodies, which influence national-level debates and decisions related to sex work and activism (Joardar 2006, Mookherjee and Mookherjee 2020). Given this centrality, the academic neglect of Delhi's sex work landscape, and of the contributions made by its local communities, appeared both paradoxical and troubling. This research thus sought to address this gap by foregrounding the voices and experiences of those who remain largely absent from mainstream feminist and sexuality studies in India.

### 5.3 (b) Why only FSWs?

This research specifically focuses on female voluntary sex workers (FSWs) in Delhi, India for several key reasons. First, narrowing the scope allowed for a more manageable research design, particularly given the limitations of time and resources. Second, FSWs represent approximately 80% of the total sex worker population in India and are among the most exploited due to the intersecting oppressions of caste, gender, religion, class, and power (Ministry of Women and Child Development, 2015). Despite their significant presence

(estimated at around three million), they remain underrepresented in critical feminist and sexuality discourses. While substantial academic work exists on trans and male sex workers, such as Ganju and Saggurti (2017), Srivastava and Bharati (2021), Chakrapani et.al (2018), and Shinde et.al (2009), discussions on FSWs are largely confined to themes of health, trafficking, violence, and rehabilitation. This has resulted in a lack of engagement with the local survival strategies, resistance practices, and complex community networks FSWs have developed over time. Including these voices in academic and feminist literature offers an opportunity to document and amplify the decolonized, grassroots gendered knowledge generated by FSWs, and to recognize their contributions to shaping sexualities research and social policy in India. Moreover, in a country like India, where patriarchy intersects with caste, class, religious fundamentalism, and colonial legacies (Jha and Sharma 2016, Saxena 2018), it is vital to centre the experiences of FSWs to better understand how systemic violence, marginalization, and stigma continue to structure their lives. As Showden and Majic (2014) would argue, exploring the political and social positionality of sex workers is essential for any genuine project of social justice and development.

### 5.3 (c) Absence of the FSW voice in literature:

Drawing primarily from the works of Kotiswaran (2008, 2011, 2014, 2017, 2018, 2019), Pai et.al (2013, 2014, 2018), Bhattacharjya (2015) and SANGRAM and VAMP (2018), I argue that there exists a notable gap in Indian academic feminist literature and sexualities research. The prevailing gendered and sexualities discourses often fail to adequately acknowledge the perspectives, contributions and lived experiences of FSWs, and FSW activists in Delhi. This absence is symptomatic of a broader epistemic imbalance, wherein dominant knowledge production around sex work and sex work activism has primarily adopted a top-down political-legal approach, often mediated through NGO representatives. These actors have largely shaped the discourse by promoting strategies that frame sex worker's rights within the paradigms of women's rights, labour rights, and human rights, while also navigating the legal consequences of existing health, anti-trafficking, policing, rescue, incarceration, and rehabilitation regimes. Furthermore, NGOs have taken a leading role in reframing concepts such as empowerment, patriarchy, bodily autonomy, freedom of choice, and the distinction between sex work and trafficking, often speaking on behalf of the sex worker community. Their visibility increased notably during the Covid-19 lockdown, where they were instrumental

in advocating for legal protections and relief through a rights-based framework following a Supreme Court ruling. While these contributions are significant, they also risk overshadowing the direct voices and political agency of FSWs themselves, contributing to a persistent gap in community-authored or co-produced feminist literature on sex work in India.

#### 5.4 Data Collection:

For my data collection, I was guided by Olsen (2011) and Bilsborrow (2016), who define data collection as a process of gathering and measuring information in an established and systematic manner which enables one to answer research questions, test hypotheses and evaluate outcomes. It is argued to be one of the most crucial steps, in qualitative social research as it allows the researcher to identify the needs, strengths and preferences of their respondents and communities, gather relevant, and ethical information and thick descriptions for analysis, generate insights, address underlying problems or social issues and contribute towards the existing body of knowledge. Based on this understanding I formulated a data collection process to document the experiences of FSWs, FSW activists, advocates and representatives of sex work NGOs, while critically analyzing the impact of my positionality (as a researcher) on my data.

##### 5.4 (a) My commitment to the data collection process:

Similar to Mohanty (1984), Mohanty and Torres (1991) and Tuck and Yang's (2012) critical interventions against shallow uses of powerful ideas such as decolonization, reflexivity and social justice, I believe my work should be representative and create a safe, non-judgmental platform for all my participants to voice their unfiltered concerns themselves. However, I do acknowledge that this desire could be a bit utopian and complicated in reality as decolonised knowledge production in qualitative research offers an unsettling perspective rather than a complementary approach to human and civil rights frameworks (Tuck and Yang 2012). Moreover, much like Pillow (2003) and Palaganas et.al (2017) the researcher's subjective positionality, the limitations of the adopted methods and methodology, along with various other socio-cultural, political and external factors often provides a critical pedagogy. To, address such limitations, I focused on confronting power imbalance between the researcher and the researched, building strong trust, confidence and informal relations with my

participants before and after the interview process (discussed further in 5.4 e). The contributions made by the participants were acknowledged throughout the research process with respect, confidentiality, and sincere appreciation (also discussed in Mohanty and Torres 1991).

Moreover, as I began my data collection when Covid-19 regulations were still active in India, I was careful about following all Covid-19 safety regulations while collecting data from my field. This meant that I was unable to participate in any of the group events, functions and public festivals that the representatives of NGOs would usually celebrate to strengthen their rights-based approach. Other adopted measures included, limiting the number of people participating in my focus groups and in-person individual interviews, keeping the windows and doors of the rooms open, wearing a mask, hand sanitising upon entry, checking their temperature upon arrival or requesting the vaccination cards, and sitting in social distanced seating arrangements. Such practices allowed me to collect required data without necessarily threatening the health of my respondents or myself. However, it did interfere with the ambience and ease with which we could converse. My proposed in-person field ethnography with FSWs, FSW activists in G.B Road, Delhi was cut short because of strict Covid-19 restrictions during the time. Additionally, I contracted the virus after conducting my in-person field work in G.B Road. To navigate such challenges and others, I resorted to virtual individual and focus group interviews with FSW activists, advocates and representatives of sex work NGOs, prior to my in-person internship with Kat-Katha and in-person interviews with FSWs, FSW activists of G.B road. I also conducted virtual follow-ups with my respondents after the in-person data collection, as I remained committed to a respectful and inclusive methodology. While Covid-19 posed significant obstacles, I managed to adapt and overcome some of these challenges.

#### 5.4 (b) Types of data collected:

I collected both primary and secondary data from the field. Drawing from Hox and Boeije (2005) who define primary data as original data that is collected for a specific research goal and secondary data as data that is originally collected for a different purpose and reused for another research question. My primary data, ranged from recording and transcribing field notes from both the (in-person and virtual) individual and focus group interviews, participant and non-participant observations, using my field diary to document and reflect on my own experiences as a researcher, the limitations of the field, the research, and the difficulties in

accessing the participants in G.B Road (similar to Connolly and Hourigan 2006). I collected data from volunteers, advocates, paralegals, activists, academics, and general staff associated with the participating NGOs/CBOs. Additional data were obtained from retired FSWs who had transitioned into activist and advocate roles, active FSWs who were likewise engaged as activists and advocates of the model, and active FSWs who were not involved in activism, advocacy, or organisational work of any kind. However, because I did not have ethical approval to interview the 8 active FSWs in the latter category, all data collected from them have since been removed from the dataset.

In terms of secondary data, I took inspiration from Smith (2001) who would argue that texts and documents or secondary data are essential to the objectification and institutions. I thus, focussed on collecting secondary data is primarily that will be able to critique the positive discourse of the regulatory model, as presented by the activists and representatives of various sex work NGOs and CBOs. The secondary data presented in the thesis was collected during my month-long internship with Kat Katha in Delhi, India and primarily includes two reports published by SANGRAM in 2016 and 2018 (See Reference).

#### 5.4 (c) Navigating primary access:

My data collection process was inspired by the field-work experiences of Indian academics and sex work activists such as Kotiswaran (2008, 2011, 2014, 2017, 2018, 2019), Pai et.al (2013, 2014, 2018) and Sinha (2017). They argue that navigating access to such a sensitive community, while keeping the researcher's safety in mind is very difficult and must only be undertaken with the assistance of experienced volunteers, activists and advocates from sex work NGOs. This association not only makes it easier for the researchers to effectively address the many unforeseen dangers of the field but also assist the researcher in getting accepted into the community as an 'insider' (as conceptualised by Marques 2017). Their success stories in the field motivated me to follow a similar trajectory.

Much like Sinha's (2017) seven months of field based ethnographic research with 'flying' or non-brothel based FSWs in Kolkata, India, and Kotiswaran's (2011) access to *Sonagachi* through DMSC in Kolkata, my primary access was gained through a month-long internship with Kat-Katha (my gatekeepers) in Delhi, India. I first approached them (through emails) in

April of 2022 to get a general understanding of what the field looked like and how I should prepare myself for the interviews. I first conducted virtual interviews (individual and focus groups) with the volunteers, activists, and advocates of Kat-Katha and other NGOs (listed in Section 5.4 d). The knowledge and experience gathered through these initial virtual interviews formed the basis of my research. It also contributed towards providing me with the skills and knowledge to conduct my in-person field work and data collection with the FSWs and FSW activists of G.B Road. I was then offered a month-long internship position for June 2022, wherein I was initially asked to sort and handle their documentation and administrative process for the first two weeks.

This internship gave me a better understanding of the bureaucratic model of administration that was adopted by the various sex work NGOs in the country (the data from which is presented in Chapters 6 and 7) to accommodate the dominant regulatory model of sex work activism in India. I was also able to get information about the various local policies, strategies, advocacy practices, sensitisation techniques and other knowledge creation and dissemination procedures that were used to further their rights-based activism approach (under the regulatory model) and address the structural violence, stigma and discrimination the community of FSWs, FSW activists faced (the data from which is presented in Chapters 8 and 9).

Moreover, as noted in Section 5.2(d), I was gathering information on advocacy policies, activism strategies, and knowledge-dissemination practices during the first two weeks of my internship. During this stage, and while preparing for the in-person focus group and individual interviews, I was expected to emphasise the positive impact of the policies and of the regulatory model in protecting and advocating for the rights of the community (see Chapter 6). My access to G.B Road therefore, depended on the extent to which I foregrounded the regulatory model's benefits in my academic work. Based on this experience, and drawing on Palagana et.al's (2003) epistemological reflexivity lens, I argue that if the power dynamics between myself and the advocates and activists of Kat-Katha were so transactional, it was evident that they exercised significant power over the women they claimed to represent and over the ideological knowledge to which those women had access. The next two weeks were then dedicated towards holding in-person individual and focus group interviews with the FSWs, FSW activists, pimps and brothel owners in G.B Road, Delhi which is detailed in the following section.

#### 5.4 (d) Interviews:

Dey (2017) states that in qualitative interviews, data is simply not collected but generated through active participation and contribution from both the researcher and the participants. It allows the researcher to obtain original and unique data that contributes to the research objectives and questions (Karlsson 2001, Mizen 2005). If the researcher intend to document the lived experiences or life stories of their respondents, Horsdal (2016) pushes for a narrative interview method that is very effective in collecting data from sensitive and troubled communities like FSWs and FSW activists. Drawing from both Dey (2017) and Horsdal (2016) I began all my interviews with a short description of what my research objective was and a brief about my background.

It was done to establish familiarity with the theme and build trust with my respondents. I decided to use a semi-structured interview guide that is defined by Kallio et.al (2016) as a list of questions that directs conversations towards the research topic/questions during the interview to conduct my in-person and virtual (focus group and individual) interviews with the FSWs, FSW activists, advocates and representatives of sex work NGOs/CBOs. In total, I conducted focus group interviews with representatives, activists, advocates, volunteers and other officials from 2 national-level sex work NGOs, 6 state-level sex work NGOs and 6 CBOs. The following table details the NGOs and CBOs that I included in my study:

Format	National NGOs	State-level NGOs	Local CBOs
In-person	NNSW, AINSW	Kat-Katha, Prajwala	Catalyst, Me and My World, Srijan, GOLD, LBSDS
Virtual		SANGRAM, VAMP, DMSC, Women's Initiatives	Srijan

Table 5.1: Sex work NGOs and CBOs of India included in the study.

The decision to conduct virtual focus group interviews with activists and representatives of state and village-level sex work NGOs was to investigate the rationale behind the reduced academic focus on sex work activism in Delhi and unravel if there was any difference between the experiences of FSWs, FSW activists, advocates and representatives of various sex work

NGOs under the current regulatory model in Delhi. The virtual focus group interviews were an average about 2 hours long and the in-person interviews (both individual and focus groups) ranged from 30 minutes to 1 hour 30 minutes (approximately). The location of the interviews varied according to the requirements of the respondents and included spaces such as the office of the organisations, roadside stalls on G.B Road, living rooms of the *kotha* (brothel home), bedrooms of the sex workers and others. Accordingly, the mode and total number of interviews conducted could be broken down as:

Format	Active FSW activists	Retired FSW turned activists	Advocates	Representatives of sex work NGOs	Pimps
Individual (in-person)	21	4	7	16	1
Focus group (in-person)	6	4	1	5	
Focus group (virtual)	4	6	2	2	
Total Respondents:	79				

Table 5.2: Depicts the format and the total interviews (individual/focus group, virtual/in-person) conducted for the study.

Although 8 in-person interviews with active FSWs who were not activists or advocates of the regulatory model and were not associated with the participating NGOs/CBOs were originally collected, they have since been removed from the dataset. This is because I did not have ethical approval from the University at the time the interviews were conducted. Moreover, given the dominant role of the NGO/CBOs in the participant's lives and the NGO representative's presence in the room during the interviews, I now believe that the power dynamics were such that informed consent was not meaningful when given by the participants. This was a mistake. I realised this after discussing the issue with my supervisors and examiners, reflecting on the errors in my approach, and have since rectified it by completely removing the data acquired during the in-person focus group and individual interviews with the said FSWs. While I had provided all participants with an information sheet outlining my background, as well as the

aims, objectives, and academic significance of the research conducted, I did not ensure how this information was understood or whether participants had been fully briefed in advance.

For these reasons, I decided to redact the data collected from the participants in question. This experience reinforced the central importance of securing formal ethical approval prior to data collection and of critically assessing power dynamics in research settings, particularly when working with marginalised populations and challenging environments. It highlighted that informed consent must be both procedurally and substantively meaningful, and that the presence or influence of gatekeeping organisations compromise participant's ability to consent freely. As a result, I have strengthened my ethical awareness, reflexivity, and commitment to ensuring that future research practices fully align with institutional ethical standards and principles of participant autonomy.

I also limited the age group of my participants from 18 to 65 years of age, for three reasons: (i) ethical consideration and safety precautions which included the possibility of mental harm and trauma for both the respondents and the researcher. (ii) Anyone above 18 years of age was considered to be an adult by the Indian constitution (listed in Government of India 2021). My decision to include only adult respondents made it more ethically viable to document the opinions of FSWs, FSW activists, advocates and representatives of sex work NGOs. (iii) I decided to cap at 65 years of age as most of my respondents retired from the sex work business between the late 30s and early 40s and usually resorted to activism, care and politics. I was thus, unable to find any FSW or activist beyond the age of 65 years who still lived with other sex workers in the brothels or worked for the NGOs.

#### 5.4 (e) The ethics of care:

The range and scope of my study was in alignment with the practised decolonial reflexive framework and as such were concerned about whose voices are heard and valued in research. A concern central to the ethics of care, which emphasizes attentiveness, relational responsibility and inclusion of marginalised perspectives. The study drew from Reich (2003) to examine the ethical and relational dimensions of my research and emphasize on how my positionality influenced interactions with participants and the production of knowledge. Similar to her critique on the assumptions of researcher neutrality and pushing researchers to

be conscious of, I too adopted her ‘ethic of care’ to address the inherent power imbalance between me and the participants. It was done through holding in-person group discussions first with the FSWs and FSW activists of G.B Road (using a semi-structured interview guide) to introduce ourselves and the work we did and then conducted follow-up individual in-person interviews with them. This practice contributed towards forming that initial bond of trust and confidence between the researcher and the respondents (as explained by Clark et.al 2021). However, as mentioned in Section 5.4 (d), the data collected from the in-person interviews with the 8 active FSWs who were not activists, advocates or associated with the participating NGOs/CBOs, were subsequently removed from the dataset and analytical framework to align with the University’s Ethical Board. Drawing further from Reich’s (2003) ethics of care, I believe that the said FSWs could not give informed consent given the power of the NGO/CBO over their lives. Including their opinions would then contribute, to the inherent power imbalance between us and add to the further marginalisation of the community.

I constantly changed the location and time of the interviews to suit the schedules of the FSWs who were participating in my study and took much care in providing the attention they required. Taking inspiration from Mehta’s (2020) work in *Sangli*, Mumbai and SANGRAM and VAMP’s work in Northern Karnataka and Maharashtra, the research emphasized the importance of safety and ethical considerations while conducting fieldwork. Key protocols included concluding field visits before sunset, ensuring the presence of a local representative to help navigate any challenging situations, and having exit strategies in place for tense client discussions or brothel spaces. I was always actively observing and self-reflecting on the experiences (before, during, and after the interviews) to add richness to my data and amend the questions as required. Such practices, along with regular follow-ups, assisted me in minimising the added harm that came with reliving experiences of trauma and maintaining the trust, confidence and fictive kinship bond I shared with them. Maintaining a calm demeanour and humour (similar to Sinha 2017) and sometimes sharing my life stories made the participants comfortable and involved in the conversation. It also provided them with space and time to recollect their thoughts or calm themselves down if they were overwhelmed with emotions. I also held many informal socialisation sessions, by sitting on the floor, over tea and *pakor*as (fried vegetable fritters) after the interviews to maintain the relationship with my participants (similar to Pai and Seshu 2013).

Such informal discussion addressed the power imbalance between me and the FSWs, FSW activists, gave them a chance to know me better and get over the initial awkwardness and hesitancy, share (or edit) any information that they wanted to include and further strengthen my inbetweenness positionality (as conceptualised by Milligan 2014) within the FSWing community. Similar to Sinha (2017), I have engaged in continuous reflexive journaling and memoing to trace how participants' stories not only shaped, but often redirected, the focus of my analysis. Rather than imposing theoretical frameworks onto their narratives, I remained attentive to their own interpretations, which frequently disrupted and expanded my initial assumptions. In many moments, it was their insights that illuminated the most meaningful threads in the data, as much like Mohanty and Torres (1991), I too believe that the members of the community are both agents and theorists. They organise, resist and theorise and are not just subjects to be studied. Adopting such reflexive practices motivated me to reflect on my positionality as a social feminist researcher adamant on creating a local/grassroots decolonised gendered knowledge within neo-liberal academia. Taking inspiration from the researcher positionality framework of Milner (2007) and Corlett and Mavin (2018), I began to do further introspection on how my positionality had an impact on my research, and the steps I needed to undertake to overcome the shortcomings of my research methodology (explained further in Section 5.5) (also discussed by Cho et.al 2013).

#### 5.4 (f) Recording the interviews:

Bucher et.al (1956) and Cook (2009) argue that recording interviews in social research allows for a meticulous comparison of data and ensure that every critical detail is noticed by the interviewer. This process makes it easier for the researcher to focus on the content and the verbal prompts and contribute towards generating a verbatim transcript of the interviews. It also assists in actively documenting the observations of the researchers, and the emotions behind the data to compose a thick and rich description of the field. For a study that documented the experiences of the community of FSWs in Delhi, recording the interviews was an absolute necessity. All my virtual and in-person, individual and focus group interviews with FSWs, FSW activists, academics, advocates, volunteers and others from various NGOs and CBOs were recorded in full. However, I was flexible while recording the in-person individual interviews with FSWs and FSW activists of G.B Road as four of them were a bit hesitant and uncomfortable with the prospect of recording. In such cases, I prioritized having an open,

informal conversation with my participants and documented (with the consent of the respondents) the conversation, my observations and my experiences, in a field diary after the interviews. The data collected from the interviews with the active FSWs who were not activists, advocates or associated with the participating NGOs or CBOs, were subsequently redacted, as I did not have approval from the University. But adopting such flexible approach while recording the interviews, did further strengthen the trust and the relation I had with them and established my position as a researcher who respected and accommodated the needs and opinions of the FSWs and FSW activists.

#### 5.4 (g) Generating transcripts:

The transcripts of the interviews were generated both manually and through the application of a software called TEMI which transcribes recordings automatically. TEMI was used for all recorded virtual focus group and individual interviews and all the other in-person interviews were transcribed manually in verbatim. Adopting the principles of Oliver et.al (2005), I manually transcribed my interviews. In total, I had about 28 transcripts of all recorded individual and focus group interviews (virtual and in person). Out of the 28 transcripts, 7 were transcribed in full and the remaining 19 were not transcribed in full. I also extensively documented my observations and the discussions that I had in the 4 interviews with FSWs that were not recorded. I translated the 4 interviews with FSWs that were conducted in Hindi to English while formulating my transcripts. In line with the decolonial research practices of Pillow (2003) and Tuck and Yang (2012), and in an effort to generate research with the community, I forwarded the interview transcripts back to my respondents for their review, approval, and editing (similar to Smith's 2001 institutional ethnography and discussed further in Section 5.5 a). I acknowledge that, although the intention was to give the community agency and space to express their own perspectives, advocates, activists, and institutional representatives ultimately controlled which voices were amplified and which were silenced.

As a result, the views shared by participants largely aligned with the dominant positive stance of the NGOs/CBOs (see Chapter 6). This, in turn, reproduced the very unequal power structures and power differentials the research sought to interrogate. Drawing from Sinha (2017), I further reiterate, that such complex structural power struggles cannot be resolved through reflexivity and decolonial methodology alone, they must be continually negotiated and recognised within

a radical decolonial research model. I further acknowledge that the voices in this research are not tidy. Participants spoke in contradictions, silences, laughter, anger, eroticism, and refusal. I have resisted the urge to smooth these edges for coherence. Instead, I present their accounts as thick, layered, and at times, resistant to meaning. Their stories queered normative categories of identity, intimacy, and disclosure, reminding me that data, like desire, rarely fits cleanly into boxes.

#### 5.4 (h) Active observation:

The second method of data collection used for my research was observation. Social researchers like Mulhall (2003) and Go et.al (2011) argue that observation methods have traditionally been used as means of data collection within both quantitative and qualitative research. It has been used in natural everyday settings to generate field notes and use such field notes to describe the type and frequency of discrete behaviours and interpret the social processes of interaction through qualitative approaches. Using observational methods within qualitative methodologies is useful in contexts in which little is known about a topic and/or when a complex phenomenon needs to be understood.

In situations where researchers aim to interact with participants to understand their perspectives, observational research is defined as participant observation. It has been described as a means by which the researcher engages in a process of learning through exposure or involvement within the day-to-day routine activities of participants in the research settings (as discussed by Mulhall 2003, Go et.al 2011). Being an avid supporter of its significance, my research employed non/participant observation to document the behavioural representations, body language, changes of speech and structure during the discussions. It proved to be quite efficient in supplementing my data gathered throughout the process and provided me with rich and often ignored insights about my respondents.

The practice of active non/participant observation was used to track the impact of my questions by actively observing the respondent's reactions (similar to Johnson et.al 2011). The line of questioning was changed immediately if I felt that it was creating a tense environment and/or the respondent was attempting to avoid the question. Moreover, in alignment with my reflexive ethnography, non/participant observation method contributed significantly to critically

analysing my experiences in the field and my position as a researcher. It made me aware of the various emotions I felt as a researcher and facilitated the sociological conceptualisation of the impact and relevance of such emotions in a sexualities study (explained further in Section 6.5).

#### 5.4 (i) Analysis of data:

To thematically analyse my data (similar to Terry et.al 2017), I employed an interpretive critical approach of analysis to my data. This supported me in seeking a balance between theory and practice (see Delmont 1997, Temple 1998). For analysis, I manually colour-coded my transcripts and generated common themes (similar to King et.al 2017, Basit 2003). A manual generation of themes was lengthy and time consuming but it allowed me to closely and critically scan my data and theorise my conceptualisations. After sectioning off my transcripts, the data was categorised into different codes and sub-codes. The themes that were generated from a grounded approach to the data itself, proved to form the basis of my understanding and analysis. Coupled with the themes that I was able to generate from the study of my literature, the analysis of the findings attempted to weave together the dominant academic discourse on sex work activism and a local/grassroots understanding of the concept. An outline of the steps taken in this qualitative research project is as follows:

1. Initial contact with the sex work activists and other activists who work in this field.  
↓
2. Formation of general research questions and initial theoretical framework.  
↓
3. Collection of relevant data- Participant observation, interviewing, content analysis, literature review.  
↓
4. Interpretation of data.

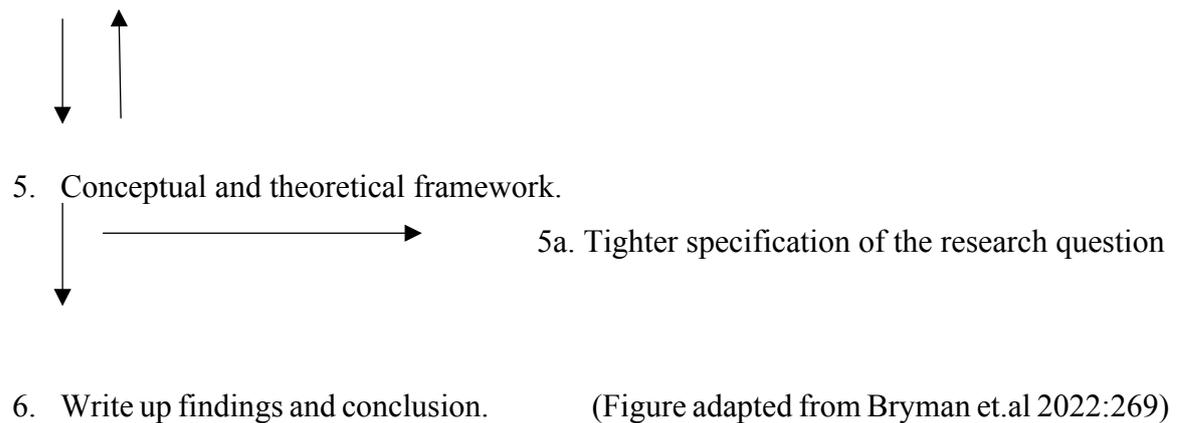


Figure 6.1 presents an outline of the steps undertaken during the research process.

In alignment with my reflexive methodology, analysis unfolded dialogically, not only between me and the transcripts but also, at times, with participants themselves. In several cases, I returned preliminary themes to those who expressed interest in co-interpreting their own narratives. While I remain aware of the epistemological tensions in this practice, it served as a way to ethically check my reading and to honour the multiplicity within their stories.

#### 5.4 (j) Confidentiality and anonymity:

There is always much debate about confidentiality and anonymity in the research of marginalized and sensitive communities like sex workers. Measures like strictly maintaining the confidentiality and anonymity of the respondents protect the respondents from any possibility of harm or violence (a real possibility for FSW activists) that they might be exposed to if their identities and/or opinions are made public. It prepares the researcher to be careful of their data collection process and research design while remaining conscious, vigilant and cautious of their approach. The intention here was to limit the possibility of any harm (physical, mental and emotional) to both the respondents and the researcher. Drawing primarily from Kotiswaran's (2008, 2011, 2014, 2017, 2018, 2019) journey in getting ethical approval for her study with DMSC in Kolkata, I too began my ethical consideration journey by deciding to use either pseudonyms or random letters and numbers to identify my respondents. I, however, used the real names of the participating NGOs and CBOs as the representatives of the organisations were comfortable with the identification and insisted on being represented.

#### 5.4 (k) Ethical considerations:

Ethical considerations informed every aspect of this research and pertained to access, participant consent, participant, and researcher safety. To form the foundation of ethical practice in this project, I referred to the National University of Ireland Maynooth's (NUIM) ethical guidelines of: Respect for human dignity, Minimising risk, Confidentiality, Informed Consent, Safeguarding the interests of vulnerable persons, observing only when people expect to be observed in public and Responsible dissemination of research (NUIM 2015). I followed it up with ethical guideline requirements of the Sociological Association of Ireland, the National Office for Research Ethics in Ireland, the Indian Sociological Association and the Centre for Media Studies-Institutional Review Board-New Delhi, India (2020).

I had ethical approval to collect data from volunteers, advocates, paralegals, activists, academics, general staff associated with the participating NGOs and CBOs, retired FSWs who had transitioned into activist and advocate roles, active FSWs who were likewise engaged as activists and advocates of the model. I did not have ethical approval to interview active FSWs who were not involved in activism, advocacy, or organisational work of any kind. Accordingly, all data obtained from the 8 active FSWs from G.B Road, who were not activists, advocates or associated with the participating NGOs or CBOs, were subsequently removed due to the absence of approval from the University Board of Ethics, as well as lack of due agency and power to fully consent to participating in the study

As my research included sensitive issues like gender and sexuality of one of the most marginalised communities of the world-FSWs-I decided to follow the 12 ethical principles for researchers undertaking gender and sexually diverse social, health and related research called the Montreal Ethical Principles for Inclusive research. Formulated as a result of the ratification of the Global Social Work Statement of Ethical Principles (GSWSEP) of both the International Association of Schools of Social Work and the International Federation of Social Work in July 2018 (Henrickson et.al 2020). Accordingly, consent forms were sent to all of my respondents through e-mails, before the interview in both English and Hindi. However, I could only take verbal consent from the FSWs and activists on G.B road as most were illiterate and could not provide written approval. I acknowledge here that I included FSWs who were not activists as my research subject, even when I did not necessarily receive ethical permission to interview them. I would like to state here, that as I gained my primary access through the activists and

representatives of sex work NGOs (as advised by the ethical board) and because I adopted a snowball, purposive and voluntary sampling framework, the research respondents were chosen for me. This means that the representatives of the NGOs chose the FSWs and FSW activists who wanted to be a part of my study and who wanted to share their opinions about the regulatory model. It was not possible for me to refuse to document their stories or ask them to leave the conversation as most of the interviews happened in a very intimate setting, such as the living area of the brothels, their bedrooms, the stairs to their bedrooms and others. All kinds of FSWs and FSW activists were sitting together, listening and participating in the conversation. Refusing to document their stories would have also compromised my commitment towards a respectful and inclusive methodology that I adopted for this study. However, as stated earlier, all data gathered from the 8 active FSWs from G.B Road, who were not activists, advocates or associated with the participating NGOs or CBOs, were subsequently removed due to the absence of approval from the University Board of Ethics, as well as lack of due agency and power to fully consent to participating in the study.

I furthermore, acknowledge that the success of this qualitative study was made possible by the generous participation of individuals who shared their personal experiences and perspectives. Their willingness to contribute openly and thoughtfully was central to the depth and richness of the data collected. Every effort was made to ensure participants felt respected, heard, and valued throughout the research process, and their confidentiality was carefully maintained. This research acknowledges the important role participants played as co-constructors of knowledge and expresses sincere appreciation for their time and trust. Crucially, I view participants not as passive subjects but as co-theorists. Their lived realities produced knowledge that challenges dominant understandings of sexuality, and this research is indebted to their wisdom. Where possible, I have sought to share findings beyond academic circles, through community talks, informal zines, and queer networks, as a gesture of accountability and reciprocity. Their contributions extend far beyond the pages of this thesis. They are embedded in its very ethics, methods, and imagination.

I was cautious of the sensitive nature of my topic and took utmost care and precaution in safely securing my data. All collected data (recorded or otherwise) was kept in a single password-protected folder. After the data was transcribed the recordings were deleted from my laptop. I can ensure that my practice and the process of gathering and storing the data collected is in full

accordance with the rights included in European legislation set out in Articles 15, 16, 18, 20, 21, and 89 of the General Data Protection Regulation (EU 2018). This, however, does not mean that I did not face any limitations or difficulties while collecting data. Like any other young sexualities researcher, I too had to professionally handle certain unforeseen and uncomfortable circumstances.

### 5.5 Challenges faced during data collection:

There have always been challenges in conducting sexualities research. For instance, Irvine (2014, 2018) had to conduct her studies in secrecy and when her work became public, her laboratory was vandalised. Hammond and Kingston (2004) have reported that the prevailing stigmatisation for sexualities research(ers) within academia, was practiced through constrained training opportunities, limited funding sources and job prospects, challenges in disseminating their research findings to the public, subjected to increased censorship, public controversy, ridicule and even death threats. Others, such as Cornwall (2006) and Dowsett (2014) claim that they faced difficulties during tenure and promotion decisions and as such have consciously practiced self-censorship by dropping the term ‘sexuality’ from grant application titles and designing studies that will be more readily approved. Mattley’s study into the commercialization of emotions using phone sex workers found her funding application denied and one reviewer stated, ‘there must be another occupation to study...was it chosen simply because it was titillating?’ (1997:104). Sanders recounts that she met similar hurdles and begins her book about research with male clients by claiming that she had ‘no time to wait for funding or be tramped down by the prudery of the academy or inflated concerns about ethics’ (2008: vii).

The fact that sex work research may not be taken seriously within and beyond academia suggests that there is something fundamental about sex work research itself, which leads it to be seen as an unworthy topic for academic scholarship (similar to Hammond and Kingston 2014). It, however, would be too simplistic to assume that the diverse paradoxical cultural reactions and experiences of stigma have demotivated the researchers. On the contrary, in the last decade, many young researchers and academics are getting increasingly attracted by the knowledge that sexualities research produces (similar to Irvine 2014). This interest has been

further exemplified in the last 60 years by the LGBTQ+ rights movement, women's movement and sex workers rights advocacy in western (see Hammond and Kingston 2014).

On the other hand, my commitment towards providing a decolonial, pluralistic and politically grounded feminist account that is rooted in the lived struggles and analyses of the community, motivated me to draw from Collin's (2017) understanding of intersectionality as a form of critical inquiry and practise. This approach is employed by scholars, and activists to cultivate a more nuanced understanding of social inequality and injustice. By concentrating on systems of power and analysing violence associated with the 'business of sex work' in India, I applied a critical reflexive methodology to explore and theorise how institutions (sex work NGOs) have normalised and routinized acts of violence (Smith 1992, 2001) under the regulatory model to maintain political domination (explained more in Chapter 6, 7, 8 and 9). Additionally, I have utilized this framework to theorise the power dynamics and limited agency at play (also mentioned in Kotiswaran 2011, Sinha 2017) when the participants were selected for the proposed research by the representatives of Kat-Katha.

#### 5.5 (a) Insider-Outsider dilemma:

Defined by Stanley (1990) as a process through which a researcher gets accepted as a member of the community, insider status is crucial in researching sensitive and complex communities like sex workers. Showden and Majic (2014) suggest that sexualities researchers can build an insider status by: (i) Building relationships with participants by forming a fictive kinship bond. For instance: sister, friend, colleague, and mentor, not bound by blood, but is formed due to shared beliefs, ideas, practices or experiences (ii) By sharing common stories that establish a sense of belongingness with the respondents (iii) A continuous process of communication that is reinforced through comfortable environments and informal speech, that respects the opinions of the respondents (iv) Social interactions and experiences embedded in social action, such as being a good listener (v) Shared perceptions of risk, reciprocal interactions, empathy towards participants and (vi) Becoming involved in community services-walking, laughing and chatting with participants informally (similar to Knerr and Phipott 2009).

However, even after adopting the insider-outsider methodological framework of Sheriff (2001), Knerr and Phipott (2009), and Showden and Majic (2014), I was only accepted as an

‘inbetweener’. Defined by Milligan (2014) as a middle ground, wherein the researcher is neither a complete outsider nor an insider, this concept of inbetweener focuses on the constantly shifting nature of researcher identity due to changes in situations. My status as an in/outsider also responded to the social, cultural and political values of a given context or a moment (also argued by Arthur 2010). Similar to Katyal and King’s (2011) research in Hong Kong, wherein they were outsiders due to cultural and racial differences but an insider due to their professional expertise in researching educational institutions. I too was considered an insider due to my status as a working Hindu woman in patriarchal India. But became an outsider when aspects such as caste, class, race, and education were at the forefront. As such, I constantly sought to strengthen my position as an inbetweener, by negotiating the space between academic, activism and the community, while addressing the inherent power dynamics that shaped these interactions.

In the consent form and accompanying information sheet, I made several commitments to participants, including assurances of voluntary participation, confidentiality, respectful treatment, and the right to withdraw without consequence. Beyond these formalised assurances, I also articulated a broader ethical commitment. For instance, when the interview transcripts were sent back to the respondents for their approval, they chose to redact some of the comments they made regarding the ineffectiveness of the government healthcare system and the added stigma and abuse they face while availing their services. When asked, they informed me that they did not want them to be included and did not necessarily provide me with any substantial reasoning behind their decision. Taking influence from Mehta’s (2020) work in *Sangli* and Palagana’s et.al (2017) work on epistemological reflexivity lens, I had little choice but to comply with their request, and remove the data from my analysis. While I am unsure of the actual rationale behind this redaction, I argue that this decision might be to acknowledge and amplify the government assistance the community received during the tough times of Covid-19 (detailed further in Chapter 6).

My commitment, extended not only to procedural ethics but to ongoing relational and epistemic accountability. To fulfil such commitments, I sought to actively inhabit what I describe as an ‘inbetweener’ position that is situated between academic researcher, emergent activist, and community interlocutor. This required continuously negotiating my role and responsibilities in the field. Although I acknowledge that I did not promise or provide immediate material support to the participants, I attempted to honour my ethical obligations by cultivating forms

of solidarity rooted in feminist reflexivity. Drawing on Palaganas et.al (2017), I attempted to address the obvious class power dynamics between us and foreground our shared identity as working women navigating patriarchal structures in India. This shared identity became a starting point for building trust and for challenging the hierarchical dynamics often associated with research encounters. It also deepened my awareness of the limits of my own positionality and the necessarily constrained role and reach of my academic work. The cooperation extended to me by the participants placed a responsibility on me as an external researcher to meaningfully share their stories, their struggles, along with highlighting the successful outcomes achieved through their advocacy and activism strategies, while navigating the regulatory model within the Irish academic discourse (see Chapter 6).

This reciprocal expectation underscored the power dynamics embedded in the research process and the care required in honouring participant's contributions. I also operationalised my commitments through concrete strategies designed to redistribute epistemic authority and enhance participant agency. These strategies included involving participants in defining aspects of the research process, communicating consistently in the local language (Hindi), and using culturally meaningful forms of address, such as *didi* (sister), to signal respect, reciprocity, and relational proximity. Such practices aimed to cultivate an environment in which participants felt both valued and empowered to shape the knowledge being produced. This reflexive effort was central in fulfilling my promise to conduct the research with transparency and ethical sensitivity, recognising that my positionality inevitably influenced both interactions in the field and the subsequent construction of meaning.

#### 5.5 (b) Impact of insider-outsider methodological framework:

I did this primarily by constantly analyzing my positionality and the impact it had on the information I was allowed to access. I argue that I was only able to get accepted as an inbetweener because of several key factors. First, although I am an Indian Hindu woman, my Mongoloid racial identity prevented full acceptance into the community. As noted by Shekhar (1978), Hewitt (2011), and Khanna (2014), this separation stemmed from longstanding racial discrimination practiced among Indo-Aryans (from North, West, and Central India), Mongoloids (from East India), and Dravidians (from south India). Second, my upper-caste and upper-class status also played a significant role. In a society where caste and class-based

discrimination remains deeply entrenched, I was treated with a level of respect that framed me as someone who should not be associated with ‘immoral’ or ‘impure’ communities such as FSWs. My presence in the lanes of G.B. Road was met with awe and curiosity, as many found it difficult to accept that a woman of higher caste and class would choose to work with such a marginalised group (Bhasin 2003, 2004). Third, echoing the experience of Naumovski (2021), who explored the tensions around researchers returning from foreign universities to study native, vulnerable populations, I too sensed a degree of scepticism among my respondents. Some appeared cynical about my decision to attend a ‘foreign’ university while choosing to research the marginalised community of FSWs in Delhi.

They were repeatedly asking me questions about my intentions behind the research, my rationale to pursue my education at Maynooth University, and if I could guarantee my research would positively impact the community of sex workers. I then drew from Etherington (2004) and Attia and Edge (2017), who push researchers to use their positionality to develop their research perspective and accept reflexivity to be an integral and continuous element of the development of research, to reflect on the questions presented by my respondents. I realized that the curiosity about my work, was to verify if I was reimposing the colonial superiority of the Indian FSWs by portraying that the FSWs of the west (Europe and USA) were not vulnerable and did not need to be researched upon. My decision to research the community of FSWs of Delhi was then viewed as an attempt to establish the dominant colonial understanding of the Indian FSW activists being more marginalized compared to their western sisters and thus, needed urgent academic attention (also discussed by Alpion and Roberge 2011, Naumovski 2021).

Similar to Sinha (2017), keeping detailed field diaries became essential to understand and dismantle preconceptions influenced by class, caste, morality or positionality that influenced the power dynamics at play. Moreover, similar to Pai, Seshu and Murthy (2018), I consistently reassured my participants of their full and active involvement in the development and dissemination of knowledge beyond the scope of my PhD thesis. Guided by their needs and the experiences I documented throughout my journey, I also decided to pursue work in policy formulation after completing my PhD. This would allow me to effectively bridge the gap between academia and activism, and to propose meaningful grassroots policies and local strategies that support the local CBOs, FSWs, and FSW activists in advancing the decriminalization model of sex work activism (also proposed by Pattnaik and Panda 2005).

### 5.5 (c) Struggles in getting access:

Furthermore, Smith's (2001) theorization of institutions as socially organized through textually-mediated ruling relations offered a critical lens through which to understand the power dynamics I encountered during fieldwork in G.B Road. In Smith's framework, institutions are not abstract entities but are enacted through everyday practices coordinated by texts, such as ethical protocols, access policies, and bureaucratic procedures. Much like Sinha (2017), I experienced institutional suspicion and stigma when attempting to access G.B. Road. Unlike scholars such as Pai et.al (2014, 2018), Seshu and Pai (2014), and Bhattacharjya et.al (2015), I was initially denied access by the representatives of Kat-Katha due to my refusal to fully endorse the regulatory model before data collection. This misalignment disrupted the established institutional narrative and marked me as an outsider, subjecting my work to surveillance and control. As Smith (2001) suggests, such institutional responses are not merely interpersonal but are activated through texts that standardize and manage social relations, shaping how my intentions, legitimacy, and access were interpreted.

The requirement for my work to be supervised, and the caution around what I could document, reflected broader concerns rooted in postcolonial and epistemic hierarchies. As Naumovski (2021) and Alpion and Roberge (2011) argue, global south researchers are often viewed through the lens of 'brain drain' or accused of reinscribing colonial trauma, positioning western or diasporic researchers and subjects as epistemically superior. This dynamic, combined with the politicization of sexuality research, created a climate of distrust. As noted by Irvine (2014, 2018), Hammond and Kingston (2004), and Sanders et.al (2006, 2008, 2009), researchers in this field often face internal regulation and marginalization when they do not conform to dominant ideological frameworks, which here, was the regulatory model.

Kat-Katha's supervision of focus group interviews further illustrated the textual coordination of power. Participants often altered their narratives in the presence of NGO staff, emphasizing empowerment and health service uptake, while avoiding accounts of coercion, desire, or critiques of the model. Drawing on Collins (2017), this can be understood as a form of institutional domination, where political ideologies are embedded in organizational practices, and where texts and institutional actors shape not only what is said, but what can be

said. This also exposed the limited agency participants had in consenting to research participation, further obscured by the formalities of NGO bureaucracy. Smith's concept of ruling relations clarifies how such power is not merely top-down but is enacted through everyday textual practices that coordinate people's actions across settings. The presence of institutional actors and accompanying texts (such as access permissions, consent forms, field protocols) shaped the very conditions of knowledge production. In response, I negotiated for independent time with participants, enabling a clearer distinction between NGO-curated narratives and more complex, private accounts. This methodological move aligns with Smith's call to start from the standpoint of those embedded in institutional processes to trace how their everyday realities are shaped and often constrained by trans local systems of governance.

#### 5.5 (d) When my embarrassment turned into fear:

The constant surveillance politicized religious expectations and the need to be accepted into the community made me dress modestly to avoid sexual harassment from men (as explained by Bhasin 2003, 2004). However, my properly ironed and clean clothes and shoes instantly outed me as someone that did not 'belong' in G.B Road. The persistent male gazes made me realize that my initial strategy of dressing modestly, adopted from Sheriff's (2001), field work experience among upper-middle class Muslim women in Egypt, was insufficient. Moreover, as an upper-middle-class, university-educated woman, I was acutely aware of the social distance between myself and many of the women I sought to work with. Initially, my formal Hindi and demeanour marked me as an outsider. Through reflexive journaling however, I came to see how my class-coded behaviour limited trust-building. I began adjusting my linguistic register and dress, not to 'blend in' artificially, but to acknowledge the cultural dissonance and show respect for the space I was entering. This shift, combined with more time spent informally in the field, gradually changed the nature of our interactions (similar to the interactions recorded in Sinha 2017). Nonetheless, this instinctual shock of experiencing the famous lanes in person later culminated in embarrassment as I failed to assimilate with the crowd and immediately stood out as an outsider. This embarrassment eventually transformed into a fear for my personal safety, as I felt that I would be sexually assaulted by the men in G.B Road.

Bhasin (2003, 2004) describes this fear of personal safety to be rooted in the fear of being *badnaam* (infamous) that is propagated by the capitalist market structure, corporate media, and

politicized religion. She argues that the fear of being outed from the community or being tagged as a 'bad woman' forces women to self-surveil/police themselves through the process of internalisation and normalisation (also identified by Beauvoir 1970, Millett 2000). Drawing from Bhasin conceptualization, and Palaganas et.al (2011) critical reflexivity, I argue that I was unconsciously influenced by the abolitionist perspective of sex work. Millet's (2000) notions surrounding red-light areas and the business of sex work, i.e a gloomy, dark, and unhygienic place that runs a high risk of physical violence, mental and emotional harm due to violence, filth, drugs, trafficking, and other illegal activities (as discussed by Kotiswaran 2011, 2019, Pai et.al 2014, 2018) also influenced my perception of the space and the community. The emotions of fear and embarrassment that I felt, depicted my complex intersectionality (as defined by Crenshaw 2013, 2019 and Collins 2017) and made me internalize the belief that I was a woman who did not 'belong' in that space (similar to Cho et.al 2013). Here, I have consciously used the word 'belong' to identify the embarrassment I felt for failing to assimilate with the crowd and the space of G.B Road. The embarrassment made me conscious of my outsider status, and I began to depend on the volunteers, who accompanied me.

#### 5.5 (e) Experiences of stigma:

Despite being accompanied by volunteers and advocates during data collection, I remained vulnerable as a woman navigating a male-dominated public space. This resulted in frequent experiences of sexual harassment. Similar to accounts shared by Sinha (2017), it included catcalling, intrusive stares, unwanted physical contact, and aggressive behaviour. Etherington's (2004) concept of the reflective practitioner helped me theorize the discomfort and sense of non-belonging I experienced, where my embodied presence in G.B. Road disrupted dominant gender norms. Although visits from researchers and activists are common in this area, the attention I received was amplified because I spoke, dressed, and behaved in ways perceived as incongruent with the space, rendering me a subject of suspicion and sexualisation (Bhasin 2003, 2004, Irvine 2014, 2018, Sanders et.al 2009).

This response reflects broader patterns of infantilization, stigmatization, and fetishization that often extend to anyone associated with sex worker communities (Pai et.al 2014, 2018). My racial identity, accent, and perceived 'foreignness' further marked me as exotic and naive, intensifying male curiosity and surveillance. Goffman's (1963) concept of courtesy

stigma and spoiled identity provides a useful framework to understand this experience. My association with a stigmatized group transferred stigma onto me, subjecting me to narratives of shame, blame, and moral contamination. Bos et.al (2013) and Aranda et.al (2023) extend Goffman's analysis, suggesting that associates of sex workers are often viewed through an abolitionist lens as morally compromised. On the other hand, Tyler and Slater (2018) argue such associations invite assumptions of shared deviant values and behaviours. In this context, I was perceived not as a neutral researcher but as 'immoral,' 'impure,' and 'available,' due to my voluntary engagement with the sex working community.

To navigate the multiple, intersecting stigmas that shape the lives of the community and to build the rapport necessary for ethically grounded fieldwork, I relied on sustained reflexive practice and on forms of informal trust-building developed by the advocates and volunteers of Kat-Katha. These practices functioned as critical strategies for destabilising hierarchical researcher-participant relations and for signalling my willingness to enter the social and affective world of the community on its own terms. Accordingly, as mentioned in Section 5.5 (a), during the in-person interviews, I participated in everyday activities that held relational significance for participants. It included sitting with them on the floor, engaging in unstructured informal conversations, sharing meals, exchanging small gifts, engaging in peer conversations, voicing gendered frustrations and participating in religious rituals that structured their daily routines. I also drew on culturally familiar practices such as discussing astrology and palmistry, which offered an accessible and non-threatening means of connection. These embodied, relational engagements echoed the methodological stance adopted by Kotiswaran (2011) in her work with the DMSC, where such interpersonal practices were central to negotiating her position as an 'inbetween' within a highly stigmatized community. In my own research, these strategies similarly worked to strengthen my intermediary status by signalling respect, relational proximity, and a willingness to engage beyond purely academic enquiry.

However, despite these efforts, several moments during fieldwork remained profoundly unsettling. Such incidents underscored the inherent precarity and emotional labour associated with conducting research in environments characterised by intense stigma, gendered surveillance, and heightened vulnerabilities. Such experiences revealed the structural limits of rapport-building and highlighted the ongoing risks and asymmetries that shape fieldwork in marginalised and heavily monitored settings. They further underscored the importance of sustained reflexivity and of adopting methodological approaches that remain sensitive to the

ethical complexities inherent in such research contexts. This was not merely an abstract requirement but a lesson that emerged through my own positionality and experience as a researcher, shaping how I came to understand and navigate the responsibilities embedded in the research process.

#### 5.5 (f) Uncomfortable bargains:

One such experience was when I was interviewing one of the ‘*madames*’ of G.B Road. I heard the most bloodcurdling screams of a little girl coming from the next room. I instantly froze in my seat for a few seconds and could not continue with the conversation. The volunteer, who accompanied me, noticed my reaction and gave me a small nudge on my knee. Her nudge brought me back to reality. I was torn between acting professional (ignore the incident) and being humane (address the issue). I felt like as a woman and a human being I should rush in to assist and had an instinctual duty to care for the aggrieved. However, much like Sheriff (2001) I too realized that I did not have the adequate skills, knowledge, or expertise to address the issue at hand. Nor was I able to provide any material or emotional support and as a by-stander was forced to act like I was unaffected by the scream. The *madame* noticed my attempt to act indifferent and wanted to distract me by offering tea and ‘*pakora*’ (deep fried vegetable fritters). I was a bit hesitant and said that I was okay as my nerves were still a bit shaken and I wanted to take some time to calm myself down. She offered me water instead and insisted that I drink the water by saying: “*dariye mat behenji. RO ka paani hai. Saaf hai*” (Don’t be scared sister. Its purified water. Safe to drink).

This comment was embarrassing, as I did not want them to feel disrespected or break the fictive kinship bond that I had established with them as an ‘inbetween sister’, by behaving differently because of the incident. To cover my embarrassment, I laughed out loud and continued with the conversation. Like Seshu’s (2005) report of a violent raid in *Sangli*, I too acknowledged that collecting data in hostile and sensitive environments often meant witnessing uncomfortable and unforeseen experiences of abuse on the spot. In the aforesaid experience of abuse, I focused on ensuring the safety of my participants, of myself and emotionally supporting the people who had witnessed the scream. I then, drew from Etherington’s (2004) conception of reflexive feminist research, which encourages researchers to portray the full interaction between the researcher, the participant, and the work. It made me realize that my

attempt to act indifferent instantly made me an outsider and motivated the FSWs and FSW activists to use sarcasm and humor to reconfirm my outsider status. To overcome this limitation, Hellowell (2006) and Hibbert (2021) talk about alternative strategies that would assist me in addressing the power hierarchy between the researcher and the respondent.

#### 5.5 (g) Adoption of alternative strategies:

Hellowell (2006) underscores the inherent power that accompanies the status of a researcher, a dynamic, further explored by McNess et.al (2013), who argue that power relations between researchers and participants shape how knowledge is constructed and what becomes knowable. To navigate these invisible hierarchies, I drew on Crenshaw's (2013, 2019) and Cho et.al's (2013) conceptualisation of intersectionality as an analytical tool for addressing power differentials within the research process. In addition to the strategies outlined in Section 5.4(e), I adopted Karlsson (2001) and Mizen's (2005) participant-driven methodological approach, especially when working with sensitive and marginalised populations. This framework enabled me to highlight the agency and voluntary contributions of FSWs and activists, particularly their roles as peer educators and community leaders (Kotiswaran 2011, 2019, Pai et.al 2014, 2018).

However, this closeness to participants, while central to the co-construction of knowledge, as discussed by Palaganas et.al (2017), also raised concerns about the potential for personal bias in my analysis. To mitigate this, I engaged in continuous self-reflection following the guidance of Etherington (2004) and Attia and Edge (2017), who emphasise the need for researchers to critically examine their own intentions and positionalities. While such emotional labour was both physically and mentally taxing (Hibbert 2021), I remained committed to theorising my emotional responses throughout the research process as part of a broader goal to contribute to decolonised, gendered knowledge production.

#### 5.5 (h) The emotional impact of research:

In alignment with my ethical commitment to the participants, I employed Cotterill's (1992) techniques to critically examine the close bonds I was forming during fieldwork. Cotterill warns that research involving private or personal issues can emotionally impact researchers, leading to unconscious emotional investment that may compromise professional boundaries.

Wilken (2015) similarly argues that such involvement risks introducing personal bias into analysis and may result in unfulfilled promises that inadvertently harm participants. Dey (2017) further notes that these unmet expectations often lead to guilt and emotional distress for the researcher, who internalises their perceived failures: an emotional burden also explored by Beauvoir (1970), Millett (1976), and Krusi et.al (2016). To minimise harm, scholars like Kirsch (2005) advocate setting clear boundaries to protect trust and confidentiality. However, as with Wilken's (2015) study on lesbian loneliness, I too found it difficult to separate social interactions from research interests. Drawing on the methodological reflections of Dey (2017) and Wilken (2015), I became increasingly aware of my limitations as an inbetween, both in terms of my partial access to community knowledge and my restricted capacity to contribute meaningfully to it. This reflexive awareness helped me regulate feelings of empathy and anxiety, re-centre ethical representation, and critically analyse my own emotional responses.

These internal tensions became particularly acute when participants began to overestimate the potential impact of my research, imagining it might influence government policy or foster international collaborations between Indian and Irish FSW activists. Their expectations, though rooted in hope, led me to fear that any failure to deliver could be perceived as a reiteration of extractive, colonial research practices (Alpion and Roberge 2011). To address these concerns, I engaged in open and reflexive conversations with participants, clarifying the scope of my research, in line with Corlett and Mavin's (2018) model of radical honesty in scholarship. As a gesture of reciprocity, I also facilitated group sessions that combined informal socialising, such as sharing food, sweets, singing, and dancing, with discussions on local advocacy, in recognition of the time, trust, and knowledge the FSWs and FSW activists had generously shared with me.

However, even after much self-reflection, I was still unable to overcome feelings of guilt while drafting the interview transcripts. The richness of the narratives made preparing the transcripts a traumatic and uncomfortable experience. I had to listen repeatedly to the many instances of loss, violence, grief, and isolation, knowing fully well that I was responsible for prompting them, whilst offering no solutions. During this period of transcription, England's (2010) words, 'fieldwork is inherently confrontational and leads to purposeful disruption of other people's lives': haunted me repeatedly. More so, when I was going through the interviews and going through the horrors in my notes. The added guilt even made me cry and I was often left feeling quite gloomy for the rest of the day. The participant's honesty and wry humor were painful to

witness and impacted me on a deeply emotional level. To navigate such emotions, I had regular talks with my parents and my supervisor who reminded me of my limitations and introduced me to tools which would help me depersonalize the pain. One of the most effective methods (also adopted by Etherington 2004), was to pen down my emotions in a personal diary and use the notes to sociologically conceptualize my positionality as a sexualities researcher, contributing towards a decolonized knowledge discourse within neo-liberal academia.

#### 5.5 (i) Managing ‘spoiled identity’:

Drawing from reflections in my field diary, I was able to theorize the anxiety I experienced around being ridiculed, humiliated, and marginalized (both within and outside academia), for engaging in research on sex work. Like other sexualities researchers such as Sanders (2008), Hammond and Kingston (2014), and Irvine (2014, 2018), I faced judgment and discomfort from peers (particularly outside my department), friends, neighbours, cousins, and certain family members. The stigma of conducting what was perceived as ‘dirty’ work and the resulting association with a ‘spoiled identity’ (Goffman 1963) led me to adopt Goffman’s (1963) strategies of stigma management. I deliberately limited disclosures about my research, withdrew from related conversations, and at times concealed or denied my involvement altogether. These strategies functioned as a form of emotional self-preservation, allowing me to avoid the exhausting burden of constantly defending my work and intentions. Rather than confronting dominant assumptions directly, I found it easier and more pragmatic to operate discreetly.

Nevertheless, I recognise that these emotional responses and coping mechanisms reveal important insights into the socio-cultural terrain in which sexualities research unfolds in India. Such experiences underscore the embedded stigma that not only targets sex workers but extends to those affiliated with them. As such, these reflections offer valuable data for future reflexive methodological inquiry, particularly for those seeking to build decolonized, gendered knowledge within neoliberal academic contexts. Ultimately, this process enabled me to theorize how stigma affects both researched and researcher, and helped me develop strategies to mitigate its effects on my work and self-perception.

## 5.6 Conclusion:

This Chapter outlined the methodological approaches undertaken in this study. The conceptual framework described in this Chapter is further adopted in my findings and analysis Chapters 6 to 10.

## Chapter 6: Between Empowerment and Control: A critique on the NGOization of female sex work movement in India

### 6.1 Introduction:

This chapter examines how the Indian female sex work movement that is operating within the framework of the regulatory model, has been progressively reshaped through processes of NGOization. Drawing on fieldwork, secondary data and policy analysis, it interrogates how NGOs and CBOs working with FSWs and FSW activists reproduce state bureaucratic structures, and localise state policies through culturally resonant practices. The chapter argues that NGOization is primarily carried out through two mechanisms: (i) the replication of top-down state bureaucratic administration by the sex work NGOs and CBOs, and (ii) the politicisation of emotions and culture via the localisation of state policy and bureaucratic practises. The analysis then foregrounds the tensions between empowerment and control, showing how collective identity, politicised sisterhood, and rights-based advocacy are mobilised to secure legitimacy and resources, while simultaneously embedding activism within state-sanctioned governance logics. Through the lens of southern feminist theory of Basu (1995), Roy (2011, 2016), critiques of NGOization from Roy (2009, 2013, 2017, 2019), Lang (2012), Raveendran (2023), and the Nonprofit Industrial Complex (INCITE! 2020), the chapter demonstrates that these organisational forms are not politically neutral. Rather, they replicate hierarchical governance, channel grassroots energies into donor compliant interventions, and discipline activism into domains legible to the state, particularly health, rescue, and rehabilitation.

Policy instruments such as NACO's Targeted Interventions, the *Ujjawala* scheme, and the *Swadhar Greh* programme illustrate how the state, NGO and CBO nexus medicalises, surveils, and morally regulates sex work, often conflating it with trafficking. At the same time, these initiatives localise bureaucratic authority through festivals, public celebrations, and culturally embedded welfare delivery, which strengthen solidarity and visibility while reinforcing the state's ideological framing. By tracing these dynamics across organisational tiers, i.e from national networks to village-level CBOs, the chapter argues that the Indian sex work movement

exemplifies a paradox of contemporary social movements in the global south. Through the very processes that expand access to rights and resources also entrench the hierarchies, ideologies, and regulatory structures that sustain marginalisation.

## 6.2 Adopting state bureaucratic administration by sex work NGOs and CBOs:

The sex work NGOs and CBOs examined in this study closely replicate the top-down, hierarchical bureaucratic administrative model, characteristic of the Indian state (GOI 2021). Representatives and activists affiliated with these organisations, working within the regulatory model, explicitly identify with this structure. As one participant from the Women's Initiative (WINS) explained during a focus group interview:

*“we are just like a government body. We have a hierarchy of offices, a proper work ethic and a systematic plan of action. So, we would like to call ourselves a human rights organization that is affiliated to the central government.”*

The aspiration to be recognised as a government human rights organisation, grounded in systemic hierarchisation, can be interpreted through several theoretical lenses. Bindman's (1997) human rights advocacy framework situates such affiliation as a strategic pursuit of legitimacy, wherein state recognition is positioned as the gateway to securing and exercising rights. Similarly, Gardiner's (1995) theory of agency illuminates the calculated choices activists make within structural constraints, showing how bureaucratic forms are actively adopted to gain political and material resources. Fraser's (2007, 2009) politics of representation, then cautions against such affiliation and argues that while it can deliver visibility and access to rights frameworks, it simultaneously reinforces the institutional hierarchies and state rationalities that marginalise sex workers in the first place.

The cultural and political environment of southern movements adds further complexity. Basu (1995), Omvedt (1993), and Fadaee (2016) demonstrate how religious politics, nationalism, and kinship-based collectivities shape the ideological underpinnings of movements (as argued through politicised Hinduism). Tilly's (2008) notion of 'filial sisterhood' helps explain such complexities by focusing on how cultural legitimacy and emotional solidarity are mobilised to justify hierarchical organisational structures, particularly when they resonate with widely

accepted cultural norms. The belief, as articulated by the NGOs, CBOs and the movement under the regulatory model, is that the adoption of state-style bureaucratic forms is essential for achieving labour, human, and women's rights for commercial female sex workers. Thereby, reflecting not only political strategy but also deep-seated socio-cultural logics through a politicisation of melancholia (Roy 2019) associated with a glorified Hindu past and the emotional collective legacy of FSW in the country (Buechler 1995, Polletta 2004, Tilly 2008).

Examples from the field demonstrate this dynamic. In 2020, the National Network of Sex Workers (NNSW) coordinated a first-responder training initiative against human trafficking through 12 CBOs, state federations, collectives, and 8 NGOs across seven states (SANGRAM and NNSW 2016, NNSW 2019, WINS et.al 2020). Similarly, the All India Network of Sex Workers (AINSW) operates from a centralised hub in Delhi, coordinating HIV/AIDS and STD/I interventions with member organisations at state and local levels, while allowing them limited programmatic flexibility, bounded by the principles of the regulatory model (AINSW 2023). Here, Lang's (2012) framework on NGOization becomes particularly relevant. She argues that when social movements professionalise and institutionalise, they tend to mirror the bureaucratic logics of the state and international donors. This process shifts their focus from contentious politics and grassroots mobilisation to policy implementation and measurable service delivery. In this case, the centralised coordination of NNSW and AINSW channels grassroots activism into a vertically managed system that privileges state-compliant outputs over locally defined priorities.

INCITE!'s (2020) analysis of the Nonprofit Industrial Complex (NPIC) sharpens this critique by showing how non-profits become intermediaries between the state, and marginalised communities, often acting as vehicles for state agendas rather than independent advocates. The thesis argues that, the replication of state bureaucratic models not only facilitates funding and recognition but also embeds sex worker collectives within a governance structure that conditions their political legitimacy on alignment with state-defined human rights norms. Kumar's (2007) cultural analysis further contextualises this hierarchical preference within a longer historical frame, linking it to the caste-based ordering of Indian society, where occupations and social status are stratified. Furthermore, Sinha's (1995) insights, that Indian organisational culture tends to prioritise status consciousness, centralised authority, and help explain why these bureaucratic forms are not merely imposed from above but also embraced from within. The NGOs and CBOs in this study reproduce a bureaucratic order that is both a

strategic tool for gaining legitimacy and a mechanism of regulatory control. Through the combined lenses of southern feminist movement theory, NGOization critiques, and the NPIC framework, it becomes clear that this mimicry of state form is not politically neutral. It entrenches hierarchical governance, disciplines grassroots activism, and risks narrowing the scope of the FSWs movement to what is legible and acceptable to the state and its institutions.

#### 6.2 (a) Top-down state bureaucracy adopted by the NGOs and CBOs:

In pursuit of deeper affiliation and support from the state, activists and advocates of the regulatory model have institutionalised a triangular bureaucratic structure, placing national-level NGOs such as the National Network of Sex Workers (NNSW) and the All India Network of Sex Workers (AINSW) at the apex. The middle tier comprises of state and district-level organisations, including Kat-Katha, SANGRAM, VAMP, DMSC, Women's Initiatives, and *Prajwala*, while the base consists of village-level CBOs such as Catalyst, Me and My World, GOLD, LBSDS, and *Srijan* (SANGRAM and VAMP 2018, SANGRAM and NNSW 2016, NNSW 2019). The national-level NGOs, primarily headquartered in Delhi, serve as central coordinators of the regulatory model's implementation. According to NNSW (2019), their responsibilities include, maintaining financial oversight, monitoring government and legal regulations relevant to sex work and sex work activism, supervising the production of 'decolonised gendered knowledge' within the community, and facilitating its dissemination to stakeholders. Positioned between the apex and the grassroots, state and district NGOs act as intermediaries, assessing the implementation of government regulations, advocating sex worker's concerns at the national level, and leading campaigns to reduce stigma and discrimination. These organisations also collaborate with local police to identify victims of trafficking and participate in rescue and rehabilitation drives.

At the base, the village-level CBOs, first formally established in 2017, are presented as the 'heart' of the movement, owing to their embeddedness within local communities and their cultural fluency (SANGRAM and VAMP 2018). Their capacity to address immediate community concerns is seen as the foundation upon which the entire bureaucratic structure rests. This multi-tiered configuration illustrates what Lang (2012) identifies as vertical integration in NGOization, where professionalised national bodies consolidate decision-making authority, and lower tiers are tasked primarily with implementation. In theory, the

intermediary role of state-level NGOs should facilitate upward representation of grassroots concerns. However, INCITE!'s (2020) critique of the Nonprofit Industrial Complex suggests that such verticality often channels grassroots voices into pre-defined institutional formats, limiting the scope for dissent and state compatible narratives. Moreover, the structural logic of the triangular model reinforces the legitimacy of state-sanctioned bureaucracy. By aligning representative authority with hierarchical tiers (national, state, village), the regulatory model naturalises a top-down governance structure. From a southern feminist standpoint (Roy 2011, Fraser 2009), this form of institutionalisation risks displacing autonomous political organising in favour of state recognised advocacy, embedding sex worker activism within the very regulatory framework it might otherwise contest. At the grassroots, while CBOs retain cultural legitimacy and direct access to community needs, their representative status is ultimately validated by their place within the sanctioned bureaucratic hierarchy, thereby reinforcing the regulatory model's centralising tendencies.

#### 6.2 (b) NACO as a policy instrument of NGOization:

The first major policy instrument deployed in the NGOization of the sex work movement is the National AIDS Control Organisation (NACO) and is described by Raveendran (2023) as the institutional embedding of grassroots activism within state-sanctioned frameworks. Established in 1992 as the nodal body for India's national AIDS response under the Ministry of Health and Family Welfare (MoHFW), NACO operates as a fully funded central sector scheme. It is implemented through State and Union Territory AIDS Control Societies (SACS) and closely monitored by District AIDS Prevention and Control Units (DAPCU) across 188 high-priority districts. This institutional arrangement positions NACO as a central node in a state, NGO and CBO governance nexus, where national health objectives converge with the operational capacity of sex work organisations. In alignment with Azim's (2005), argument about state organisations adopting a rights-based discourse uniting health and labour rights, this collaboration between the state, NACO, and sex work NGOs and CBOs roll out a series of small-scale TIs, functioning as the primary vehicles for implementing what is officially framed as a 'radical' regulatory model.

These Targeted Interventions (TIs) encompass a comprehensive range of strategies. They focus on prevention through awareness generation, promotion of safer sexual behaviours, and HIV

testing for designated High Risk Groups (HRGs), including female sex workers (FSWs), men who have sex with men (MSM), injecting drug users (IDUs), transgender and hijra communities, as well as the bridge population such as migrants and truckers. The establishment of *Suraksha* (Safety) Clinics provides standardized STI testing for HRGs. Information, Education and Communication (IEC) campaigns raise awareness about HIV/AIDS transmission and available testing and treatment services, delivered through multi-media strategies including mass and social media campaigns, radio and television programming, folk theatre, IEC vans, and youth-focused interventions, all supported by a national toll-free AIDS helpline. Free HIV counselling and testing services are provided for early detection, while treatment initiatives ensure access to free antiretroviral therapy (ART) and comprehensive management of HIV, including prevention of opportunistic infections. Laboratory services ensure quality assurance in HIV and STI testing. The programme also emphasizes mainstreaming, partnerships, and social protection through multi-sectoral engagement to strengthen the national response. Strategic information is prioritized, with evidence-based policy and programme design underpinned by robust data collection and analysis. Additionally, District AIDS Prevention and Control Units (DAPCU) operate in 188 districts to facilitate decentralized programme implementation, monitoring, and coordination by leveraging local resources (listed in Centre for Communication Programs 2010).

Like Lang (2012) and Roy (2009), who note how transnational NGOs often claim to speak for constituencies and thereby assert a top-down form of global representation, I make a similar argument here. The central role of NACO and its TIs within the regulatory model illustrates the mechanics of top-down policy delivery that NGOization produces. While framed as participatory through partnerships with NGOs and CBOs, the model's strategic priorities: health surveillance, behaviour modification, and service delivery, are set by central authorities. This reflects Fraser's (2009) concern that rights-based frameworks, when embedded in bureaucratic governance, risk narrowing the political agenda to issues legible to the state. Lang's (2012) analysis of NGOization and INCITE!'s (2020) critique of the NPIC both highlight how such programmes reconfigure activism into the language and structure of public health management. Here, sex worker collectives become implementers of state health policy, with their legitimacy tied to measurable outputs (HIV testing numbers, ART uptake) rather than structural demands for labour rights or decriminalisation. In effect, NACO's TI framework exemplifies the incorporation of sex work activism into a technocratic, medicalised model, one that simultaneously delivers essential health services and consolidates state regulatory authority over the community.

### 6.2 (c) Targeted Interventions as surveillance tools for FSW communities:

Within NACO's public health framework, the disproportionate focus of TIs on FSWs and FSW activists reflects a governmental logic of responsabilization, whereby FSWs are positioned as the principal bearers of risk within the category of High Risk Groups (HRGs). This framing, as Scoular and O'Neill (2007) argue in relation to sex work policy, illustrates how Foucauldian governmentality operates by individualizing responsibility for HIV/AIDS transmission and locating it in the bodies and practices of marginalized women, rather than addressing the broader structural and relational dynamics of the epidemic. NACO's own data, further claims that 73% of Indian FSWs are diagnosed and treated for HIV/AIDS and STIs in *Suraksha* (Safety) Clinics, and 79% have regular access to condoms through these programmes. These figures are mobilized to legitimize the expansion of interventions beyond clinical sites into *Swadhar* homes under the *Ujjawala* scheme, administered by the Ministry of Women and Child Development, with the stated aim of integrating HIV and TB prevention into rehabilitation contexts. By foregrounding FSWs and FSW activists as both the measurable locus of risk and the target of rehabilitative intervention, NACO's framework shifts responsibility for epidemic control onto the disciplined and self-regulating bodies of marginalized women, while obscuring the structural inequalities, gendered vulnerabilities, and state-NGO regulatory apparatuses that shape the epidemic itself (also discussed in Sanders et.al 2017, O'Neill 2013).

On the other hand, this approach reflects Bhambra's (2014) concept of connected sociologies, as employed by Roy (2016), which underscores the interweaving of northern and southern theoretical traditions in shaping sex work discourse. Much like the western framing of HIV/AIDS in the late 20th century (Millett 1976, 2000), NACO's model places the onus for both the management and eradication of the epidemic squarely on the sex worker community, particularly women. Thereby individualising responsibility for a structural public health issue. While some scholars (Reed 2001, Buzdugan et.al 2009, Swendeman et.al 2015, Suryawanshi et.al 2016, Azhar et.al 2020) argue that government HIV/AIDS programmes can empower sex workers by transforming them into peer educators and active agents of change, others contend that these initiatives function primarily as mechanisms of surveillance and control. Cornish

(2006) and Kotiswaran (2011, 2017) emphasise that such interventions embed the sex worker community within a regime of constant monitoring, data collection, and behavioural regulation.

This surveillance is intensified when health programmes intersect with state welfare and rescue policies, such as the *Ujjawala* scheme and the *Swadhar Greh* scheme. Implemented with the assistance of NGO and CBO advocates, these policies extend beyond medical service provision to encompass the moral and cultural disciplining of the community. Drawing on Mukherjee (2019) and Chitnis and Wright (2007), this disciplining can be read as aligned with a politicised Hindu nationalist ideology that underpins the regulatory model. In this way, NACO's health-based TIs, while ostensibly aimed at empowerment, also serve as conduits for embedding sex worker activism within a state-sanctioned moral order, generating precarity and blurring the boundary between health promotion and socio-political control (Roy 2017).

#### 6.2 (d) The *Ujjawala* scheme as a tool for advancing NGOization and an abolitionist discourse:

Similarly, launched in 2007 with an initial allocation of approximately ₹1 crore (€1.5 million), the *Ujjawala* scheme is presented as an initiative to 'empower' FSWs and FSW activists under the regulatory model. Yet, as Roy (2017) cautions, empowerment projects often generate new forms of dependence and precarity, offering women narrowly defined, state-sanctioned pathways out of sex work while stripping them of the very autonomy such schemes claim to restore. The state's reliance on NGOs and CBOs to operationalise *Ujjawala* illustrates what Cornish (2006) describes as the outsourcing of welfare, wherein, the state withdraws from direct responsibility for social protection, while mobilising NGOs to extend carceral interventions in the name of care. Thus, under the banner of rehabilitation, NGOs are made complicit in raids, surveillance, and the forced reintegration of women into heteronormative family structures.

The identification of 'trafficked sex workers' is carried out without the participation of FSWs and FSW activists themselves, entrenching what Sanders et.al (2017) critique as the 'rescue industry'. This apparatus produces homogenising victim narratives, effaces the diversity of sex worker's lived realities and political claims, and legitimises coercive interventions by being integrated into developmental circuits, without much structural changes (Spivak 2000). In Foucauldian terms, *Ujjawala* exemplifies governmentality as analysed by Scoular and O'Neill

(2007), as women are responsabilized as conditional citizens. Their access to shelter, welfare, and vocational training is contingent on signing declarations of forced trafficking and pledging permanent exit from sex work. Such practices discipline women into state-approved identities of victimhood, foreclosing recognition of sex work as labour and undermining sex worker collectivisation.

The coercive nature of this governance is starkly revealed in the scheme's reliance on police raids, with sex work activists themselves enrolled into conducting between 50 and 60 raids annually. Far from representing empowerment, this enlists activists in perpetuating the very custodial structures that police sex worker's lives. Once 'rescued', women are placed in institutional shelters where they must undergo rehabilitation and vocational training within a six-month period, culminating in their reintegration into families or 'respectable' employment. As Sharma (2008) notes, such neoliberal governmentalisation reframes empowerment as entrepreneurial self-sufficiency, yet in practice it becomes a mechanism of custodial coercion. As women are compelled to abandon sex work, accept narrowly defined occupations such as nursing, handicrafts, or military service, and conform to state-sanctioned gender roles under the watch of welfare authorities. In this way, *Ujjawala* operates less as an empowerment scheme than as a disciplinary apparatus. By deploying carceral raids, custodial shelters, and conditional rehabilitation, it responsabilizes women for their own 'rescue' while obscuring the structural vulnerabilities such as poverty, displacement, conflict, that shape their entry into sex work. The scheme thus fuses abolitionist feminist moralism with neoliberal welfare retrenchment (as discussed by Sharma 2008), producing a regime where sex workers are simultaneously constructed as victims to be saved and subjects to be disciplined, surveilled, and reintegrated on state terms (Kotiswaran 2011, 2017, O'Neill 2013).

#### 6.2 (e) The *Swadhar Greh* policy as a disciplinary welfare tool to advance NGOization:

Yet another example, is the *Swadhar Greh* scheme. Introduced in 2005 by the Ministry of Women and Child Development (MWCD), it represents a further consolidation of the regulatory model's ideological underpinnings, particularly the influence of politicised Hindu nationalism (Mukherjee 2019, Chitnis and Wright 2007) in shaping state and NGO/CBO interventions. The scheme builds on Basu's (1995) emphasis on community mobilization through collective identity framing, as well as Roy's (2011, 2016) critique of NGOization as

professionalising and depoliticising activism. It is operationalised through partnerships with sex work NGOs and CBOs, with the stated aim of moving ‘marginalised women’ out of difficult life circumstances and making them economically self-reliant within a short timeframe. The programme offers a range of institutional services such as counselling, medical and psychiatric care, and vocational training in cooking, baking, pickle (*aachar*) or poppadum (*papad*) making, sewing, cattle rearing, jewellery production, quality control, and other skills that is again framed as tools for the ‘wholesome development’ of the ‘rescued’ woman. Crucially, the scheme mandates that each state government maintain at least one rehabilitation centre to house a highly heterogeneous group under the same roof. It includes women with children escaping violence without alternative means of sustenance, trafficked minors, rape survivors, acid attack survivors, women fleeing domestic abuse, and victims of dowry-related abuse.

This conflation of distinct categories of harm, reflects a structuralist-functionalist logic (Cunha 1992) that subsumes sex work within broader narratives of patriarchal violence, while also resonating with Agarwal’s (2003, 2008) and Ramberg’s (2014) feminist analyses of how Indian policy frameworks collapse trafficking and sex work into a singular category of victimisation. The result is an erasure of sex work as labour and an automatic classification of FSWs as ‘rescued victims’. In practice, *Swadhar Greh* reinforces this victimhood through a carceral regimen. Referring to all residents as ‘inmates’, the scheme imposes a strict daily timetable that mirrors institutional disciplinary regimes, including those of Indian prisons (Anglin 1998, Krutz et.al 2008):

Time	Activity
7:00	Wake-up call
7:00-7:30	Walk/Exercise/Pray
7:30- 8:00	Cooking <sup>24</sup> and Consuming Breakfast
8:00- 13:00	Clean-up and Specialised Classes
13:00- 14:00	Cooking and Consuming Lunch
14:00- 15:00	Clean-up and Activities/Hobbies/Pray
20:00- 21:00	Cooking and Consuming Dinner

<sup>24</sup> For themselves and other staff members.

22:00	Lights off
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Table 6.1: Daily schedule followed by FSWs and other rescued women in rehabilitation centres.

Through such regimented discipline, *Swadhar Greh* enacts a form of institutional governance that blurs welfare with coercive control, embedding the abolitionist presumption that the only ‘proper’ future for sex workers is rehabilitation away from sex work. In doing so, it naturalises the conflation of sex work and trafficking within the broader ideological apparatus of the regulatory model.

#### 6.2 (f) Small scale Targeted Interventions as cultural extensions of NGOization:

This conflation, once institutionalized, finds continuity and reinforcement at the local level, where state-sanctioned policies are implemented through targeted interventions, thus weaving the regulatory model and its underlying assumptions, into the fabric of everyday community life. NGOs and CBOs implement these TIs by leveraging Indian cultural practices, emotional resonance, and the politics of collective identity to legitimise state priorities. While framed as participatory, these interventions remain anchored in governance structures that prioritise containment, risk management, and moral rehabilitation over structural empowerment. The *Sonagachi* Project (Kolkata 1991) and *Ashodaya* illustrate how occupational health narratives are mobilised both as empowerment tools and as disciplinary mechanisms. By recasting the health risks of sex work as ‘occupational hazards’, they position FSWs as labouring subjects with specific rights claims, but within a biomedical framework that reinforces NACO’s epidemiological gaze. *Ashodaya*’s engagement with police is presented as transformative, yet it reflects the collaborative surveillance model identified by Cornish (2006) and Kotiswaran (2011, 2017), where institutional oversight becomes normalised in the name of protection.

Interventions like the Boyfriend’s Club and *Hridaya* extend regulation into intimate and relational spaces. By targeting clients, partners, and community associates, they broaden the surveillance net to include ‘secondary’ actors, aligning with Bhambra’s (2014) idea of connected sociologies that adapt northern risk-governance logics into southern contexts.

Similarly, Apollo Tyres Foundation's trucker programs link public health regulation with corporate social responsibility, embedding HIV/TB monitoring into mobile populations considered 'bridging' vectors of infection and echoing the risk-containment paradigm of Millett (1976, 2000). Other TIs such as *Nirantar*, Safe Abortion for Sex Workers, and the *Mukti* scheme, translate reproductive rights, harm reduction, and livelihood diversification into deliverables within NGO and state collaborations. Although these initiatives amplify important rights-based issues, they do so within frameworks that are tightly coupled with government health and moral rehabilitation agendas. In the case of the *Mukti* scheme, peer educators operate simultaneously as community allies and as agents for implementing state-defined 'exit strategies' from sex work, embodying the tension between solidarity and co-option (as discussed by Roy 2016, Raveendran 2023).

The Community System Strengthening model epitomises the technical institutionalisation of activism. By providing 'capacity-building' and 'knowledge transfer' to local CBOs, the program embeds advocacy within bureaucratic logics, subtly shifting the locus of power from autonomous community decision-making to state-aligned procedural compliance. As Fernandes (2013) cautions, the nationalist framing of the 'local' is not merely symbolic but materially structures political participation. Community-based activism is legitimised only when it conforms to state-sanctioned visions of culture and belonging, determining which voices are heard and which forms of mobilisation are tolerated. This process resonates with Chatterjee's (2004) notion of political society, where subaltern groups negotiate a space of legitimacy that simultaneously enables and constrains their claims. Within the Community System framework, mobilisation is channelled into domains sanctioned by the state, health, rescue, socio-legal interventions. While broader structural demands, such as labour rights or economic justice, are rendered politically invisible. Here, bureaucratic procedures and nationalist ideology function as instruments of governance, shaping both action and affect.

Critically, these practices also harness collective identity and emotion as tools of compliance. Drawing from Tilly (2008), Buechler (1995), and Polletta (2004), the program leverages culturally resonant rituals and managed community interactions to generate affective bonds, such as belonging, gratitude, and moral duty, that might otherwise energise autonomous mobilisation. As Loomba and Lukose (2012) argue, collective identity strengthens mobilisation, but in this context, the state and NGOs coopt identity formation to reinforce bureaucratic compliance and respectability norms. Emotional engagement, rather than

challenging hierarchies, becomes a mechanism for sustaining the abolitionist and nationalist narrative, transforming what could be a source of resistance into a vector of containment. The result is a layered paradox. Programs that appear to empower through culture, ritual, and identity simultaneously operate as micro-level instruments of NGOization, reproducing hierarchies of gender, caste, and sexuality. Within the political society framework, the subaltern's agency is circumscribed. Collective mobilisation is permitted only insofar as it aligns with state morality, nationalist ideology, and bureaucratic discipline. Apparent inclusion masks continued marginalisation, and affective and identity-based resources, normally mobilising forces, are absorbed into the governance apparatus, neutralising resistance and stabilising the very hierarchies that these programs claim to dismantle.

### 6.3 Politicisation of emotions and culture through localisation of state bureaucratic practises:

Through the process of NGOization, affective ties and cultural practices are then politicized, as the localization of state bureaucratic procedures channels collective emotions and identities into forms of engagement that ultimately serve the regulatory interests of the governance apparatus. At the grassroot village level, local CBOs have been instrumental in forging and consolidating this shared collective identity and emotions/sisterhood among FSWs and FSW activists in India (Mehrotra 1997, Chatterjee 2006, Ferree 2010). Drawing on their embeddedness within the community, these CBOs adopt the triangular administrative structure of larger NGOs, utilising their neighbourhood knowledge to implement state policies in ways that appear culturally and socially resonant (also discussed in section 6.2). This mirrors Roy's (2011, 2015) argument that southern women's identities and feminist initiatives are often tethered to secular constitutional reform, and also aligns with her concept of 'co-option' (Roy 2015), wherein grassroots actors embrace bureaucratic principles of the regulatory model as a strategic means to build local solidarity and gain recognition. Two interlinked factors help explain this dynamic. It includes the close correlation between politicised Hinduism and state legal processes (Gangoli 1993, O'Connell 1999, Misra 2008), and the pervasive state control over how collective identities and actions are framed, understood, and permitted. The case of *Vimla* (name changed), a 34-year-old Hindu FSW activist from Bihar, illustrates the structural dependency CBOs have on NGOs for resources:

*“CBOs and NGOs are registered under the same legal terms. But they are not the same. CBOs by themselves, do not have the eligibility to receive foreign funds, because they don’t have the number under Foreign Contribution Regulation Act. So, someone has to, usually it’s the NGOs receive and give it. But we get funds for awareness building, skill building, and assertion of rights among the local community. Plus, you know on the ground there are 2 kinds of CBOs who get associated with state level networks. One works with the help of the government and NGOs on STD, HIV awareness, treatment, counselling and only health services that the workers require. The 2nd set of CBOs to which LBSDS belongs to speak about legal rights and rights violations.”*

Vimla’s account underscores the way solidarity, emotional bonds (or melancholia), and collective identity are mobilised for the appropriation of resources and the pursuit of basic rights. This process, though often framed as empowerment, also reflects what Arya and Roy (2006) and Shah (2014) identify in postcolonial materialist feminist theory. Which means that grassroots activism can be embedded within, and even reinforce state regulatory logics while seeking incremental gains. Omvedt’s (1993) observation that southern social movements are inherently religiously political due to their revolutionary aspirations helps situate these practices. In the case of sex work CBOs, the responsibilities assigned to them channel community energies into projects that sustain nationalism, cultural cohesion, and religiously inflected politics through the idiom of ‘strength in collectivity/sisterhood’. This aligns with Ferree’s (2010) conceptualisation of collective identity as a motivating force for adopting policies that bolster human rights frameworks, here with a distinctly politico-religious orientation (Roy 2011, 2015).

### 6.3 (a) Politicisation of FSW identity through NGO-CBO collaboration and grassroots Targeted Interventions:

Testimonies from activists further illuminate how CBO and NGO collaboration shapes political engagement. *Gargi* (name changed), a 29-year-old FSW activist from *Srijan*, described a rapid mobilisation in response to a proposed criminalisation of clients:

*“through the assistance of the NGOs, we try to teach about basic human rights. When state government criminalized clients, the NGO informed us through WhatsApp saying, there is a meeting going on, which is going to criminalize clients. Immediately I informed my team*

*saying that, look this is going to seal your future. How do we respond to this? Immediately all of them gathered and they started giving us forms on why they should not criminalize clients.*

*We made a letter. Then luckily we had a very good secretary who responded to the email. Immediately she said, yes we are going to have a high level meeting. Why don't you come? It opened up a discussion. She wanted us to answer very quickly. Just 2 minutes. Do you say yes or no? should there be client? No sir-we said in a very firm way. You should not punish them. NGOs help in all that, you know"*

Similarly, *Eva* (name changed), a 52-year-old Christian part-time FSW and full-time activist in NNSW, reflected on the transformative role of NGO leadership:

*"I am a convenor for state level network which is called Me and My World. Yes I face police violence but NGOs leaders have helped me to understand sex work and also reach out to others. So this is what I really want to record. I really think that despite all these things, sex work has helped me to identify, get identity and you know fight for the cause. Most of them didn't know to read and write because they were all street workers. There was 1 girl who used to maintain their names and numbers but it all, you know like coming together, understanding things."*

From a Marxist feminist perspective (Sutherland 2004), initiatives such as the R.I.S.E<sup>25</sup>. approach and Kat-Katha's four-phase collaborative activism<sup>26</sup> aim to rebalance power relations between the state, NGOs, CBOs, and diverse FSW communities. Drawing on *common interests* and solidarity (Mohanty 1997), they enhance bargaining power within political constraints, while transforming sex workers into peer educators and active agents of change (Reger 2014, Kapur 2010, Reed 2001). Programmes such as DMSC's peer-based HIV/AIDS interventions extend the role of health educators into political advocacy (Chatterjee 1993, 2006), reinforcing collective identity (Loomba and Lukose 2012) and aligning with rights-based discourses that connect health to labour rights (Azim 2005). Similar models, including Dr. Samarjit Jana's *Sonagachi* peer-led HIV prevention programme (later expanded

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<sup>25</sup> Is a top-down government initiative in collaboration with Kat-Katha. It stands for Rights, Integration, Skills, and Education.

<sup>26</sup> Includes (i) Field Research and Relationship Building, (ii) Bridge school at G.B Road, (iii) Empower Projects such as HeARTshala and *Maitri* Meals, (iv) Freedom from forced sex work.

nationally) demonstrate how grassroots health interventions can resist rescue narratives while influencing policy.

Yet, as Sanders et.al (2017) caution, these TIs operate as a dual process. They collectivise and reframe sex worker's public image, but also confine activism to donor and state-approved domains such as health, legal literacy, and controlled advocacy. This reflects Lang's (2012) and INCITE!'s (2020) critiques of NGOization, where grassroots energy is channelled into narrow, regulated spaces, limiting structural change. Such processes often embed Foucauldian governmentalities (Scouler and O'Neill 2007) by responsabilising sex workers as 'good citizens' while simultaneously reinforcing regulatory structures through collaborations with police (Biradavolu et.al 2009, Bardach 1977, Shearing and Ericson 1991). While these frameworks can reduce violence and foster negotiation, they also risk producing dependence and precarity (Roy 2017), filling welfare gaps left by the state (Cornish 2006) and sustaining a form of cruel optimism (Berlant 2011) where upward mobility remains tethered to neoliberal, NGOized development.

### 6.3 (b) Using festivals and rights based framing to politicise collective identity of FSWs:

NGOs and CBOs also actively sustain politicised collective identity through what Mohanty (1997) terms as 'common interests' and solidarity, by explicitly equating the rights of sex workers with women's rights, human rights, and labour rights (Bindman 1997, McGarry and FitzGerald 2017). A key strategy for advancing this rights-based equivalence is the use of festivals and public celebrations to present FSWs as 'just like any other working woman or human' (Tahmina and Moral 2000, Kabeer 2002). These events serve as cultural and political platforms, creating opportunities for direct engagement with local audiences, including potential supporters and donors. For example, *Gudiya* (name changed), a 22-year-old FSW activist working with Catalyst, recalled her friend's success in securing individual donations during a local Mother's Day celebration:

*"My friend was trying to explain her plight. They were moved because her education was stopped, and she was HIV positive. Immediately a person stops and writes a 1000rs (€ 12 approx.). Such small kind of donations come directly to the CBO. They are not that kind of*

*you know structured funding. Only a small amount comes for skill development. Funding itself has reduced in India.”*

While modest in scale, such contributions reinforce the perceived value of NGO and CBO interventions under the regulatory model. The legal recognition gained under Article 21 of the Indian Constitution (Menon and A.J 2020) and the provision of targeted services, such as remote condom distribution, mobile healthcare, assistance with identity and ration cards, and online dissemination of Covid-19 prevention and care strategies, have shaped a more positive perception of both the state and the regulatory framework (SANGRAM and NNSW 2016, NNSW 2019, WINS et.al 2020). In turn, activists increasingly frame full participation in the movement, active membership in an NGO, and/or CBO, and explicit advocacy for the regulatory model as the most viable means to secure rights, respect, and political voice. Positive reinforcement of such kind has also encouraged the sex work movement to align itself with other marginalised and subaltern struggles, including the *Ambedkarite Dalit* movement, Gandhian socialist movement, and LGBTQ+ rights movement (Basu 1995). *Gudiya* described this cross-movement solidarity during a Women’s Day celebration:

*“Let me tell you one good laudable thing. We work with Dalit movements. We also work with women’s movement. They identify us as sex workers. And in the open days, they congratulate us saying ‘look we cannot work with sex workers. But we are happy that you are taking it forward and you are doing such a good work that we want to uphold your dignity, and we are happy to have you.’ In fact, they felicitated all the 4 district helpdesks ran during Covid times. So, on women’s day, all of them got felicitated.”*

Such alliances echo Basu’s (1995) ‘new wave’ of southern feminist uprisings, where the Indian sex work movement, such as the anti-caste, LGBTQI+, and socialist struggles, draws power from the intersection of collective identity (sisterhood), labour politics, and historical-cultural legacies of sex work (Mehrotra 1997). This further reflects Fadaee’s (2016) call to integrate southern movements into theory and Bayat’s (2010) ‘quiet encroachment’, where every day acts of solidarity gradually claim rights. Following Omvedt (1993) and Oommen (2004), these movements merge culture with anti-systemic politics, while Melucci (1980) and Touraine (1985) stress collective identity as mobilisation’s core. Tilly (2008), Buechler (1995), and Polletta (2004) highlight emotions as political resources, transforming shared stigma into agency. Such partnerships across marginalised movements also affirm Fernande’s (2013) link

between Gandhian socialism and methodological nationalism in radicalising Indian feminism. Addressing Barker et.al (2013) and Bettencourt's (2023) critique of gaps in Marxist grassroots theory, sex work activism integrates economic, cultural, and emotional dimensions. Transnationally, solidarity and shared identity (Mohanty 1997, Ferree 2010) resonate with Connolly et.al (2020) on global unionisation and Jackson (2013) on social movement unionism, advancing FitzGerald and McGarry's (2018) social justice framework.

The model in practice thus, institutionalises a form of state-monitored legal regulation that formally authorises sex work NGOs and CBOs to protect and enforce sex worker's human, women's, and labour rights (Kotiswaran 2011, 2017, 2018). While this arrangement appears to embed rights protection within the apparatus of governance, Lang's (2012) critique of NGOization and INCITE!'s (2020) analysis of the Nonprofit Industrial Complex (NPIC) caution that such state-sanctioned authority risks consolidating activism within bureaucratic and donor-driven parameters. This process, while offering legitimacy and access, can also delimit the political horizon of sex worker organising, constraining more radical, grassroots-led demands for structural transformation (also discussed by O'Neill 2013). From Roy's (2009, 2016, 2019) perspective, this institutional trajectory fosters a 'melancholia' for a lost radical past, in which professionalisation and neoliberal developmentalism depoliticise struggles, replacing insurgent politics with what she terms punitive paternalism. Menon (2004) similarly warns that the institutionalisation of feminist and allied movements risks converting activism into a profession, severed from its grassroots political commitments. Fraser's (2009) analysis situates this shift within feminism's accommodation to neoliberal capitalism, where claims for recognition eclipse demands for redistribution, while Spivak's (2000) concept of the 'new subaltern' reveals how sex workers become integrated into development circuits in ways that obscure, rather than dismantle, structural inequalities. Yet, as Lopes (2005) argues, unionisation within these state-linked frameworks can still create spaces for collective bargaining and rights claims, suggesting that institutional engagement need not preclude grassroots empowerment. The challenge, then, lies in negotiating the tension between leveraging state-sanctioned authority for tangible gains and resisting the cooptive pull of bureaucratic governance. A tension at the heart of contemporary debates on the NGOization of sex work, where the boundaries between empowerment, regulation, and control remain in constant contestation.

### 6.3 (c) Contribution made by politicised identity in the NGOization process:

This ongoing contestation not only shapes the lived realities of sex workers but also influences how their collective strategies and aspirations are negotiated within broader structures of governance. Drawing further from secondary data (SANGRAM 2016, 2018), the politicised forms of activism, advocacy, identity formation, and rights-based knowledge cultivated within the sex worker movement are increasingly channelled into state-sanctioned, central policy frameworks. These policies continue to prioritise health, particularly HIV/AIDS and STD/I interventions, along with the rescue and rehabilitation of sex workers, reflecting a regulatory orientation that privileges medicalisation and protectionist governance. A pivotal moment occurred on 7 October 2020, when, in collaboration with the National Human Rights Commission (NHRC), the Indian government officially recognised the collective identity of Indian sex workers as informal workers, entitled to human and women's rights (Omvedt 1993, Bindman 1997, Fraser 2009). On that day, the sex worker community issued a public demand to legally separate trafficking from sex work. Under the widely publicised slogan 'My work should not cost me my life' and the rallying banner 'Bring People In!', FSWs and FSW activists called for unity across both commercial and traditional sex work sectors. This event exemplifies Basu's (1995) assertion that identity politics and labour rights are foundational to the success of southern feminist social movements. Basu's emphasis on the interdependence of politicised identity, sisterhood, and collective action is visible in the central government's adoption of policies framed through a bureaucratic, top-down lens. While these programmes formally acknowledge sex worker's collective identity, they do so within institutional logics that centre state-defined health and rescue priorities.

In this context, Roy's (2016) and Raveendran's (2023) critiques of NGOization become particularly salient. Rather than challenging structural inequalities, the formal recognition of sex worker's identity is embedded within a governance framework that professionalises activism, channels it into service delivery, and aligns it with state priorities. This dynamic reflects the incorporation of grassroots mobilisation into a state and NGO nexus that manages rather than disrupts power relations. Advocates and representatives of sex work NGOs and CBOs thus navigate a complex terrain of resistance and reliance, opposing discriminatory and violent state policies while simultaneously depending on state-linked political and financial support, often mediated through a politicised Hindu nationalist framework. This balancing act is achieved through active collaboration with state systems in the implementation of social

policies, reinforcing both the regulatory reach of the state and the institutionalisation of the sex work movement within bureaucratic hierarchies (also discussed by O’Neill 2013).

### 6.3 (d) Advancing NGOization through victimisation of FSWs and localised state welfare policies:

This entrenchment within bureaucratic hierarchies enables the advancement of NGOization, as localised state welfare policies and practices often operate by framing female sex workers as victims, thereby deepening their regulation under the guise of support and reform. *Lila* (name changed), a 46-year-old staff member of a *Swadhar Greh* in Delhi, frames the programme as an exemplar of care:

*“After granting admission in the shelter home, the woman is given the required treatment which includes medical care, counselling service, psychiatric treatment, casework services, occupational therapy, social facilities of adjustment like educational, vocational, recreational and cultural activities etc as per need of the individual. Formal, non-formal and adult education programs have been evolved in the shelter home depending upon the needs of the residents. The various vocational training programs implemented by the Government are also available. There are facilities for organized recreation and group activities. Girls are taken out for cultural shows, outings, picnics and exhibitions etc. at least once in a month. Prolonged stay at this home is discouraged. The period of stay may readily extend from 6 months to 3 years. There is a system for proper follow up of discharging residents to ensure their smooth re-integration into the community and their family.”*

While presented as benevolent, this account also reveals the state’s persistent tendency to infantilise marginalised women (Goffman 1963, Roy 2017, Dutta 2019). The consistent reference to rescued FSWs as ‘girls’ conflates them with other categories of vulnerable women and erases their status as adult agents. This rhetorical move is not neutral. It reflects what Phipps (2009, 2014, 2017, 2020) identifies as a key feature of carceral feminist discourse, where trauma-led frameworks, respectability politics, and ‘ideal victim’ narratives legitimate punitive interventions under the guise of care. Such framings align neatly with neoliberal state logics, in which the spectacle of ‘saving’ women (often coded through white tears/white rage or their local analogues) becomes a strategy of governance and moral legitimation. Drawing from Kabear’s (2010) theoretical framework, such infantilisation and victimisation cement

two powerful ideological currents. They are the abolitionist perspective on sex work (Millett 1976, 2000, Dworkin 1981, 1993, 2003, MacKinnon 1982, Barry 1979, 1995), which positions sex work as inherently exploitative and therefore demands rescue rather than recognition, and the patriarchal principles of the *Manusmriti* (Mukherjee, 1978), particularly *stridharma*, which prescribes women's roles within a moralised, hierarchical social order (Raines and Maguire 2001). Read together with Phipps's critique, the invocation of 'girls' operates as a disciplinary mechanism as it displaces adult women's agency, imposes normative femininity, and shores up state and patriarchal authority while obscuring the structural conditions that render sex work precarious (also discussed by O'Neill 2013).

However, unlike the western abolitionist model, *Swadhar Greh* and the *Ujjawala* scheme operate as hybrid instruments of state and civil society governance. By incorporating local CBOs and NGO-led advocacy into their bureaucratic processes, they bridge central policy directives with grassroots networks (Tambe 2008, 2010, Bhambra 2014). In doing so, these schemes transform into cultural tools that naturalise and internalise (Beauvoir 1970, Millett 1976, Krusi et.al 2016) state control over sex work, reconfiguring NGOs as consensus-building apparatuses rather than purely oppositional actors. The power of these NGOs derives from unionised sisterhood (Waterman 2004) and collective identity/action, but their political scope is constrained by a limited conceptualisation of macro-structural actors such as police, courts, and other bureaucratic institutions (Ray and Radhakrishnan 2010). As Loomba and Lukose (2012) note, this emphasis on collective identity enables the state, NGO and CBO networks practicing the regulatory model to present a unified front, thereby facilitating rapid mobilisation in support of state-sanctioned objectives. This convergence produces a sense of political inclusion among FSWs and FSW activists, who increasingly see themselves as participants in national policy-making. Their engagement extends beyond formal advocacy into public cultural life such as conferences, seminars, street plays, puppet shows, and poster campaigns (Chatterjee 2006), that reinforce the legitimacy of state and civil society cooperation. *Lila's* further description of operational practices underscores the cultural localisation of such schemes:

*"A Managing Committee has been set up for the (rehabilitation) institution having representatives from both government and non-Government agencies (sex work NGOs) to review every case after three months and decide on the continuation of the stay of the resident in the Home. Moreover, to boost the morale of the residents, festivals pertaining to*

*all religions are celebrated. The residents are allowed to meet visitors, which include parents, guardians, close relatives. The Superintendent or the Case Worker will scrutinize the list of visitors. Visitors will be allowed only on specific days and on specific time as determined by the managing committee. Those women and girls, whose parents or close relatives are alive, will be granted 15 days leave during a year, if they so desire. A proper leave application with the address of the place to be visited will be filled before the resident leaves the Institution and this will be placed on record.”*

This localisation, through religious festival observances, selective visitor policies, and managed leave, blends bureaucratic discipline with culturally resonant forms of care, thereby embedding the regulatory model more deeply into community life. Far from being neutral gestures, these practices strategically mobilise emotions to secure compliance. As Tilly (2008), Buechler (1995), and Polletta (2004) remind us, emotions operate as powerful catalysts for collective action. Here, however, the state appropriates emotional registers of belonging, gratitude, and duty to render surveillance palatable. What might otherwise fuel resistance is redirected into sustaining the abolitionist narrative. Simultaneously, the cultivation of shared ritual and managed collectivity reflects what Loomba and Lukose (2012) describe as the centrality of identity building in mobilization. Yet in this case, identity is not mobilised for empowerment but captured as a disciplinary resource. Collective attachments are fostered only insofar as they align with state-defined respectability and compliance. The critical effect is a governance regime that does not merely enforce control but actively hijacks the affective and collective infrastructures of resistance, transforming them into mechanisms of containment and complicity.

### 6.3 (e) NGOization through cultural localisation of state schemes:

Similarly, the *Swadhar Greh* scheme, as previously discussed, illustrates how the state deploys a carceral welfarist logic rooted in politicised Hinduism (Mukherjee 2019, Chitnis and Wright 2007) and abolitionist frameworks (Millett 1976, 2000, Dworkin 1993, 2003), while simultaneously enlisting NGOs and CBOs as key administrative intermediaries. This process exemplifies what Roy (2016) and Raveendran (2023) identify as the NGOization of social movements, wherein state policy instruments are embedded within civil society networks, transforming advocacy groups into mechanisms of consensus-building that operate within

state-defined parameters. Within this context, organisations such as SANGRAM and VAMP demonstrate how local actors strategically adapt state-sanctioned frameworks to reinforce both collective identity and community agency. Much like Cornish's (2006) *Songachi* project that highlighted the success of the movement through peer-based programming, women in sex work, activists, and allied advocates, involved in these organisations implement TIs addressing prevention, treatment, care, and support, while explicitly integrating rights education into their health work.

The peer educator model here functions not only as a health outreach mechanism but also as a means of community led knowledge production. This approach aligns with Mehrotra's (1997), Chatterjee's (2006), and Ferree's (2010) theorisation of common identity as a foundation for collective empowerment, thereby transforming biomedical engagement into a vehicle for socio-political mobilisation (SANGRAM and VAMP 2018). Similarly, Kat-Katha's work on G.B. Road reveals the cultural localisation of the *Swadhar Greh* rehabilitation policy. By tailoring the scheme to the lived realities of sex workers in the locality, Kat-Katha fosters a strong identification between activists and the organisation, generating loyalty and shared purpose. This process resonates with Melucci's (1980) and Touraine's (1985) view of social movements as ongoing projects of collective identity formation. As, Kat-Katha operationalises this localisation through a four-phase alternative livelihood model (Ferree 2010). The first phase focuses on '*field research and relationship building*', prioritising trust, community cohesion, and foundational health and literacy work. The second phase introduces '*bridge schooling*', including academic support, language learning, and extra-curricular activities. The third phase launches '*empowerment projects*' such as HeARTshala (tailoring, embroidery, painting) and Maitri Meals (a cloud kitchen), combining economic skill-building with creative expression. The final phase envisions '*freedom from forced sex work*', centring financial independence, dignity, and complete rehabilitation.

Kat-Katha further embeds these initiatives in local cultural idioms through performance-based outreach, such as street plays, *bhaonas* (traditional dance dramas), and puppetry, delivered from a mobile truck. These activities serve dual purposes. They resonate culturally with target audiences while functioning as vehicles for the dissemination of state policies like the *Ujjawala* scheme and *Swadhar Greh* homes (Vijayakumar 2018). Taken together, SANGRAM, VAMP, and Kat-Katha demonstrate how NGOs can reframe state rehabilitation policies as culturally embedded, locally resonant projects that strengthen collective identity and solidarity. Yet, as

with *Swadhar Greh*, this empowerment is structurally tethered to the regulatory model's top-down governance logic. The very practices that build community solidarity also anchor the movement within a state and civil society nexus that privileges health, rescue, and rehabilitation over broader labour rights claims, revealing the dual nature of NGOization as both a tool of empowerment and an instrument of state control (as discussed by Pattnaik and Panda 2005, Roy 2017).

### 6.3 (f) NGOization through political bureaucratisation of grassroots activism:

The dynamics described illustrate the double-edged character of NGOization in sex work activism. As Lang (2012) argues, western and global NGOs often mirror existing global inequalities. They professionalize and bureaucratize grassroots activism, translating the relational, lived, and affective dimensions of social movements into technical, fundable interventions. In the context of sex work, this results in a technocratic politics of inclusion, advocacy becomes measurable, auditable, and legible to the state and donors, aligning activism with externally defined priorities rather than emergent community needs. Roy's (2009, 2013, 2016, 2017, 2019) critique sharpens this analysis. NGOization generates melancholia for a lost radical past, such as the emotional, cultural, and collective registers forged through historical resistance among sex workers are repurposed to serve bureaucratic imperatives and state-NGO consensus-building. Professionalization risks depoliticization, converting emancipatory struggle into service brokerage, where the NGO functions simultaneously as advocate and implementer, translating community demands into welfare entitlements like NFSA, MGNREGA, ICDS, POSCO, housing schemes, and Covid response mechanisms. While these gains are tangible, they come at the cost of diluting structural critique and radical politics (also discussed by O'Neill 2013).

The capitalisation of sex work illustrates how this depoliticization operates. By framing sex work as a capitalist economic category, *dhandra* (business), activists pursue a rights-based approach, asserting equivalence with human, women's, and labour rights. While this strategic reframing enables engagement with welfare and policy entitlements, it risks bypassing the ideological underpinnings of state moral regulation (Mukherjee 2019, Bose 2010) and the systemic stigma that enforces sex workers' marginalization. White's (1990) notion of systemic hierarchisation, echoed by Kabeer (1994), Bindman (1997), and Kempadoo and Doezema

(1998), illuminates how NGOized interventions can reclassify sex work as a commodified social relation, embedding it within the capitalist and bureaucratic frameworks of governance. Roy's framework also highlights three interrelated consequences of NGO-led, rights-based activism:

- Depoliticization of structural violence: By translating sex work into an economic category, advocacy circumvents questions of state moralism, criminalisation, and caste-gender hierarchies, thereby narrowing the scope for structural transformation.
- Instrumentalization of collective identity: Historical solidarities rooted in caste, gender, and religious experience (Polletta 2004, Clothey 2006, Sarode 2015, Singh 2021, Kumar 2024) are redirected toward legitimising donor and state agendas, transforming autonomous organizing into the fulfilment of policy targets.
- Infantilisation and victimisation: NGO and state frameworks often reproduce paternalistic discourses, portraying sex workers as passive beneficiaries rather than active agents (Dutta 2019). The paternalistic comment by an NSW volunteer illustrates how such logics simultaneously justify women's subordination and normalise male entitlement, reinforcing patriarchal moral hierarchies even under the guise of empowerment: *"Prostitutes are social workers. If it was not for them, women from good families would not be able to walk on the streets of Delhi. Men would attack women as they need a vent for their lust. Women from good families look down upon prostitutes, but many prostitutes play a role in preserving their marriages. Men would attack their wives and even daughters if prostitutes were not allowed to ply their trade"* is offered as a defence, yet reinforcing patriarchal and protectionist logics.

Her statement exemplifies Roy's (2016) paradox of NGOization, wherein movements gain visibility, resources, and institutional recognition, but these gains are accompanied by a shift in the locus of power, away from grassroots autonomy toward bureaucratic mediation. NGOization professionalizes activism, channels affective and collective energies into administrative compliance, and produces a form of punitive paternalism, whereby, sex workers are empowered through services and welfare, but only within a framework that preserves the moral and regulatory order of the state. In short, while NGO-led rights advocacy secures material benefits, it simultaneously coopts resistance, depoliticizes collective action, and

reproduces hierarchical social structures. Thereby, reflecting the broader global inequalities that Lang (2012) identifies in the architecture of international and local NGO networks. The result is a technocratic and moralized governance of empowerment, where radical histories and transformative potential are subordinated to procedural and fundable interventions.

#### 6.4 Conclusion:

The findings presented in this chapter reveal a complex and ambivalent terrain in which empowerment is inextricably entangled with control. The replication of state bureaucratic forms within sex work NGOs and CBOs reflects both strategic adaptation to secure political legitimacy and deep-rooted socio-cultural logics shaped by caste, religion, and nationalism. While these structures have delivered tangible gains, such as improved health access, legal recognition, and inclusion in welfare schemes. They also anchor the movement within a state and civil society nexus that prioritises compliance over dissent. At the grassroots, politicised sisterhood, cultural localisation, and collective identity formation serve as powerful tools for mobilisation and community resilience. Yet, under NGOization, these same tools are instrumentalised to implement top-down health and rehabilitation agendas, narrowing the political scope to domains sanctioned by state morality and epidemiological governance. Initiatives such as NACO's TIs, *Ujjawala*, and *Swadhar Greh* embody this tension, delivering essential services while reinforcing paternalistic, abolitionist, and surveillance-oriented frameworks.

The chapter thus, underscores three key conclusions. First, NGOization reconfigures oppositional politics into service brokerage, aligning movements with donor metrics and state-defined priorities. Second, the instrumentalization of solidarity and identity recasts historically radical forms of collective action into consensus-building for governance objectives. Third, the conflation of sex work with victimhood sustains entrenched moral hierarchies, even as it extends welfare entitlements. Ultimately, the Indian female sex work movement's current trajectory reflects Roy's paradox of NGOization, i.e rights and visibility are won, but at the cost of diluting transformative potential. The challenge, therefore, lies in sustaining grassroots agency and political autonomy within and against the bureaucratic architectures that now mediate the struggle for Indian FSW's rights.

## Chapter 7: Navigating NGOization in female sex work activism under the Indian regulatory model

### 7.1 Introduction:

This chapter examines how FSWs and FSW activists navigate, contest, and reimagine the contemporary regulatory model in India. Their accounts reveal a tension between NGOized frameworks of activism. Often professionalized, bureaucratic, and aligned with neoliberal agendas, and the passion-driven, grassroots collectivisation that many within the community continue to advocate. Drawing on critiques of NGOization (Roy 2011, 2015, 2016), feminist governmentality, and the structural violence embedded in carceral feminist logics (Phipps 2009, 2014, 2020, O'Neill 2013), the chapter highlights the ways in which sex worker activism simultaneously resists and is constrained by intersecting forms of stigma, precarity, and bureaucratic violence. By situating FSW narratives within broader feminist debates on intersectionality (Collins 2017), recognition, and respectability politics, the chapter foregrounds how internal hierarchies that is rooted in religion, caste, motherhood, labour status, and migration, fracture the promise of collective solidarity, while also giving rise to alternative radical political imaginaries.

### 7.2 NGOization and depoliticization of the struggles:

The FSW's critique that the regulatory model has become 'too politicised' reflects a paradox illuminated by Roy's (2013, 2019) critique of NGOization. While on the surface NGOs appear to support marginalized groups, they often depoliticize struggles by converting radical demands into bureaucratically manageable, government driven projects. For the FSWs, and FSW activist's reliance on laws and NGO frameworks does not adequately address their realities. Instead, it reinforces hierarchies that mute community voices. Their call for a grassroots, bottom-up approach (Bayat 2010) is therefore less a retreat from politics than a rejection of NGOized forms of activism that sustain neoliberal state agendas rather than dismantling structural violence (Farmer 2004, Phipps 2009, 2014, 2020). From the perspective

of feminist governmentality, the hierarchised bureaucracy *Gudiya* (introduced in Chapter 6) describes exemplifies how governance extends beyond the state into NGOs and CBOs, shaping how FSWs articulate rights and access resources:

*“In our case also, to sit and write a report is such a headache, because they expect you to write political rights. You know you can’t be writing 5 to 6 reports for a person on the ground. Unless you write it, you don’t get the money. There are so many layers and so much of politics.”*

What is presented as empowerment through rights-based approaches or institutionalized secularism (Lopes 2005, Pattnaik and Panda 2005) often functions as a disciplinary apparatus that constrains voice and produces government approved subjectivities. While the community’s vision of NGOs and CBOs into ‘in-between’ bridges (Ferree 2010) seeks to resist this, the risk of reproducing the same hierarchies remains. The turn to grassroots autonomy can also be read through the lens of precarity (Roy 2017). For FSWs activists, such as *Gudiya*, precarity is material and existential, shaped by insecurity, stigma, and the denial of recognition. NGOized structures and legal frameworks rarely reduce this vulnerability, often managing rather than transforming it. Instead, collective bottom-up strategies provide forms of solidarity and survival that exceed the state-NGO nexus. Taken together, and in alignment with the concept of ‘bridge-builder feminism of O’Keefe (2021), these critiques reveal the paradox of NGOization. As seen in *Gudiya*’s account, the expectation to put their demands and activities in writing and the intention for perfection and being politically correct often reinscribe hierarchy and discipline. Such practises, I argue reassert a form of politics that resists the depoliticising effects of NGOization, the disciplinary mechanisms of feminist governmentality, and the vulnerabilities of precarity.

Moreover, in alignment with Roy’s (2011, 2015) critique on NGOization, many FSWs and FSW activists such as *Gudiya* are getting increasingly frustrated with the bureaucratic administration practices undertaken by the NGOs practicing the regulatory model. Much like Touraine (1985), Barker et.al (2013), and Bettencourt (2023), they attempt to address the limits of the unionization process by adopting a renewed bottom-up understanding of grassroots collectivization. Lopes (2005) similarly stresses that unionization is vital for sex worker activism, but the bureaucratized forms of unionization promoted within the regulatory model often function as mechanisms of control, thereby, narrowing rather than expanding collective

agency. Through the lens of feminist governmentality, this becomes visible as a disciplining strategy, in which unionization framed as ‘empowerment’ is simultaneously a regulatory tool that channels activism into state-compatible forms (also discussed in Grant 2014).

It is against this backdrop that FSWs and FSW activists of local CBOs should strive to persuade NGOs and the state to adopt a flexible and inclusive bottom-up model of collectivization. One that provides the space and autonomy to advocate for community-driven policy frameworks and research (Mehrotra 1997, FitzGerald and McGarry 2018). From the perspective of precarity, this struggle reflects the urgent need for organizational forms that respond to lived insecurity rather than reproduce it through bureaucratic procedures. For precarious workers like FSWs, and FSW activists, collectivization is not simply a matter of political organization but a strategy for survival, dignity, and recognition. *Neelam* (name changed), a 53-year-old Hindu part-time FSW activist from Karnataka who is affiliated to Kat-Katha and leads one of the CBOs in old Delhi, recognizes the extreme difficulties that arise due to the strong influence of identity politics (as argued by Chitnis and Wright 2007, Mukherjee 2019) while negotiating with the regulatory model as:

*“Over the years, we have become commercial sex workers from common prostitutes. Debates are held about us, and we are discussed in documents, covenants and declarations. The problem however is that when we try to reform, our stories are disbelieved, and we are treated as if we cannot comprehend our own lives. We are either romanticized or victimized or worse, our reality gets buried and distorted. We must understand that the women in prostitution are survivors with the sharpest insights. Be it on the double standards of morality, the violent intricate underpinnings of trafficking networks that are brutalizing prostitution or even the hollowness of state-sponsored rights, which strengthen the violators more than the violated. And it is these insights that will best define the contours of a rights discourse that will help resist the violence in their lives, marginalized by the hypocrisies of the system. Like all survivors, we have the courage and strength to create a world that has much to offer. A world, touched not only by their pain but also their dream for a society comprising people who will affirm their right to self-worth, dignity and livelihood that no one agency can either give or deny.”*

*Neelam*'s acknowledgement of the increased influence of identity politics, along with the romanticization and victimization of their opinions, disproves Kotiswaran's (2011, 2017) claim about Kapur's (2010) 'sex radical theory' being minimalist while theorizing regulatory sex work advocacy and activism. Much like Bell's (1994) conceptualizing of competing truths and celebrating knowledge generated by sex workers, the Indian FSWs and FSW activists appear to have adopted a postmodern sex radical approach (Kapur 2010). This approach challenges the dominant practice of the regulatory model with an assertion that feminism practiced by the community is multifaceted (Roy 2022), and that the knowledge, activism, and advocacy it generates are bound in distinct Indian (predominantly Hindu) cultural contexts, pushing for a distinct Indian FSW identity. FSW activists such as *Neelam* embody this multifaceted nature by projecting a duality (explained further in Section 7.2 (c), Chapters 8 and 9) that resonates with many Indian FSWs and FSW activists. On one hand, she (unconsciously) adheres to the principles of the regulatory model by acknowledging FSWs as survivors and active agents of change (Kapur 2010, Reger 2014). She seeks to limit the impact of identity politics by encouraging academics and policymakers to grant FSWs and FSW activists their rightful share of space for debate, recognition of identity, and respect for their profession. On the other hand, *Neelam* promotes a distinct Indian FSW identity (similar to Sanders et.al 2017) that transcends the dominant Eurocentric dual discourse and stands apart from prevailing Indian/southern feminist frameworks. This perspective reflects Polletta's (2004) emphasis on the interplay between culture and political structures, where culture cannot be separated from political dynamics. In *Neelam*'s articulation, religious politics and culture form the foundation of the regulatory sex work movement in India, shaping the policies introduced and implemented at the central, state, and village levels by the state, NGOs, and CBOs.

*Neelam*'s duality illustrates the intersection of NGOization, feminist governmentality, and precarity within the Indian sex work movement. In line with Roy's (2011, 2013, 2015, 2019) critique, the NGOized framework tends to romanticize and victimize FSW and FSW activist's voices, channelling them into bureaucratic practices that reinforce hierarchies. Through feminist governmentality, the regulatory model disciplines them into narrow subjectivities. They are identified either as 'victims' or 'agents of change', while suppressing other identities emerging from cultural and political specificities. *Neelam*'s insistence on a distinct Indian FSW identity resists these disciplining processes by grounding activism in cultural and religious contexts that cannot easily be subsumed into Eurocentric or state-driven frameworks. Viewed through precarity, her position reflects the vulnerabilities of navigating bureaucratic

regulation and identity politics simultaneously. While her activism opens new avenues for recognition and solidarity, it also exposes her and her peers to ongoing insecurity. Rather than a contradiction, *Neelam*'s duality represents a survival strategy, an articulation of how precarious communities negotiate the depoliticising pressures of NGOization while carving out culturally grounded spaces for autonomy.

7.2 (a) Examining how women's entry into sex work shapes the structural violence they encounter:

This negotiation resonates with Phipps's (2009, 2014, 2017, 2020) critique of carceral feminism, which exposes how trauma-led frameworks and 'ideal victim' narratives limit recognition to those who fit respectable and palatable categories. In the Indian regulatory model, FSWs and FSW activists are similarly cast as either criminalized subjects or redeemable victims, echoing what Phipps identifies as respectability politics. *Neelam*'s rejection of both victimization and romanticization pushes back against these binaries, aligning instead with sex radical approaches (Kapur 2010, Roy 2022) that validate community knowledge and activism. Phipps's (2021) discussion can also be read in the Indian context as the privileging of elite, donor-driven feminist narratives that appropriate sex worker's struggles into trauma-led advocacy, often centring NGO or state legitimacy over community autonomy. This mirrors the neoliberal alignment that Phipps critiques, where carceral or bureaucratic solutions are framed as empowerment while structural inequalities remain intact (O'Neill 2013). *Neelam*'s articulation of a distinct Indian FSW identity directly disrupts these carceral-feminist logics. She refuses the demand to perform victimhood for recognition and instead asserts an identity grounded in agency, cultural specificity, and political autonomy. In doing so, she and her peers challenge the overlapping forces of NGOization, feminist governmentality, precarity, and respectability politics that shape the regulatory model.

I argue here that this is because, in the context of the Indian FSWs and FSW activists, the influence of physical and emotional violence is overwhelming (covered by Farley et.al 2008). Such understandings leads them to argue that exploring the rationale behind women's entry into sex work would assist policy makers, activists, academics and advocates of the regulatory model to adequately address the structural violence and stigma they systematically suffer from (also argued by Hughes 2004, O'Neill 2013). Drawing from McClarty et.al's (2014)

rationalization behind women's entry into sex work and sex work activism, it appears that the dominant causal factors that push women into sex work in India include, escape from early/bad marriage and pregnancy, domestic violence, drunk husbands and hungry children, childhood abuse, caste-based stigma and violence, generational debt, religious restrictions, cultural expectations after being widowed or divorced, patriarchy, financial hurdles, zeal for education and independence, break generational poverty and provide better livelihood options to the children of FSWs and FSW activists. Indian women choose sex work as a profession to escape violence associated with being a poor woman in a patriarchal society like India (as discussed by D'Cunha 1992, Bhasin 2003, 2004).

However, the community, as confirmed in interviews, believes that when they enter sex work, the agency, power of negotiation, advocacy, and activism, available to the different FSWs and FSW activists, is directly proportional to the FSW's rationale behind choosing sex work, their intersectional background and whether they were an activist associated with a sex work NGOs/CBOs<sup>27</sup> (also covered by Vanwesenbeeck 2013). This means that the FSWs and FSW activists assume that the levels and types of structural violence and stigma they routinely encounter are also directly proportional to the factors that pushed them into sex work, their intersectional background (as discussed by Collins 2017, O'Neill 2013) and if they had any organizational sisterhood or community to support them<sup>28</sup> (as explained by Kabeer 2001). Based on such divided experiences, the FSWs and FSW activists have vertically categorized themselves into what McClintok (1991) identifies as whorearchy (also explained by Devine 2010). The following section, explains the impact of such different causal factors on the agency, violence and stigma experienced by such FSWs and FSW activists under the regulatory model.

7.2 (b): Applying the whorearchy scale to theorize differentiated experiences of violence they encounter:

A practicing FSW activist and educator from Kat-Katha, *Oona* (name changed), 37-year-old Hindu, originally from Kerala, but living in Delhi for the last 9 years states that:

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<sup>27</sup> Proved otherwise in Chapters 8 and 9.

<sup>28</sup> Proved to be inconsistent with the data collected about violence inflicted on FSWs, FSWs and activists after incarceration and while availing services in the government hospitals in Chapters 8 and 9.

*“I only wanted autonomy to pursue education, and this is why I pursued this trade. I initially had no idea what needed to be done in this business, but I knew that once I had my own money, I will be free to pursue whatever course I wanted. You know, there was a lot of problems in my family. But I always wanted to go to school and pursue a career and maybe get a good job. A job that pays about Rs 1000-2000 (€11-€22) per day. But I never got such a job even after having basic education. So, what would I do but continue with this job for survival. This job helps me a lot with my finances and has helped me clear off my debt. I also have full control over my hours so now am happy.”*

*Oona*’s accounts reveal that she chose sex work as a livelihood option because of her financial limitations. Being a sex worker and an activist with Kat-Katha provided her with the space and opportunity to continue her education while supporting her family. Her contentment comes from being in control of herself and her finances. The satisfaction and confidence achieved in becoming a professional sex worker reinforces the aspect of agency and confidence as explained by Kotiswaran (2011). It would, however, be too simplistic to equate her agency and happiness in sex work with the absence of stigma and violence inherent in the profession. As Kabeer (2001) and Silverman (2011) argue, all FSWs, irrespective of background or rationale for entry, must face a minimum level of stigma and violence because of the nature of the trade. Collins (2017) helps show how *Oona*’s agency and vulnerability intersect. Her choice of sex work reflects empowerment and survival, yet remains shaped by class and gender hierarchies that sustain stigma. Intersectionality here becomes both an analytic and political tool, foregrounding knowledge produced from lived realities at the margins. This intersects with Phipps’s (2009) critique of respectability, where sex workers from working-class or marginalized backgrounds are rarely recognized as ‘legitimate victims’, making their accounts of violence easier to dismiss.

*Oona*’s narrative also highlights what Phipps (2020) critiques in mainstream feminism, i.e. trauma-led and ‘ideal victim’ frameworks that erase voices which do not conform to respectability politics. By framing her work as a source of pride, autonomy, and stability, *Oona* unsettles these frameworks and asserts an alternative feminist politics rooted in lived experience. In this sense, her voice also resists what Roy (2019) identifies as the depoliticization of sex worker activism under NGOization, where community voices are

absorbed into bureaucratic logics that neutralize their radical potential. Like *Neelam* and *Gudiya*, *Oona*'s account demonstrates how FSW activists generate epistemologies that confront precarity while refusing the disciplinary scripts of both mainstream feminist discourse and NGOized regulatory frameworks. In the whorearchy scale, *Oona* is considered much more privileged in comparison to her fellow sisters due to her activist and educator status but is still subjected to the basic stigma and gendered violence that the community of sex workers faces. On the other hand, a part-time (at the moment, was full time previously) FSW activist in NNSW called *Arhi* (name changed) a 47-year-old Hindu from Gujrat who entered the trade after marriage shares her story as:

*“I came into sex work after being married in the hopes of earning more. In Delhi its 69% of such women. To escape many things-violence, financial hardship, cultural expectations after divorce or widowed or separated. We do not think that our work is dirty. Because we are able to sustain our families with this. We are able to raise our kids and my sister with this income. Even our parents, I am able to look after this because of this. Let me tell you, a person's biggest weakness is poverty and hunger. So, for me sex work is good, and it gave me the freedom and confidence to earn my own money in my own terms. And the power that this work has given me makes me confident enough to take decisions. Now, I can decide for myself, what is good for me and what is not. How to spend my money and where. How to maintain my property and how much to give my parents or how to control my partner. All such decisions, the power and freedom to take such decisions has been given to me due to sex work. And that is why I can claim publicly that I am a sex worker. Being married and being a mother makes it easy to do sex work without being doubted by our family and society. Moreover, the clients make me feel special, makes me feel loved, something I no longer get from my own husband.”*

The desire to feel loved is yet another core reason (besides economy and independence) for many married, divorced, separated, and widowed women to enter sex work in India. The loss of trust and security due to extreme violence and abuse (physical, mental and emotional) that vulnerable women such as *Arhi* face from their husbands and their in-laws, forces them to escape from familial generational toxicity and extreme patriarchal cultural expectations. This is because, if a Hindu woman following the principles of the ideal Hindu woman by *Manu*, (as highlighted in Sharma 1994, Bose 2020, Singh 2021, Kumar 2024) is divorced, separated or

widowed, she is shunned and shamed by the community and is expected to live a ‘pure and holy’ life of a *sadhu* (hermit). She is expected to sacrifice all the pleasures, colors and happiness, to live a religiously devoted life (see Mukherjee 1978, Chitnis and Wright 2007). In the ‘whorearchy’ scale then, *Arhi* is much more marginalized, vulnerable and stigmatized due to her unprivileged position before entering sex work.

For *Arhi*, sex work was an escape from the coercive patriarchal Hindu expectations, a financial decision taken by a mother for her child, and a way to uphold the dominant expectations associated with being an Indian Hindu mother as dictated in *Manusmriti* (highlighted in Mukherjee 1978, Sharma 2019, Bose 2020). Her account thus, portrays the influence of the new politicized Hindu religion<sup>29</sup> (as popularized by Tagore and Chattopadhyaya) and brings back the conversation surrounding the dual nature of the divinity associated with the *Bharat Mata* debate (presented in Mukherjee 2019) by creating what Oommen (2004) calls the identity of ‘Indian modernity’. On the one hand *Arhi* is celebrated because of the ‘sacrifices’ she made for her children, i.e giving up her celebrated status of a wife and a *bahu* (daughter-in-law), to become a provider. While on the other hand, she is marginalized and stigmatized because of her decision to ‘sell her body and her pride for money’. Here, the cause behind becoming a sex worker becomes the reason for the added stigmatization, as ‘motherhood’ (much like the divine status of the *Bharat Mata*) is expected to be pure and untouched (see Raines and Maguire 2001).

#### 7.2 (c) Coexistence of agency and vulnerability amongst the FSWs and FSW activists:

Read together, *Neelam*, *Gudiya*, *Oona*, and *Arhi* map an intersectional field in which agency and vulnerability co-exist under regulatory, cultural, and economic pressure. Collins (2017) helps situate each account as standpoint knowledge wherein voices from stigmatized locations (sex work, widowhood/separation, working-class motherhood, minority religious/caste positions) generate theory about survival and dignity that cannot be seen from dominant vantage points. But the very conditions that make these knowledges valuable also expose them to Phipps’s critique mainstream feminist and public discourses filter whose pain and agency ‘count’ through respectability and ideal victim logics (2009, 2020). Thus, while

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<sup>29</sup> Or methodological nationalism (Fernandes 2013, Roy 2016)/cultural nationalism (Kapur 1997), solidified on the subject of the ‘ideal Hindu woman’ (Bose 2020, Singh 2021, Kumar 2024).

*Neelam* articulates a culturally rooted, sex-radical identity and *Gudiya* names bureaucratic hierarchies, their claims, like *Oona*'s pride in autonomy and *Arhi*'s insistence on love and maternal duty, are continually re-read through classed, moralized frames that discount subaltern women's testimony unless it conforms to palatable scripts.

This is precisely where Collins and Phipps interlock. Collin's intersectionality as an epistemological and political tool foregrounds how caste, class, religion, gender and others arrange. Which FSWs and FSW activists can be believed, organized, or funded. Phipps further shows how belief is rationed via respectability politics, trauma-led 'ideal victim' narratives, and a drift toward carceral neoliberal solutions that reward compliant subjectivities. In practice, *Oona*'s claim to professional pride and educational aspiration, and *Arhi*'s appeal to love, care, and motherhood, both contest the narrow lane of 'respectable victimhood' that Phipps problematizes. Their refusals are political. They insist that empowerment can look like paid sexual labor undertaken to secure family survival and self-respect, even when it troubles dominant moral economies.

Against this backdrop, feminist governmentality clarifies how NGOs and state frameworks script acceptable identities such as rescued victim, sanitized activist, entrepreneurial beneficiary, while precarity names the material and symbolic risks of deviating from those scripts. Roy's critique of NGOization adds the structural layer. Once filtered through program log frames and state sanctioned categories, the insurgent knowledge produced by *Neelam*, *Gudiya*, *Oona*, and *Arhi* risks being depoliticized into administrable cases. *Neelam*'s culturally grounded sex-radical stance, *Gudiya*'s push against hierarchical NGO practice, *Oona*'s intersectional autonomy, and *Arhi*'s challenge to widowhood purity codes all exceed those containers. As, each refuses the trade-off Phipps identifies, recognition in exchange for performative victimhood and instead mobilizes intersectional standpoint (Collins 2017) as a strategy to confront stigma, not by denying vulnerability, but by redefining what counts as credible, political speech. Taken together, the four narratives show a shared tactic of intersectional counter-respectability. They leverage culturally specific identities such as Hindu motherhood, community leadership, and worker-organizer roles, to legitimize claims while declining the carceral, trauma-only pathway to recognition. This is not a retreat from politics but a re-centring of politics in lived expertise and an epistemic insurgency that unsettles NGOized governance, resists disciplinary subject-formation, and addresses precarity on terms set by FSWs and FSW and activists themselves. Within this insurgent politics, motherhood

emerges as a particularly charged site of negotiation, where FSWs reframe a culturally idealized identity often used to stigmatize them into a source of legitimacy, recognition, and collective strength.

#### 7.2 (d) Motherhood as an identity:

FSW activists such as *Aarhi* are then constantly navigating the fine line of being forced to normalize and internalize (as discussed by Beauvoir 1970, Barry 1995, Millett 2000) the added discrimination, stigma and violence, associated with being an Indian women sex worker (also argued by Sharma 1994, Bose 2020, Singh 2021, Kumar 2024), along with the pride associated with being a ‘good’ Indian (Hindu) mother (as presented in Raines and Maguire 2001). The Secretary of NNSW, *Roohi* (name changed) a 37-year-old FSW activist and educator discusses the impact of this identity crisis and confusion on their lives as:

*“My children were my main concern you know. I had to you know take care of my family. I had a lot of financial struggles, to overcome that only sex work helped me. I had money that helped me to do my education plus it fulfilled other needs also. That is why I respect my livelihood and my profession. I do not care about anything else, and I can accept any violence for my child. My friend too you know. She is a single mother now. But when she was married, her husband was very abusive and useless. He did not give her any money. How will she survive? So, she started to do this work. Sacrifice for her child. But even now the husband would come in and ask her money. Whenever he wanted, he would come in and grab her and steal her money. So, finally she decided to leave him and use her money (through sex work) for herself and her children. So, we do not mind the abuse you know.”*

Likewise, her friend *Alka* (name changed) a 26-year-old, practicing Hindu FSW activist from Bhopal who escaped her abusive marriage and entered the trade for her children, recounts her story as:

*“I was married when I was 13 years old. My father died when I was very young. There were 5 girls in the family and all of them used to do farm work and my husband is a drunkard. I was in 9<sup>th</sup> class when I got married and couldn’t continue. From the day I was married, he had his girlfriends, lovers, you know he had his all whatever you name it he had everything. So,*

*he started harassing me, beating me and not earning and all that. So naturally the village people around started saying, 'Do you think he is going to take care of you? He is like this, and he is no good.' Meantime I had 2 children, 2 boys. I had a small child who was 1 and a half years old, drowned in the water tank, you know somewhere in the water body. That was a big hit for me you know. I just couldn't take it. That made me go back to my mother's place and slowly the gap between me and my husband started widening. So, I had to earn my own livelihood and worked in a cloth shop. You know how men are, men are predators. I could not resist men as they used to give money and take money from me. Once I knew that men want sex, I thought Okay let me take this up as a full-time work."*

Drawing on the narratives shared by *Alka* and *Roohi*, I argue that the experiences of Indian FSWs and FSW activists must be understood intersectionally, at the nexus of gender, caste, class, religion, and sexuality. Their narratives reveal how these overlapping axes of identity are negotiated through the dominant Hindu expectations of Indian motherhood (Bhattacharji 1987, Raines and Maguire 2001, Sharma 2019). The women I interviewed described their entry into sex work as the ultimate maternal sacrifice. It was an act that entailed a conscious relinquishing of the elevated and socially respected status of the Hindu mother (Chitnis and Wright 2007), as well as *stridharma* (Mukherjee 1978, Raines and Maguire 2001). Here, sex work emerges not as a rejection of maternal ideals but as a radical extension of them, performed through embodied sacrifice for children's survival and social mobility.

This complicates earlier scholarly distinctions such as Wadley's (1977) and Clothey's (2006) between the 'ideal Hindu woman' (*sati savitri aurat*) and the *veshya* (sex worker), distinctions (also taken up by Sharma 1994, Bose 2020, Singh 2021, Kumar 2024). FSWs and FSW activists like *Alka*, *Arhi*, and *Roohi* instead embody both identities simultaneously. They are *veshya* by profession, and *sati savitri aurat* by moral and maternal orientation. South Asian feminist scholars such as Roy (2011, 2016) remind us that women's practices cannot be read in isolation from the intersecting hierarchies of caste, class, and religion that shape gendered subjectivities. From this perspective, the dual embodiment of FSWs and FSW activists destabilizes normative boundaries of femininity and respectability, boundaries historically structured through caste and class. The figure of the *sati savitri aurat* has long been imagined through upper-caste, middle-class ideals of chastity and domesticity, while the stigmatized *veshya* has been projected onto working-class and lower-caste women. By inhabiting both subject positions at once, FSWs and FSW activists reveal how respectability politics are

differentially imposed, and how Hindu motherhood itself is fractured across caste and class locations (also discussed in Collins 2017).

This intersectional disruption unsettles the politicized discourse of contemporary Hindu nationalism (Sharma 1994), which relies on the interlocking logics of nationalism, caste, religion, and patriarchy to sustain itself (Liddle and Joshi 1985). Fernandes (2013) cautions against the nationalist framing of the ‘local’ in social movements. A caution particularly relevant here. The state, government institutions, and publics frequently narrativize FSW’s and FSW activist’s lives through a nationalist lens that both erases intersectional difference and reinforces stigma. By embodying both the ‘ideal’ and the ‘deviant’, FSWs and FSW activists destabilize this nationalist-local frame, forcing recognition of the contradictions it seeks to suppress. Consequently, the state (through laws and policies), government institutions (police, healthcare, media), and broader publics often struggle to reconcile this dual and intersectional identity. Their responses frequently manifest through gendered and caste-inflected violence, stigma, discrimination, and humiliation directed at FSW communities (Pai et.al 2013, 2018, Seshu and Pai 2014, Kotiswaran 2011, 2017, 2019).

#### 7.2 (e) Systematic gendered violence experienced by the community:

For instance, due to *Alka*’s vulnerable status, she recounts the various levels of instigation and violence she routinely faces from the village elders, the police, and the general mass as:

*“See the moment my husband started beating, I went to the village elders. I did not get any justice. They were not blaming me. They were trying to only try to mend my ways instead of his. When it was police, they said, ‘come and sleep with me. Anyways he is a useless guy, why don’t you be with me.’ My life as sex worker had to continue no one can understand a single woman’s problem. So, I had to be here to fend myself. In the meantime, now if you ask me, he has gone for good. So, I can’t stop sex work. I go to the shops, start working, eventually they know that I am a single woman. They ask for sex. I have to give rent, I have to maintain myself, my family to fend and all these things. Sex work, I consider sex work as work because I need money. Why should I not give sex work and get money and get paid for this. That is how I ended up being a sex worker.*

The absence of a male member or family has further marginalized and highlighted *Alka's* vulnerable status. Violence for *Alka* was direct, (because of domestic violence) before she was a single woman and a sex worker. After becoming a sex worker, she was subjected to systematic gendered violence (discussed by Ryan and McGarry 2022), as she is seen as someone who 'needs disciplining' (as covered by Bhasin 2003, 2004). She is also subjected to cultural violence, because of the dominant patriarchal need of protecting a woman by owning and disciplining her (discussed by Barry 1979, 1995, Anglin 2010). Sex work for *Alka* was the only viable means of survival. Similar to Guha's (2024) argument about sex workers escaping familial *kosto* (struggles/violence) and receiving *jotno* (care) in sex work, *Alka* too was determined to continue with sex work, as for her, it was more than just a labour/service in exchange for finances. Through her work, she was seeking emotional support and understanding that was otherwise not provided to her by her husband, the village elders or the police (similar to Chapkis 1997). Sex work became more than just a profession or means of survival. For *Alka*, sex work was her identity, her support mechanism and her community. Roy's (2004, 2011, 2015) distinction between passion-based and professionalized activism is particularly useful in reading *Alka's* account. Her entry into sex work, rooted in survival, emotional need, and solidarity, reflects a form of passion-based activism that resists bureaucratic codification and instead foregrounds lived experience as the basis of political action. This mode of activism highlights the friction between grassroots, experiential forms of resistance and the professionalized NGO practices that often reproduce hierarchies and exclusions. It is precisely within this tension that Phipps's critique of trauma-led frameworks and the construction of the 'ideal victim' becomes relevant.

Phipps (2009, 2014, 2017) helps sharpen this analysis by exposing how feminist frameworks centred on trauma and the 'ideal victim' actively exclude women like *Alka*. As Phipps (2020) argues, such frameworks privilege a narrow construction of victimhood, i.e respectable, passive, and often white and middle-class, while rendering sex workers, women of colour, migrants, and trans women invisible, deviant, or even complicit in their own suffering. *Alka's* experience illustrates precisely this exclusion. Her refusal to embody passive victimhood, and her insistence on carving care and identity through sex work, places her outside the boundaries of recognition set by mainstream feminist politics. In this sense, the very frameworks that claim to respond to violence reproduce her marginalisation by denying her the legitimacy of victimhood. This dynamic is reinforced by the neoliberal and carceral logics that Phipps (2014, 2020) critiques. Feminist calls for protection or justice, when aligned with the state, translate

into increased policing, tighter regulation of sex work, and punitive interventions that intensify surveillance over women like *Alka* (also discussed in Cornish 2006, Reed 2001, Kotiswaran 2011, 2017, 2018). Rather than dismantling the structures of patriarchal and cultural violence that she endures, these measures discipline her further, treating her not as a subject of solidarity but as a body to be managed (similar to Beauvoir 1970). By foregrounding *Alka*'s own articulation of sex work as identity, support, and community, her account resonates with Phipps's call for a feminism rooted in solidarity that is intersectional, messy, and accountable that is not grounded in moral superiority, but in the lived expertise of the most marginalised.

#### 7.2 (f) Utilizing shared collectivity, to address structural violence and stigma:

The sense of shared pain, immorality, abuse, marginalization and vulnerability that *Alka* and the community experience, tied them together into a unified filial sisterhood (as explained by Clothey 2006, Sarode 2015, Singh 2021, Kumar 2024), community and a collective (see Waterman 2004, Chatterjee 2006, Ray and Radhakrishnan 2010). The sense of belongingness, pride, emotions (conceptualised by Buechler 1995, Tilly 2008) and cultural expectations (by Polleta 2004) associated with being an Indian female sex worker (and activist), motivates them to unite, unionize and equate their rights with other marginalized and vulnerable communities- especially with working women in poverty (also discussed by D'Cunha 1992, Kapur 1997, Krusi et.al 2014, Guha 2024). They believe that a unified front allows for a stronger and quicker mobilization of different sex workers, activists, advocates, and organizations across the country (also highlighted by Loomba and Lukose 2012). The collective identity which is formed in the process, can bring all marginalized communities together to create a legal and political public space of recognition/respect for the movement (similar to Chatterjee 2006 and discussed in Section 6.2 b). *Eva* (introduced in Chapter 6) claims that:

*“I entered sex work when I was 35 years old. Honestly speaking, I had no idea of community or goal of joining the organization. I was just a normal housewife who wanted to work because of household problems. I knew one thing. If I worked, I could earn some money. Later while working with sex workers’ committee, I realized I am working for the community. So, I talked to my senior Pooja Madam and asked if we could work in the other aspects of the community as well? With the support of the foundation and various training programs, I learnt public speaking on stages and now I can even communicate with government officers*

*without any fear and hesitation. I am also associated with NNSW and obliged to them as well because they have helped me in my capacity building. There was a time when I did not even know about the platforms in railway stations, and now I can travel alone anywhere in India through any mode of transportation whether it is train or airplane. Before as an FSW, I was working on the project 'Education for all Campaign' but unfortunately, I lost that job.*

*Therefore, I had this in my mind that I needed to do something as a leader."*

Similarly, *Akriti* (name changed), a 44-year-old Hindu academic activist and lawyer working as an adviser in AINSW argues that:

*"They understand there is some sisterhood among them. But sometimes when claiming their identity as sex worker, they are scared to come out in the open and say and then you know face the camera and say, 'look I am a sex worker'. But there are other young girls and others who say, 'No problem. I want to say I am a sex worker.' So, it is open. It is their choice to come and claim, wherever they feel safe that they are sex workers. It's an open space. They can come and talk about their children. Their work, their neighbours, fully. Anything under the sun. We are very open and flexible that way."*

The sense of belongingness and pride in their long lineage of Hindu FSWs and sisterhood (see Clothey 2006, Sarode 2015, Singh 2021, Kumar 2024) that the community of FSWs and FSW activists shares is further strengthened through the physical act of coming together and listening to each other's opinions, experiences and stories. Much like Tarrow's (2003) argument about shared collective identity and action, enhancing the sense of belongingness among different marginalized Indian communities such as traditional dancers, folk singers, bar dancers, and hostesses. The Indian female sex working community too feel like they belong, their opinions are heard and politically relevant while considering themselves to be a part of the wider nation-building process.

#### 7.2 (g) Politicization of emotions associated with collective sisterhood:

I argue that the emotions (as explained by Buechler 1995, Polleta 2004, Tilly 2008) associated with this strong sense of belonging are harvested and politicised by the advocates and representatives of sex work NGOs and CBOs by pushing FSWs and FSW activists to adopt the

rights based homogenizing agenda of the model (as presented by Tarachand 1991, Rana et.al 2020). Roy's (2011, 2015, 2016) critique of the NGOization of radical politics sharpens this analysis by situating precarity not only as a material condition but also as a site where radical feminist energies are re-routed into government driven agendas and bureaucratic managerial logics. In this process, passion-based feminist politics are displaced by professionalized, contractual models of service delivery that privilege technocratic language over political struggle. For Roy (2011, 2015), the antidote lies in practicing feminism as passion, as a form of self and collective identity, rather than as a depoliticized career path: visible in the accounts of both *Eva* and *Akriti*.

Moreover as Roy (2013) warns, the growing invocations of moderate feminism serve to dismiss, co-opt, diminish, or even domesticate radical feminist practices while legitimizing and reproducing global inequalities. By calling out such pessimistic feminist mainstreaming in neoliberal mode to be problematic, she argues that there is an overestimation of the decline in feminist political activism among young and 'new' feminist subjects. Taking inspiration from Dean's (2008) concept of 'consciousness-raising,' 'feminist purism,' and the rearticulation of the concept of 'radical,' Roy (2013) describes and critiques such institutionalised feminism through idioms of loss, cooption, domestication, depoliticization, and moderation. This means that current moderate NGOization practised by sex work NGOs in Delhi under the regulatory model, not only seeks to replace forms of state sovereignty but also signals the professionalization, bureaucratisation, and institutionalisation of feminism in the ideologies and practices of an increasingly neoliberal developmentalism. The increasing professionalisation of feminist activism through such NGOs, and its concomitant loss of radicality, has contributed to the depoliticization of both gender and feminism. Roy's interventions highlight this dynamic as a double-bind. While NGOized feminism enables visibility and access to resources, it simultaneously risks transforming feminist praxis into professional expertise, often at the expense of passion, collective politics, and radical critique. It is within this context that the President of NNSW justifies her endorsement of the model and, by extension, the (Far Right) ideology<sup>30</sup> underpinning the regulatory framework, in the following terms:

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<sup>30</sup> As practiced through politicised Hinduism (Mukherjee 2019, Chitnis and Wright 2007)/methodological nationalism (Fernandes 2013, Roy 2016)/ cultural nationalism (Kapur 1997).

*“We seek a resurgent community where a girl child is empowered, educated, environmentally conscious and leading economically sustainable lives. We seek an **empowered** city whereby understanding the identity and purpose, women/girls are fulfilled and productive. We seek an **educated** city where women/girls are employable because they have received education and training. We seek an **environmentally** conscious city where people take ownership of the attitude, appearance and safety of their city, homes, and self and where art and beauty are encouraged and expressed. We seek an **economically** sustainable city where there is a job opportunity for everyone, especially women and our dependence on each other is celebrated.”*

Likewise, the President of AINSW claims that:

*“Community, and friendship between us is very important. See, first we become friends and then we become sisters or relatives and then we become one family. Then whatever problems or happiness we experience we share it with them. We care for each other a lot. We do fight a lot but there is a lot of love and trust between us as well.”*

The statements shared by the Presidents of NNSW and AINSW uncover how the activists and the advocates of the regulatory model (with NGOs and CBOs as a tool) have politicised the movement and capitalized on the concept of *dhandra* (business of sex work) (as presented by White 1997). By imitating (and adopting) the dominant religious political language (visible in the President of NNSW’s speech) and hierarchized bureaucratic administration of the state, the advocates of the regulatory model (like the Presidents of NNSW and AINSW) utilize the strength and unity in community/sisterhood (see Clothey 2006, Sarode 2015, Singh 2021, Kumar 2024) as tools to further their radical cause.

Through a social justice framework of FitzGerald and McGarry (2018) (also explained by Sloan and Wahab 2000, Sutherland 2004), I argue that a systematic application of patriotism/nationalism against ‘evil foreign forces’ such as British-Irish Christian Missionary practises and Islam brought in by the Mughal Dynasty (see Gangoli 1993, Agarwal 2003, 2008, Misra 2008), was employed to radicalize the practices of the regulatory model and politicise the emotions of the community. The community of FSW activists, advocates and representatives of sex work NGOs/CBOs were convinced that their social movement is serving a wider ethnic national struggle. The advocates of the regulatory model, in association with the

government, blame the Christian Missionary practices of the British Colonizers for the marginalization and downfall of the Indian sex work community and the degrading status of the Indian women. Such ideological practises has further justified the need for a religiously charged political (regulatory) model that can bring back the ‘Golden Hindu era’ which respected its female sex workers (and their Indian women) and provided them with their due share of rights and privileges (also argued by Aiyar 2023).

#### 7.2 (h) Hinduisation of the regulatory model:

Such (Far-Right) radicalized ideology along with extreme politicisation and capitalisation of the business of sex work is then cemented in the general consciousness of the community and the masses. Primarily through the adoption (and popularization) of Vedic Hindu religious principles (also argued by Bhattacharji 1987, Thakur and Sinha 2005, Kumar 2024) and dissemination of such knowledge through socio-legal policies (such as ITPA 1956, Anti-Trafficking Bill 2018), peer education and advocacy initiatives (such as the Right Guide, NACO, Ujjawala Scheme and other small scale TIs mentioned in Chapter 6) of the regulatory model. For instance, *Beera* (name changed) a 42-year-old Hindu, retired FSW turned activist and now working as an educator in AINSW, would equate the practice of sex work with worshipping Goddess *Saraswati* (God of Knowledge) by saying that:

*“We are all a community of artists that worship Ma Saraswati. Even all our ancestors who were in the trade would refuse to do anything without a proper morning prayer to Her. It was all good when Hinduism reigned. But the British government and their Christianity ruined us.*

*We became so poor and degraded that we had nothing to wear or eat. Even after independence, the Indian government followed the British principles and did nothing for us. And this is why we need to bring the old Hinduism back. Today, whatever we have is because of my trade and due to Ma.”*

*Beera’s* comments support the initial argument of the advocates of the regulatory model practicing politicised Hindu ideology by using patriotism/nationalism as a tool for manipulation (as presented by Gangoli 1993, Misra 2008). Unlike the model’s political claim about following the principles of pre/*Vedic* age (see Clothey 2006, Chitnis and Wright 2007, Sarode 2015, Kumar 2024). *Beera’s* attempt to equate sex work in India with Hindu *Goddess*

*Saraswati*, highlights the strong influence of new Hindu nationalism and *Manusmriti* (see Mukherjee 1978, Bhattacharji 1987, Thakur and Sinha 2005). This association supports the radical political nature of the regulatory model and influences the legal policies that still govern the community of FSWs. For instance, the ITPA (1956), reflects the presence of this Hindu nationalism through Sections 3, 4, 5, 7, 8, and 9 of ITPA (as highlighted in Sagade and Forster 2018, Menon and A.J 2020). Similarly, in the Anti-Trafficking Bill (2018) the presence of Hindu nationalism is visible in their definition of the term ‘victim’, which is in accordance with the Code of Criminal Procedure (CrPC) of 1973 and recognizes women in sex work to be a ‘victim’ (as detailed in Ministry of External Affairs, India 2021).

*Beera’s* statements also reflect the dangers of extreme radical politicisation of the regulatory activism model as she makes a clear distinction between FSWs and FSW activists who worship Goddess *Saraswati* and people who do not (include FSWs and FSW activists from other faiths). Her argument regarding any FSW who does not conform to the dominant belief, being excluded from the historically recognised and respected lineage of FSWs during the pre/Vedic Hindu age is indeed fraught with issues. This is because if extreme Far-Right ideologies are not sufficiently addressed, they risk further dividing the community along the lines of race, class, caste, ethnicity, language, religion, education and others (also discussed by Liddle and Joshi 1985, Sharma 1994). In addition, similar to how lesbian practices have been stripped of their symbolic value and political significance (see Bar On 1992, Millet 2000) due to the excessive politicisation of the movement, I contend that the radical politicisation of the regulatory model will further exacerbate the fragmentation and marginalisation of Indian FSW community. This could hinder their ability to foster inclusivity and cultivate a distinct southern (Indian) sex work movement and identity (akin to the arguments presented by Sanders et.al 2017).

#### 7.2 (i) Impact of politicised religion on the activism and advocacy practiced by the community:

For instance, *Alka* (introduced in Section 7.2 c) claims that the adoption of such religious politicised ideology and government legal policies (ITPA, Anti-Trafficking Bill) by the regulatory model, has increased the divide between different commercial FSWs. By sharing her peer’s (from Jharkhand) experiences of sexual harassment at their alternative workplace in Delhi, she states that the advocates and activists of the regulatory model are more comfortable with uniting, unionizing and equating their rights with other marginalized and vulnerable

working women in poverty (as discussed in Section 7.2 e). I, however, argue that by doing so, the advocates and representatives of sex work NGOs do not address the difference between violent and stigmatization experiences that different commercial FSWs and FSW activists (such as *Alka* and her peers) encounter. In an attempt to bring the focus back on violence suffered by different FSWs and FSW activists differently, *Alka* states that:

*“In the case of Jharkhand and Delhi most of the people are uneducated and go out of their hometowns and villages in search of jobs. So, what happens is that most of the women labourers are exploited. The labourers from the tribal community do not speak much against their exploitation and they have tolerant behaviours towards their contractors. So, female labourers must make sexual relations with the contractors to get daily jobs and eventually they choose sex work as their profession. Because it’s better to earn money doing sex works instead of providing sexual satisfactions to the contractors for free. When we talk to sex workers of younger generation like students studying in the city of Ranchi, they inform that they are given very little amount of pocket money from the family and to survive in the city they join the sex work profession. In some cases, students from the family of low income when they see their rich friends throwing grand parties, there is a kind of peer pressure that compels them to join this profession.”*

Drawing from *Alka*’s discussion, it could be argued that the uneducated/semi-literate, non-Hindu, migrant, young and part-time commercial FSWs and FSW activists are more marginalized and vulnerable. This is because, compared to their peers, they are (i) not mothers who are forced to adopt the profession and sacrifice their dignity for their children, (ii) not involved in the business full time, and are seen as more privileged (by the full-time commercial FSWs and FSW activists), as they are not solely dependent on the business for survival, (iii) non-Hindu and thus, not part of the long proud lineage of Hindu FSWs, and (iv) not involved actively in the movement or supporting the model. FSWs and FSW activists such as *Alka* are then placed at the far bottom of the whorearchy scale (McClintock 1991, Devine 2010) and suffer added discrimination from other commercial FSWs and FSW activists, advocates, representatives of sex work NGOs, and the state system (also discussed in Hooks 2000). Such divisions and practices of intra-community discrimination compromise the bottom-up, localized ideals of ‘sisterhood’ and ‘strength in collectivity’ that the community strongly advocates. These internal hierarchies also facilitate broader structures of oppression. Patriarchal men in power and state institutions can deploy systematic stigma (Goffman 1963)

and structured violence (Galtung 1990, Anglin 2010) with little resistance, as the community is perceived as divided, weak, immoral, and devoid of rights or recognition: a perception often validated and reinforced by dominant community members themselves (Clough and Millett 1994, Singh 2007, McGarry and FitzGerald 2017).

Over time, these fragmented and discriminatory practices become normalized, extending state-sanctioned violence across the community. Drawing on Krusi et.al (2016), this process invisibilizes structural harms, encouraging FSWs to internalize blame and responsibility, fostering a sense of undeservingness and compelling them to accept these conditions as natural. Such internalization complicates the capacity of FSWs and FSW activists to frame sex work purely as professional labour or service, heightening emotional investment in their work and reinforcing the interweaving of survival, identity, and care in their practices: a theme explored further in Chapters 8 and 9. Taken together, these intersecting hierarchies of community stigma, state-sanctioned violence, and internalized blame create a complex terrain of marginalization that demands a deeper analysis of how structural, cultural, and epistemic violences converge to shape the lived experiences and agency of FSWs and FSW activists (also discussed in O'Neill 2013).

Collins (2017) helps sharpen this observation by situating *Alka's* marginalisation within the epistemological and political project of intersectionality. Her account illustrates how race, religion, education, class, caste, and labour status interlock to produce distinct forms of exclusion, even within a movement that ostensibly claims solidarity. Intersectionality, in this sense, becomes more than a descriptive framework. It exposes how hierarchies of legitimacy within feminist and activist spaces reproduce epistemic violence by privileging certain voices (Hindu mothers in sex work) while erasing others (such as non-Hindu, part-time, or younger women). The very narratives of 'sacrifice', 'lineage', and 'respectable activism' that validate some sex workers simultaneously mark women like *Alka* as less authentic and less politically valuable. This is precisely the kind of epistemic exclusion Collins warns against. This is because the knowledge and lived experience of the most vulnerable (such as *Alka*) are discounted in favour of dominant frameworks that uphold respectability politics. By recognising intersectionality as both an analytic and a political tool, Collins pushes us to see how these intra-community hierarchies undermine the promise of collective empowerment. Instead of solidarity rooted in shared struggle, what emerges is a stratified politics of recognition, where some identities are elevated as representative and others pushed to the

margins. For *Alka*, then, the struggle is not only against patriarchal and state violence but also against the epistemic and political violence that silences her within her own community.

*Alka*'s struggle further resonates with Phipps's (2014, 2020) critique of the 'ideal victim' and respectability politics, where legitimacy is secured by centring respectable, sacrificial figures while rendering others invisible or deviant. In sex work activism, the figure of the mother forced into prostitution mirrors the 'ideal victim' of carceral feminism because of a narrative that enables recognition yet simultaneously produces new forms of exclusion. Grant (2014) challenges this framing by insisting that sex work must be recognised as labour, rejecting the victim-empowered binary, while O'Neill (2013) reorients analysis toward a continuum of coercion and choice that situates *Alka*'s entry within broader structures of violence and marginalisation. Taken together, these perspectives highlight how neoliberal and carceral logics distort feminist praxis, and why intersectional, anti-carceral approaches are necessary to centre the voices of women like *Alka*, whose lived expertise unsettles dominant narratives.

Here Roy's (2011, 2015, 2016) critique of the NGOization of radical politics also becomes vital. The divisions that place *Alka* at the bottom of the hierarchy (or whorearchy) are not simply community frictions but are exacerbated by the funder-driven, professionalised models of activism that privilege 'competent' and 'respectable' subjects over precarious ones. By framing activism in terms of managerial expertise and transnational agendas, NGOized feminism reproduces a neoliberal politics of recognition that aligns with Phipps's (2014, 2020) critique of feminism's entanglement with neoliberal and carceral regimes. As Roy (2009, 2013) reminds us, the depoliticization of feminist struggle into a professionalised service model results in melancholic anxieties, where radical possibilities are foreclosed in favour of domesticated, moderate feminist practices. *Alka*'s exclusion from the centre of movement legitimacy thus reflects not just intra-community stigma but also the structural pressures of NGOization, which depoliticises feminist praxis by privileging particular subjects as bearers of 'authentic' struggle while silencing others.

### 7.3 Conclusion:

The chapter demonstrates that while the regulatory model and NGOization impose significant constraints such as fragmenting solidarities, privileging 'ideal victim' narratives, and

professionalising feminist praxis. Indian FSWs and FSW activists continue to carve out spaces of resistance grounded in lived expertise to negotiate with the regulatory model of sex work activism. Their rearticulations of identity, agency, and collective strength expose the epistemic violence of mainstream feminist and state discourses, while also challenging neoliberal logics of governance that discipline marginalised communities. Rather than retreating from politics, FSW activism under the regulatory model embodies a re-centering of politics in the everyday, where passion, care, emotions, collectivity and survival become radical tools of feminist praxis. In doing so, it unsettles the very frameworks that seek to domesticate it, and opens up possibilities for imagining solidarities that are intersectional, messy, and transformative.

## Chapter 8: The Social Experiences of Police Violence and Enforcement

### 8.1 Introduction:

This chapter explores the social experiences of police violence and enforcement as they shape the everyday lives of FSWs and FSW activists in Delhi, India. Building on the extensive documentation of abuse, it presents a stark picture of systemic structural violence that includes verbal and physical assault, custodial torture, bribery, sexual coercion, and even custodial deaths. These lived experiences stand in sharp contrast to the constitutional protections guaranteed under Article 21 and to judicial pronouncements that have occasionally acknowledged sex worker's rights. The chapter situates this contradiction within the broader socio-political context. Entrenched in corruption, ambiguities in the Immoral Traffic (Prevention) Act (ITPA), and the cultural logics of politicised Hindu nationalism, reinforce the binary between the '*sati-savitri aurat*' ideal and the '*veshya*' stigma. Drawing on feminist critiques, it shows how sex workers' rights are continually negotiated through overlapping structures of law, morality, and governance, where recognition is conditional and vulnerability is institutionalised.

At the same time, the chapter examines the limited role of NGOs and CBOs in resisting violence and advocating for rights. While collectives like SANGRAM and DMSC have achieved policy interventions and built solidarity, their work is constrained by the NGOization of activism, where struggles are refracted through donor priorities, bureaucratic accountability, and global anti-trafficking agendas. The analysis highlights the paradox of NGOs functioning both as advocates and as substitutes for a retreating state, thereby reproducing the very structural dependencies they seek to dismantle. Through case studies, and theoretical perspectives, the chapter argues that police violence cannot be seen as isolated misconduct but as a systemic outcome of intersecting logics that includes state power, patriarchal norms, neoliberal empowerment frameworks, and technocratic NGO infrastructures. The chapter, provides a critical foundation for understanding the fragile terrain on which sex workers navigate survival, agency, and rights in contemporary India.

## 8.2 Determinants of violence:

‘Raided’, published in 2018 by SANGRAM, documents the systemic police brutality and violence experienced by female sex workers (FSWs) and FSW activists in India. The report highlights that, on average, 37% of FSWs and activists are physically assaulted by the police, 51% experience verbal abuse, and 22% are coerced into paying bribes in various forms (2018:35). Similarly, an earlier submission by SANGRAM (2016) delineates the routine and institutionalized nature of police violence. FSWs and FSW activists surveyed by SANGRAM and the NNSW reported experiences of violence both during and after incarceration. Table 8.1 below presents the results of a pan-Indian survey conducted by SANGRAM of 3000 FSWs carried out in 2016:

Experience of Police Violence (Pan India survey of 3000 FSWs)		
Abusive Language	1431	50%
Beaten, Hair pulled, Beaten with belts	1011	35%
Threatened	1052	37%
Forced to bribe	569	20%

Table 8.1: FSWs and FSW activist’s experiences of police violence in India  
Source: SANGRAM and NNSW (2016:3)

Among 3,000 respondents, 1,431 (50%) reported verbal abuse, while 2,063 (72%) experienced physical and sexual assault, illegal detention, and custodial torture. Additionally, 63% testified to threats of forced sexual compliance, demands for bribes, coerced rehabilitation, public exposure of their identities, degrading custodial labour, and, in extreme cases, the coercion of their young daughters into sexual exploitation by police. The data also records instances where systemic violence escalated to custodial murder (2016:3–5). This reality starkly contrasts with the Supreme Court of India’s invocation of Article 21 to extend fundamental rights to sex workers. The gap between legal pronouncements and lived experiences, as documented by SANGRAM (2016, 2018), reflects entrenched corruption and persistent ambiguities around the socio-legal status of FSWs and their activism (Raines and Maguire 2001). A central tension lies in their dual identity: framed simultaneously as the normative *sati-savitri* woman and the stigmatized *veshya*. This contradiction challenges the ideological dominance of politicized Hindu nationalism (Mukherjee 2019, Chitnis and Wright 2007), reinforced by religious-cultural scripts such as the *Manusmriti* and *stridharma*, which prescribe rigid gender

expectations. Consequently, the state, judiciary, and public remain entangled in conflicting narratives about sex workers' moral and legal standing.

SANGRAM (2018) further observes that “High Court and Supreme Court judgments play a large role in the manner in which sex work and sex workers are viewed by lower courts and cases related to them are judged. Since the inception of the ITPA, there have been considerable and sometimes inconsistent opinions voiced by High Courts on the purpose of the Act” (2018:33). Such inconsistencies deepen confusion regarding the status of FSWs, their activism, and the rights, protections, and recognition they deserve. These shifting judicial positions perpetuate not only institutional confusion but also the conditions under which violence, discrimination, and stigma against FSWs and FSW activists are normalized (SANGRAM 2018). Roy (2011, 2016) reminds us that such contradictions cannot be reduced to a failure of policy implementation alone. They reflect the broader tensions within southern feminist struggles, which are shaped not only by patriarchal and nationalist scripts but also by dominant Eurocentric feminist discourses that universalize ‘sex work’ as victimhood. In the Indian context, the conflation of the *sati-savitri* mother and the stigmatized *veshya* reproduces precisely the ‘methodological nationalism’ that Roy critiques. Women’s subjectivities are read through rigid, state-sanctioned categories that obscure their intersectional realities. In practice, this results in a situation where rights are granted conditionally, while precarity remains embedded in the very structures that claim to empower.

Roy (2017) further cautions that discourses of empowerment, while appearing to expand women’s agency, can also create new dependencies. This tension is evident in the ‘rehabilitation’ measures imposed upon FSWs and FSW activists, where empowerment is framed as rescue from sex work rather than recognition of labour rights or bodily autonomy (discussed further in Section 8.2 (b), (c) and 8.3). Such interventions often channel women into other precarious, poorly paid forms of work, or reinforce their vulnerability through custodial coercion. What is produced here is not liberation but a cycle of conditional empowerment, where dependence on state and NGO mechanisms deepens rather than alleviates precarity. The centrality of SANGRAM in documenting and responding to these abuses highlights another dimension of this paradox. As Cornish (2006) argues, NGOs frequently fill the gaps left by the retreat of the welfare state. In the absence of consistent state accountability, NGOs such as SANGRAM take on the role of welfare provider, advocate, and watchdog, often becoming the primary sites through which sex workers access support. This substitution, however,

underscores the abdication of state responsibility. The very state that enacts violence against sex workers simultaneously displaces its protective obligations onto non-state actors. The reliance on NGO infrastructures thereby normalizes a fragmented welfare regime, where access to rights is mediated by organisational presence and capacity rather than guaranteed by citizenship.

Lang's (2012) critique of NGOization sharpens this insight by pointing to how the professionalization and bureaucratization of activism risks reproducing the inequalities it seeks to challenge. SANGRAM's reports, while indispensable in exposing systemic violence, must operate within institutional logics that prioritize measurable outcomes and state bureaucratic accountability. The translation of everyday experiences of abuse, such as illegal detention, sexual coercion, custodial torture, into statistical categories and legal submissions exemplifies this double bind. On the one hand, such data legitimises claims to rights within the judicial and policy spheres and on the other, it risks depoliticizing the structural critique by framing violence as an issue of irregular implementation rather than as a constitutive feature of governance. In this sense, NGOization reflects and reproduces global hierarchies of power, as local struggles for recognition are refracted through transnational agendas, donor priorities, and bureaucratic forms of advocacy. Taken together, these dynamics illustrate that the gap between legal recognition and lived reality is not a temporary misalignment but a systemic outcome of intersecting logics. Patriarchal and nationalist moral orders, neoliberal frameworks of empowerment that deepen precarity, and NGOized activism that simultaneously sustains and constrains resistance are few such examples. The findings therefore, suggest that the rights of FSWs and FSW activists are continuously negotiated in spaces marked by state violence, juridical ambiguity, and globalised NGO infrastructures, producing a fragile terrain where protection, precarity, and dependence are inseparably entangled.

#### 8.2 (a) Limited power of the NGOs and CBOs:

It would, however, be inaccurate to assume that the FSW activists, advocates, and representatives of sex work NGOs are not attempting to address such structural (as discussed by Phipps 2009, 2014, 2017, 2020, Collins 2017) gendered violence (see Sutherland 2004, Farmer 2004, Ryan and McGarry 2022) or to voice their concerns against the central government. Following Kabeer's (1994, 2001, 2004) framework of resources, agency, and

achievements, the mobilisation of sex worker collectives demonstrates how access to both material and symbolic resources (from government bureaucratic interventions to grassroots solidarity) enables sex workers to exercise agency in contesting institutional discrimination. Their achievements, such as the amendments to the Anti-Trafficking Bill of 2018, illustrate the transformation of collective struggles into tangible policy outcomes. The DMSC, in particular, exemplifies this process by building collective capacity, asserting agency against state violence, and reframing sex work as labour rather than exploitation.

The socialist democratic model embedded in the Indian Constitution institutionalises the separation of powers between the Judiciary, Legislative, and Executive (Article 50). This formal separation allows NGOs and CBOs, even when partially reliant on state funding, to retain autonomy and to challenge state-driven regulatory mechanisms (Prime Legal 2023). However, as Chatterjee (2012) notes in his theorisation of political society, the space of political action available to marginalised groups such as sex workers often lies outside the formal, rights-bearing domain of ‘civil society’. Instead, their claims-making practices operate within zones of illegality wherein, sex workers strategically use their socially stigmatised and legally ambiguous position to negotiate recognition, welfare, and protection. Thus, the activism practised, are situated in a contradictory political space, which is constrained by the law but simultaneously empowered by the collective agency that illegality makes visible (also discussed in Scoular and O’Neil 2007, Lang 2012, Roy 2011, 2016).

Far from being passive, the representatives of NGOs such as SANGRAM (2016, 2018) stress that they actively critique exclusionary state frameworks and articulate the lived realities and needs of FSWs at the policy level. This is particularly significant in light of Jayashree’s (2004) analysis that legal regulation itself constitutes violence, as laws against sex work often reproduce stigma and criminalise women’s livelihoods rather than offering protection. By framing sex work within a rights-based discourse (as discussed in Truong 1990, Fraser 2007, 2009, Grant 2014), organisations such as the NNSW and AINSW routinely challenge regulatory violence and reshape the normative assumptions underpinning anti-trafficking laws. This intersection of theory and policy is evident in the amendment of the 2018 Anti-Trafficking Bill. Initially, the Bill conflated sex work with trafficking, rendering sex workers as victims devoid of agency. Through sustained mobilisation, a collectively articulated identity (Roy 2011, 2015) and a rights-based regulatory framework (Mehrotra 1997, Bhattacharjya et.al 2015, Swendeman et.al 2015, Azhar et.al 2020) challenged this conflation, successfully

differentiating consensual sex work from trafficking. This victory was not only a policy achievement but also a theoretical affirmation of Kabeer's notion that agency, when organised collectively, can reshape institutional norms, of Chatterjee's claim that illegality itself becomes a political resource, and of Jayashree's insight that confronting regulatory violence requires rethinking the very foundations of law. In a tweet posted by NNSW and AINSW (15 July 2021), states that:

*“A coalition of lawyers, human rights activists have been voicing their strong protest over the Trafficking of Persons (Prevention, Care and Rehabilitation) Bill 2021 slated to be introduced in the upcoming sessions of the Parliament. The bill to prevent & counter trafficking in persons, provide for care, protection and rehabilitation, & respect rights, create supportive legal, economic and social environment'-broad definitions, draconian investigation process, penal provisions defeat its purpose. Problem with the current bill is it ends up criminalising vulnerable individuals in the absence of comprehensive policies, programmes & measures that address factors that makes persons vulnerable to trafficking-Coalition for an Inclusive Approach on the Anti-Trafficking Bill. Prof Babu Mathew also flagged the unnecessary inclusion of the death penalty, stringent bail provisions and denying the accused the right to anticipatory bail as violative of fundamental rights of the Constitution.”*

Representatives of sex work NGOs expressed strong dissatisfaction with the Anti-Trafficking Bill (2018) both on social media (e.g. X) and in street protests across Delhi, presenting a unified front of resistance. This collective mobilization reflects Tarachand's (1991) and Rana et.al's (2020) arguments on the sex work community's ability to harness political power through collective identity, action (Roy 2011, 2015), and sisterhood (Clothey 2006, Sarode 2015, Singh 2021, Kumar 2024). Drawing on this agency, activists, advocates, and representatives of sex work NGOs and CBOs asserted that the Bill undermined a rights-based approach and demanded its amendment. Their sustained efforts compelled judicial intervention, preventing the Bill from becoming an Act, and prompted calls for Parliament to incorporate the perspectives of FSWs and their advocates in revisions. The confidence gained through this process inspired representatives of the regulatory model to adopt the slogan *“Nothing About Us Without Us”* in 2021, demanding the inclusion of FSWs and FSW activists in central government policymaking on sex work and sex work activism (SANGRAM and VAMP 2018, NNSW 2019).

## 8.2 (b) NGO’s limited resistance against the government rehabilitation (*Ujjawala*) scheme:

The FSWs and FSW activists, advocates and representatives of the regulatory model, however, failed to resist the implementation of the *Ujjawala* Scheme (government rehabilitation scheme) of 2019 introduced by the Ministry of Women and Child Development (MWCD). Through Raided they reported that “*the absence of a definition of ‘trafficking in persons’ in the statute books was creating confusion on what exactly was being legislated, regulated or criminalized. It was observed that the legislation had been reduced to dealing with prostitution*” (SANGRAM 2018:22). They further registered their dissatisfaction by stating that, majority of rescued and rehabilitated FSWs were voluntary adult workers. For example, in the Kolhapur-Mumbai raid in 2017, 51 women were picked up in one instance. The average age of those raided women was 34 years (with a minimum age of 25 and maximum of 52 years). 79% of those women stated that at the time of the raid, they were voluntarily in sex work and did not want to be rescued. But 193 women were forcibly raided, rescued and incarcerated (2018:xxii). Raided (SANGRAM 2018) also highlights the impact of forced rehabilitation through the following table:

Current Status	Total
Returned to sex work after release	168
Left sex work after release from rescue home	8
Died in custody	1
Non-traceable after release from rescue homes	18
Ran away from rescue homes	1
Sent back to their families	22
Grand total	218

Table 8.2: Status of incarcerated women after release  
Source: SANGRAM (2018:56)

Contemporary sex work advocates such as Kotiswaran, Pai, Sehu, Murthy, and Bhattacharjya continue to press the government to revise trafficking and rehabilitation policies outlined in Sections 13, 14, 15, 17, and 19 of the ITPA (1956) and the Anti-Trafficking Bill (2018). Yet, shaped by identity politics (Basu 1995, Oommen 2004), corruption, and politicised Hinduism (Mukherjee 2019, Chitnis and Wright 2007), government approaches to trafficking, raid, rescue, and rehabilitation remain deeply problematic. Even though the Supreme Court has

recognised sex worker's rights under Article 21 of the Constitution (NNSW 2019, WINS et.al 2020), the government remains reluctant to amend policies or align sex worker's rights with broader human, labour, and women's rights. Kotiswaran (2008) attributes this reluctance to the legal pluralist dynamics of Kolkata's *Sonagachi* sex industry and the structurally biased framework of the ITPA. Kotiswaran argues that the state's hesitation stems less from political conservatism than from structural biases embedded in the ITPA, which encodes a moralist assumption that women in sex work are victims requiring rescue. Consequently, its provisions (Sections 13–19) institutionalise raids, rescues, and forced rehabilitation while foreclosing recognition of sex work as labour. This structural bias explains why, despite judicial recognition of sex worker's rights under Article 21, the legislative framework resists human rights and labour rights claims.

Her legal pluralist analysis of *Sonagachi* highlights an alternative. The DMSC and allied groups in Kolkata have developed peer-led health interventions, community-based justice mechanisms, and collective bargaining systems that regulate sex work outside state law. These plural practices challenge ITPA's monopoly by embedding sex work in frameworks of autonomy, identity, and rights. Yet, because they unsettle the punitive rescue-rehabilitation paradigm, the state often renders them invisible or illegitimate. Importantly, ITPA's persistence cannot be explained solely domestically. India's reluctance to reform reflects global pressures, notably the U.S. State Department's Trafficking in Persons (TIP) Report, which links Palermo Protocol compliance to aid and diplomatic capital. To avoid censure, India has strong incentives to maintain punitive, abolitionist-leaning frameworks, even at the expense of sex worker's rights. International donors also privilege 'raid and rescue' models, reinforcing ITPA's structural bias within humanitarian governance (Sanders et.al 2017). This global-local nexus underscores Kotiswaran's point. ITPA's structural bias is part of a transnational moral and legal order conflating trafficking with sex work. By aligning with abolitionist discourse, the Indian state sustains a system that criminalises and marginalises sex workers, even as local legal pluralism (such as *Sonagachi*) demonstrates viable rights-based alternatives. The government's hesitation thus reflects a triple bind. It includes ITPA's structural-moral assumptions, domestic identity politics and Hindu nationalism, and global anti-trafficking pressures. Kotiswaran's dual focus on pluralism and structural bias shows how these forces intersect to reproduce FSW's and FSW activist's exclusion despite evidence of alternative governance rooted in rights and dignity.

## 8.2 (c) Politicization of rehabilitation centres (*Swadhar Greh/Griha*):

Kotiswaran's (2008) substantive bias being present in ITPA when the police do not recognise the FSWs to be victims of capitalist patriarchal economies, was apparent in *Lakshmi's* (name changed, 43-year-old Hindu social worker in AINSW) explanation behind the significance of *Swadhar Greh/Griha* in Delhi as:

*“In this changing world the need for providing shelter for women and girls from disadvantageous situations is being increasingly realized. The changing pattern of life, the rapid urbanization and industrialization and the resulting migration from rural to urban areas; the spread of education among women and the resulting problems of adjustment for the first generation literates; the rising cost of living and the need for women members of the family to make an independent earning creates innumerable problems which many of the women and girls do not find themselves adequately equipped to face. The break-up of social institutions like the joint family contributes considerably in creating problems of adjustment for women and young girls. Cases of marital conflict and emotional disturbances are occurring in increasing trend. They require help and guidance to regain confidence to meet such situations and acquire skills to become self-reliant and to develop relationships with people that could help in the re-establishment of their status in society.”*

*Lakshmi's* endorsement of the rehabilitation centre's ability to respond to the changing social and economic needs of FSWs (referred to as inmates during the interview) exemplifies the unconscious practice of substantive bias. By construing FSWs as lacking the competence to navigate urban-industrial life, she reproduces infantilising assumptions when she argues that rehabilitation centres are necessary to provide them with the skills and knowledge required for survival skills presumed absent in their existing practices (a presumption critiqued by Goffman 1963, Dutta 2019). Such a framing resonates with Sanders et.al (2017), who contend that the rescue industry imposes homogenising victim narratives that erase FSW's agency. In doing so, *Lakshmi's* position not only obscures the diverse and adaptive strategies FSWs already employ but also legitimises a paternalistic system of control in which state and NGO interventions reassert authority over women's bodies, choices, and livelihoods.

Rather than viewing FSWs and FSW activists as victims of capitalist-patriarchal abuse, *Lakshmi* frames them as products of collapsing traditional (predominantly Hindu) familial

norms. This perspective echoes the principles of the *Manusmriti* (Mukherjee 1978) and politicised Hinduism (Mukherjee 2019, Bose 2010), which promote the domination of an ‘ideal Hindu woman’ (Sharma 1994, Bose 2020, Singh 2021, Kumar 2024). By privileging the joint family, marriage, and domesticity, *Lakshmi*’s expectations reproduce both politicised Hinduism and the abolitionist perspective (Cunha 1992, Millett 2000). Women who deviate from the ‘ideal Hindu woman’ model are then cast as disruptive outliers, requiring regulation through institutionalised disciplinary practices (Sharma 1994, Raines and Maguire 2001) to preserve social harmony. Shelter homes become central to this regulatory project, compelling ‘inmates’ (Muralidhar 2004) to abandon sex work, embrace domesticity, and conform to the *sati-savitri aurat* ideal (Bose 2020, Singh 2021).

This trajectory reflects what Sanders et.al (2017) identify as the rescue industry’s reliance on homogenising victim narratives, which not only erase FSWs and FSW activist’s agency but also legitimise paternalistic interventions that conflate care with control. Roy’s (2004) analysis deepens this critique by situating such disciplinary anxieties within the institutionalisation and professionalisation of feminism itself. As she argues, the transformation of feminism into a bureaucratised profession that is sustained through NGO and state structures, and has enabled a depoliticised practice of ‘feminism as career’, rather than as radical politics. This professionalisation has curtailed the autonomy of women and sex work movements, foreclosed new modes of feminist thought, and entrenched caste-and religion based cleavages that are strategically mobilised by an increasingly aggressive Hindu nationalism (Roy 2004, 2016, 2019). The current NGOization represents not merely a dilution of feminist praxis but its reconfiguration into a technocratic apparatus of governance, standing in stark contrast to the radical, spontaneous, and collective mobilisations of the past, while producing younger feminists and activists as apolitical, careerist, and individualised subjects complicit in the reproduction of institutional power.

8.2 (d) Politicized rehabilitation narrowing NGO opposition and romanticizing the regulatory model:

The depoliticization and professionalisation of feminist practice within this NGOized framework not only reconfigures activism into a form of bureaucratic compliance but also normalises substantive biases. A dynamic evident in Kotiswaran’s (2008) observation that FSW activists, advocates, and representatives of sex work NGOs and CBOs often expressed

contentment with the assistance and support provided by the Government. More so, during the tough times of Covid-19 when the Supreme Court of India recognised sex worker's right to life with dignity under Article 21 of the Indian Constitution (as mentioned in SANGRAM and NNSW 2016, NNSW 2019). Following this legal recognition, the sex workers and activists were provided with Government Identity (*Aadhar*) cards, free ration, mobile and free health services, awareness about Covid-19 measures to protect oneself and steps to undertake in case of infection (discussed in Pai et.al 2022). *Meena* (name changed) a 52-year-old Hindu female educator from NNSW praises the government's assistance during Covid-19 as:

*“We were all so happy with the services and assistance provided by the government. They looked after us quite well. It was because of them, the Supreme Court recognised our rights as human rights and it's because of their support and push we got our Aadhar cards, we got free food, water, clothes, medicines, supplies and everything. We would have literally died without their support. All of us were very happy. All the FSWs were also very happy. They were able to feed themselves and their children and family. I think the government is now slowly recognising our contributions and are accepting us as a part of the community. I think, no I am confident that if the government keeps on supporting us, we would be able to soon remove all negativity and violence against the business. This support will also help us fight against ridiculous laws and challenge the court. All we need to do is stay untied.”*

Despite *Meena's* positive assessment, her account romanticises the regulatory model of sex work activism, portraying the community as uniformly happy and content. Drawing on Cornish (2006) and Kotiswaran (2011, 2017, 2018), I argue that her uncritical support for the ruling BJP is detrimental to both the community and the broader movement. First, it excludes FSWs and activists unaffiliated with NGOs or CBOs and those who do not conform to the regulatory model. Second, such uncritical alignment with a far-right party (Singh 2007) reinforces abolitionist perspectives on sex work (Cunha 1992, Dutta 2019) and consolidates politicised Hinduism within the regulatory framework (Mukherjee 2019). Phipps's (2014) analysis of respectability bias offers a critical lens for understanding *Meena's* stance. By aligning with state power and NGOized activism, her account reproduces class-based hierarchies that privilege the 'respectable' or 'deserving' victim, while marginalising those deemed deviant or non-conforming. In the Indian context, this logic is mirrored in state-sanctioned rescue and rehabilitation policies, which reinforce the binary between the *sati-savitri aurat* (the ideal Hindu woman) and the *veshya* (the sex worker) of the *Manusmriti* (Mukherjee 2019, Singh

2021). Such respectability politics not only invisibilises FSWs and FSW activists outside NGO and CBO structures but also deepens existing hierarchies of caste, class, and religion, echoing Ryan and McGarry's (2022) argument that migrant women face double marginalisation and Phipps's (2009, 2017, 2020) account of racialised victim hierarchies in global sexual violence discourses. In this way, *Meena's* celebratory narrative exemplifies how respectability bias operates to legitimise the regulatory model while erasing the intersectional vulnerabilities of FSWs and FSW activists (also discussed in Collins 2017).

#### 8.2 (e) Increasing influence of right-wing radical ideology:

This erasure is not neutral but functions as a moral justification for disciplining FSWs and FSW activists, as respectability bias dovetails with the cultural logics of politicised Hinduism, (see Mukherjee 2019, Chitnis and Wright 2007) providing the ideological ground on which the regulatory model operates and legitimising state and NGO authority over women's bodies, labour, and sexuality (see Basu 1995, Roy 2011, 2015, 2016) while complicating the community's relationship with the police and the law. This is because the relationship the FSWs and activists, advocates and representatives of sex work NGOs share with the police, the government and the Indian legal system (before incarceration) is directly proportional to the political power and recognition of the NGO they were associated with (as argued by Vanwesenbeeck's 2013). Drawing from Kabeer (2001), it also meant that the level and type of systematic structural violence (Phipps 2009, 2014, 2017, 2020) that the FSW activists and the advocates experience while communicating with the police and the government is also directly proportional to the political power and recognition the NGO they were associated with (also explained in Chapter 7, Section 7.4 and discussed by Collins 2017). This complicated relationship is vividly described through the narrative shared by a 42-year-old retired FSW activist from AINSW called *Nita* (name changed). She is currently involved in educating the sex workers, on their legal rights and outlines a diverse account of policing standards. She argues that there are completely varied approaches encountered by FSWs, FSW activists and advocates while practicing the regulatory model as:

*“The relationship with the police is neither stranded nor uniform. The police are confused a lot. Sometimes they are friendly. Sometimes they are don't ask, don't tell kind of, you know. Then there are few other police who say, 'look we are police. We are here to raid, resist with*

*you and this is what the law says and we are here to advise you for rehabilitation. So listen to us. Whatever we say. You are bound to listen, we are here to advise you.’ You know, that is the kind of role they take up. There are few other police, for whom it is very difficult to comprehend what sex work is. So they would never like to listen or they would never touch up on all the real issues. But sometimes, same people they would listen to you when you talk to them at the police station. Then the moment you go back, they are back to square one. Beating women, you know, trying to grab them, taking free money, free sex, all these things, they are doing the same thing. Then there are few other police who really think that they want to be safe. They will be safe in the eyes of their superior, ‘look he is a good cop’. At the same time there were few commissioners who were able to understand these things like K.S is an IAS officer who is heading the Women’s Welfare Department. She was able to help us a lot and actually listened to what we had to say and sort out our problems.”*

Others like *Beera* (introduced in Chapter 7), argue that:

*“Good relations with the police. Provide them training regarding the legal rights, mental health and events related to sex work and sex workers.”*

The differing experiences of *Nita* and *Beera* underscore Kabeer’s (2001) and Vanwesenbeeck’s (2013) emphasis on analysing women’s entry into sex work, their intersectional backgrounds, and the power of the NGOs they are affiliated with. This framework helps theorise the violence, stigma, and discrimination faced prior to incarceration (see Section 6.3). Phipps’s (2014) concept of respectability bias, where class-based narratives of sexual violence privilege the ‘deserving victim’ while marginalising those deemed deviant, is particularly useful for interrogating Indian sex work politics. Respectability bias elevates some women, such as *Neeta* and *Beera*, while delegitimising FSWs and FSW activists whose sexuality, labour, or status fall outside moral respectability and NGOized frameworks. The dynamic presented by *Nita* and *Beera* resonates with Collins’s (2017) framing of intersectionality as both an epistemological and political tool. Mainstream feminist and policy discourses often enact epistemic violence by erasing caste, class, religion, and sexuality, thereby universalising a narrow, upper-caste, middle-class category of ‘woman’. Such erasure grants dominant groups representational authority, speaking for subaltern women (including FSWs) while rendering their lived realities unintelligible within official narratives of protection and empowerment. In the Indian regulatory context, these intersecting processes show how politicised Hinduism

reproduces the binary between the *sati-savitri aurat* (ideal Hindu woman) and the *veshya* (FSW) (Mukherjee 2019, Singh 2021), through state rescue and rehabilitation policies. Respectability bias and epistemic violence converge here to legitimise homogenising victim narratives (Sanders et.al 2017), privileging those who conform to victimhood while disciplining those who resist. As a result, NGOized activism becomes complicit in reproducing caste, class, gender, and religious hierarchies, consolidating state and NGO authority under the guise of care and protection.

In the context of *Nita* and *Beera* too, it becomes essential to view the contemporary sex work movement in India as a multifaceted entity (Roy 2020). If the sex work movement is not understood in all its complexity, the radical abolitionist ideology gains strength, and the binary between the ‘good woman’ (the ideal Hindu woman), and the ‘bad woman’ who is undeserving of rights and empathy as an anonymous, dirty woman (Dworkin 1993, 2003, O’Connell 1999), is further entrenched. This divide, already reinforced by the respectability bias (Phipps 2014) and the epistemic violence of mainstream feminism (Collins 2017), compounds the stigma faced by FSWs, and FSW activists whose dual identity as both women and sex workers places them at a heightened intersection of marginalisation. O’Neill’s (2013) framework of a continuum of coercion and choice offers a critical lens here. It challenges simplistic binaries of forced versus voluntary sex work by situating FSWs and FSW activist’s experiences within broader structures of economic, social, and cultural constraint. Under this lens, the very construction of ‘good’ and ‘bad’ women constitutes a form of structural violence, as it obscures the nuanced realities of women’s constrained choices and reifies hierarchies of moral worth. Moreover, the stigma produced by this binary, sustains systemic inequalities by legitimising coercive state and NGO interventions under the guise of protection, while simultaneously denying FSWs recognition as rights-bearing subjects. Seen through O’Neill’s structural violence approach, the growing divide between ‘good’ and ‘bad’ women is not merely ideological but materially harmful. It exacerbates vulnerabilities, limits access to justice and healthcare, and deepens the precarity of those who resist incorporation into the regulatory model.

This dynamic is intensified by police and legal officials (Pai et.al 2013, 2018, Seshu and Pai 2014, Ryan and McGarry 2022), whose actions often reflect Kotiswaran’s (2008) procedural bias. Despite the Indian Constitution’s length (GOI 2021) and frequent claims of legal familiarity, officers often lack substantive understanding of its provisions. Combined with the

attribution of an ‘impure/dirty moral’ status to the community, this epistemic gap allows police to bypass procedural safeguards, neglect proper communication, and deny assistance (NNSW 2019). The consequences are structural as well as administrative, which included prolonged exposure to gendered violence and stigma (Sutherland 2004, Farmer 2004, Ryan and McGarry 2022) becomes internalised, fostering self-blame and self-surveillance within the community (Cornish 2006, Kurtz et.al 2008, Anglin 1998, Queen 2013, Walker 2015). Such internalization reflects what O’Neill (2013) terms the continuum of coercion and choice, where structural violence narrows the conditions of agency to the point that stigma is accepted as inevitable. In this process, the perpetrator (the police), effectively becomes invisible, while the community absorbs responsibility for its own marginalisation, naturalising violence as an unalterable feature of everyday life (Krusi et.al 2016).

#### 8.2 (f) NGO’s failure to separate trafficking from sex work:

When the state sanctioned structural (O’Neill 2013) gendered violence and stigma (see Sutherland 2004, Farmer 2004, Ryan and McGarry 2022) is accepted as ‘natural’, the regulatory model fails to protect its voluntary sex workers, identify the real trafficked victims and mark a separation between forced illegal trafficking and voluntary commercial sex work. Viewed through O’Neill’s (2013) continuum of coercion and choice, this failure is symptomatic of a deeper structural violence. By collapsing diverse lived realities into reductive binaries of ‘victim’ or ‘criminal’, the state and its allied institutions obscure the structural constraints that shape women’s choices while simultaneously legitimising coercive interventions. Roy (2017) further demonstrates how NGOs, operating as a shadow state, exacerbate this dynamic by policing, shaming, and punishing poor women under the guise of protection and empowerment. Such feminist governmentalities transform sex work governance into a disciplinary project, where incarceration, shaming, victimisation, and infantilisation become routine strategies of control. In this way, both the state and NGOized feminism reinforce the conflation of sex work with trafficking, sustaining a regime in which structural violence is naturalised, agency is denied, and the bodies of marginalised women become sites of moral regulation and political control. *Vani* (name changed), a 53-year-old volunteer counsellor from Kat-Katha who has dedicated twelve years of her life to identifying and rescuing trafficked children in Delhi discusses the attempts made by her and her colleagues as:

*“you see, there are two situations. One is her own willingness to be in sex work. The other one, is when she is forced to oblige for sex for someone against her wish. We tried to give these scenarios to the government. We don’t understand why the government is not able to see these two things differently. When a girl is with us, with sex worker’s organisation, she learns, she gets a lot of knowledge. Meaning she is able to differentiate between what is forced what is voluntary. But when we put forth these issues to the government saying, ‘Yes, trafficking is by force. You have to condemn trafficking. We all know that it’s a heinous crime. Let us deal it with separately.’ Trafficking and sex work as two different things. If they understand this, they will be saving a lot of women. This distinction, the government or the society is not willing to understand. One is freedom, choice and the other is forced.”*

In contrast to Doezema’s (1998) problematic distinction between voluntary and forced sex work, FSW activists like *Vani* emphasise that separating voluntary sex work from illegal trafficking is essential to legitimising the profession, reducing stigma and violence, and supporting rights-based regulatory activism. Drawing on experiences from New South Wales (1996), *Vani* and colleagues highlight that fostering collective identity and sisterhood among FSWs and activists, and involving them in identifying genuine trafficking victims, can mitigate victimisation and overt stigma (Bos et.al 2013, Davis 2017). I contend, however, that these strategies are insufficient to dismantle dominant stigma. Following Goffman (1963) and Pryor and Reeder’s (2011) four manifestations, conflating trafficking with sex work reflects the longstanding burden placed on the community to regulate HIV/AIDS (Buzdugan et.al 2009, Suryawanshi et.al 2016). Resonating with Tyler’s (2015) concept of ‘stigma power’, this conflation represents state-sanctioned stigma production, weaponised for political ends through BJP mobilisation of politicised Hinduism (Mukherjee 2019, Chitnis and Wright 2007) and anti-colonial sentiment for vote-bank politics. A sharper engagement with the stigma complex (Bos et.al 2013) is required to examine how government-regulated stigma and state-generated violence (Wacquant 2008) shape FSW’s and FSW activists’ experiences, particularly when criminalised as ‘illegally trafficked victims’. Placing this within O’Neill’s (2013) continuum of coercion and choice reveals how the regulatory model obscures structural constraints, collapses complex realities into reductive binaries, reproduces structural violence, narrows agency, reinforces stigma, and legitimises state and NGO interventions that discipline rather than protect FSWs and FSW activists.

## 8.2 (g) Limited dissemination of legal knowledge by the NGOs:

Structural violence is then deepened not merely by the absence of effective knowledge dissemination policies, but by the reproduction of epistemic violence through dominant knowledge systems that silence, erase, and misrepresent the lived realities of FSWs. As Collins (2017) argues, the domestication of intersectionality within mainstream academia and policy strips it of its radical, activist roots and blunts its critique of power, thereby legitimising regulatory frameworks that privilege respectability and reinforce stigma. In the Indian context, (through FSW activists such as *Vani*), this epistemic violence is mirrored in the NGOization process. As Roy (2017) highlights, such practises of NGOization transforms feminist praxis into a technocratic profession that polices and disciplines poor women while claiming to act in their interests. By producing homogenised and ‘acceptable’ narratives of FSWs and FSW activists as either rescued victims or rehabilitated subjects, NGOs effectively co-opt intersectionality into managerial logics, erasing the intersectional vulnerabilities of those who fall outside these frames. In this way, the failure to centre intersectional knowledge is not simply a policy gap but an active form of epistemic and structural violence that sustains the conflation of trafficking with sex work, legitimises the disciplining of FSWs as ‘illegitimate’ or ‘dirty’ women, and ultimately aligns with the logics of politicised Hinduism that underpin the regulatory model.

Contrary to the principles and strategies discussed in Chapters 6 and 7, the advocates and representatives of various NGOs and CBOs practicing the regulatory model, despite their best efforts, are unable to adequately educate FSWs and FSW activists about their legal rights or protect them from police violence, a failure that reflects both procedural and substantive bias (Kotiswaran 2008). This inability to intervene effectively underscores how structural and epistemic violence intersect. The regulatory apparatus, framed as protective, continues to reproduce vulnerability, silencing, and moral hierarchies even while claiming to empower the very communities it governs. *Shrishti* (name changed), a 45-year-old practicing lawyer and volunteer activist in NNSW talks about the misuse of the prevailing ambiguous law and lack of proper legal knowledge (reflecting bad faith and procedural bias, as discussed by Kotiswaran 2008) increasing the vulnerability of most FSWs and FSW activists:

*“We have heard about the ITPA but we don’t know the sections under this act. Police will tell women when they arrest them. They book them under various sections. If police catch women*

*along with their clients, women have to pay Rs 10000 (approx €12) and produce two people, to provide bail. Otherwise, they have to face 6 months imprisonment.”*

Similarly, *Drishiti* (name changed), a 33-year-old Hindu, practicing FSW activist from Kat-Katha, recounts the violence faced by her and her peers while dealing with the police as:

*“The major one that we face is that if any workers are arrested by the police, getting them rid of the arrest is really troublesome job for us. We need to struggle a lot because we have to know under what clause the arrest has been done so that we can break out them. Initially, when we started working with the administrations for the rights of sex workers, our relationship was not so good. Police behaviours were rude towards NGOs and so we did advocacy meetings in police stations with the groups of police. We made them aware of the problems of sex workers, sensitized them about their daily struggles and informed the know-how of NGOs working for sex worker rights.”*

The experiences of *Shrishti* and *Drishiti* reinforce my argument about the ineffectiveness of the regulatory model, as they validate Millett’s (1976, 2000) and Dworkin’s (1993, 2003) abolitionist claim that sex work is intrinsically violent. Despite the model’s promises (see Chapters 6 and 7), NGO advocates fail to equip FSWs and FSW activists with adequate legal knowledge or to protect them from routine police violence, forced rescues, rehabilitation, and abuse during state-facilitated raids. This indicates that all FSWs, and FSW activists regardless of affiliation, background, or reasons for entering sex work, face comparable levels of police brutality and degrading violence during and after incarceration. On the other hand, literate women aware of their rights are marginalised differently. They are marginalised primarily through delayed applications, demands for sex before filing complaints, or coercion into accepting false charges. Many are stripped of legal counsel, denied the right to defend themselves, and terrorised into silence, instructed simply to nod in court to accept guilt. Such accounts reiterate SANGRAM’s statement about the “systematic shaming of sex workers continues in court appearances, where even before any legal process begins, the women detained are treated as criminals with no right to redress” (2018:67). Drawing from Ryan and McGarry’s (2022), double invisibility concept, I argue that the systematic and structural discrimination that they suffer from stems from the confusion arising from their dual status (as an Indian Hindu mother and an Indian Hindu FSW) and the broad vagueness associated with the ITPA (1956).

Phipps's (2014, 2020) critique of carceral feminism is crucial here. Her feminist calls for justice are often framed through punitive measures such as longer sentences, increased policing, and tighter regulation of sex work. Yet, far from protecting women, such practises disproportionately harm those already marginalised, as the lived realities of FSWs and FSW activists show. Their dual status as both 'mothers' (tied to the respectability of Hindu womanhood) and '*veshyas*' (deemed impure and criminal) enables the state to discipline them with impunity, while courts and police reproduce stigma through institutional practices of silencing, humiliation, and abuse (also discussed in Ryan and McGarry 2022). Reliance on the Indian criminal justice system legitimises structural and epistemic violence, reinforcing politicised Hinduism's binary of the *sati-savitri aurat* versus the 'fallen' sex worker and embedding moral hierarchies into law. This substantiates my argument about, building on Touraine (1985), Barker et.al (2013), and Bettencourt (2023), for shifting the regulatory model toward a bottom-up, grassroots approach to sex work activism. While Millett (1973, 2000) and Bar On (1992) call for repoliticizing the sex work movement from within feminist theory, I contend, drawing on Cornish (2006) and Kotiswaran's (2011, 2018) adaptation of Chatterjee's (2012) 'political society,' that the strategies of regulatory actors are already radically politicised.

This politicisation, however, is not emancipatory but takes the form of radical NGOization (Basu 1995, Roy 2011, 2015, 2016), where NGOs operate as shadow states, disciplining FSWs through carceral, moral, and bureaucratic frameworks that reinforce rather than dismantle state power. O'Neill's (2013) continuum of coercion and choice sharpens this critique by showing how 'rescue,' 'rehabilitation,' and 'punishment' collapse into overlapping forms of structural violence. For FSWs, and FSW activists, being 'saved' through raids, 'rehabilitated' in state shelters, or punished through incarceration are not discrete experiences but points on a continuum that erodes agency and legitimises the disciplinary role of both state and NGOs. In this way, the regulatory model reproduces coercion under the guise of protection, institutionalising violence while denying FSWs political voice and meaningful choice (also discussed in Grant 2014, Roy 2017).

8.2 (h) Corrupt policing reinforcing institutional violence:

In this way, the regulatory model reproduces coercion under the guise of protection, institutionalizing violence through practices that deny FSWs and FSW activists both political voice and meaningful choice. This continuum of coercion is further entrenched by corrupt policing practices. Officers exploit FSW's and FSW activist's marginalized status not only to extract sexual favours and bribes but also to reinforce their authority through intimidation and procedural manipulation (also discussed in Jayashree 2004, Kotiswaran 2017, 2019). Far from being aberrations, and contrary to Ram's (2020) argument about agency being possible within NGO structures, such practices are systemic to the regulatory model itself. Corrupt policing becomes a mechanism through which stigma is weaponized, negotiation is normalized, and politicized Hindu morality is upheld by disciplining FSWs and FSW activists into compliance while erasing their agency and sustaining the very structures of violence the model claims to dismantle (Roy 2017, 2019). SANGRAM, further argues that the Indian police have forcibly incarcerated 193 'trafficked' FSWs from Kohlapur, Mumbai alone in 2018 (2018:53). Moreover, they report that, "arbitrary police action during raids, with scant respect for the rights of sex workers and those residing in the buildings deemed to be brothels was found to be common" (2018:57). Recounting extreme cases of corruption and violence practiced by police officials, *Suman* (name changed), a 36-year-old Hindu volunteer who has been working as a human rights activist for over a decade with Kat-Katha mentions that,

*"The police and the mohalla (neighbourhood) boys beat us if we didn't pay a donation during the festivals. They extort money from the customers too."*

Similarly, *Vimla* (introduced in Chapter 6) is of the view that:

*"Police personnel are the beneficiaries of this law (ITPA) because they are getting money from sex workers by misusing sections in the ITPA."*

Such continued police violence and mass stigma due to procedural and substantive bias (Kotiswaran 2008) has pushed the FSWs and FSW activists and people who are dependent on them<sup>31</sup>, to participate in the corruption in exchange for protection. For instance, *Raja* (name changed) a 49-year-old male pimp in G.B Road Delhi confesses to 'greasing the palm' of the police officials by:

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<sup>31</sup> Pimps, brothel owners, partners, children, family and others.

“Brothel owners pay regular ‘hafta’ (bribe) to the police to prevent their women from being harassed and getting picked up” (translated from Hindi).

Much like the postmodern sex radicals (Bell 1994), I argue that *Raja*’s confession, along with *Suman* and *Vimla*’s stories of violence due to corrupt policing and lack of adequate legal knowledge, challenges the right to equal protection and recognition (under Article 21 of the Indian Constitution) and Section 9 of ITPA. It also challenges the ‘strength in community/collective sisterhood leading to collective identity and action’ (as discussed by Mehrotra 1997, Chatterjee 2006, Ferree 2010) claim made by the regulatory model (see Cornish 2006) and southern feminism (see Basu 1995, Ray and Radhakrishnan 2010). Thereby, once again highlighting the strong influence of patriarchal methodological nationalism within the model (see Fernandes 2013, Roy 2016). This means that, as previously argued, both incarcerated FSWs and FSW activists experience comparable levels of violence, humiliation, shame, and stigma, none of which can be mitigated through illicit monetary transactions.

These narratives reflect what Collins (2017) identifies as epistemic violence. The silencing and erasure of marginalised voices within dominant feminist discourses. By privileging respectability and collective sisterhood as the pathway to rights, mainstream and regulatory feminist frameworks reproduce hierarchies that render the lived experiences of women like *Suman*, and *Vimla*, unintelligible or politically inconvenient. Their testimonies destabilise the idea that collective identity is inherently empowering, showing instead that when mobilization is premised on narrow, homogenising categories of ‘good’ womanhood, it produces new exclusions. Melucci (1980) and Touraine (1985) further remind us that collective identity is not a fixed resource but a contested process of meaning-making. Here, the FSW activist’s accounts reveal fractures within the imagined solidarity of the regulatory model, exposing how patriarchal nationalism and corrupt policing infiltrate and shape this collective identity.

Moreover, as Tilly (2008), Buechler (1995), and Polletta (2004) demonstrate, emotions play a central role in mobilization. The humiliation, anger, and betrayal felt by these women are not simply private experiences but potential catalysts for collective action. Yet, the regulatory model’s NGOization channels these emotions into compliance, silencing their transformative potential and reinscribing epistemic violence. In this sense, *Suman*, and *Vimla*’s, voices stand

as both a critique of state violence and of feminist frameworks that, under the guise of protection, marginalise the very groups they claim to represent. These failures expose the NGOized regulatory model not as a space of empowerment but as a technocratic apparatus that manages dissent, fragments solidarity, and ultimately reproduces the very hierarchies of power it claims to dismantle.

#### 8.2 (i) Corrupt policing as a form of structural violence:

Drawing from Bell's (1994) theoretical pluralism framework and Kotiswaran's (2008) legal pluralist approach, I argue that such cases of violence and shame due to corrupt policing and lack of adequate legal knowledge (among the FSWs and FSW activists) motivate other members of society to replicate the stigma and discrimination practiced by the Indian police. For instance, *Mousim* (name changed), a 29-year-old Muslim, practicing FSW activist in G.B Road was duped by clients online during Covid-19 lockdown. She complains that:

*“initially in the lockdown, we used to offer services online. But we realised that it carried the risk of being recorded and our videos being leaked on the internet. So we started offering services over text chats. But customers often refuse to pay. Even if it was only a fraction of what we would usually charge. Many clients refused to pay in advance for the services. Many times they would disconnect the calls and block the sex worker's account or phone number just after receiving the service virtually. Some clients also threatened to distribute our phone number to strangers who would make our life even more difficult”.*

In cases of government mandated, forced raid, rescue and rehabilitation, the police violence and corruption get further aggravated. *Deepa* (name changed), a 26-year-old Hindu practicing FSW activist from AINSW claims that:

*“We do not know where they (police) will take the rescued girls and the women. We do not know where their records are. Nobody knows where those girls go, what they do, where they work. They take a girl's belongings and say that they will send her back to her village. But where is the proof?”*

Similarly, *Deepa's* friend *Devina* (name changed), a 37-year-old Muslim active FSW activist reinforces SANGRAM's claim about "*Raid, Rescue and Rehabilitation processes only serve to accentuate the debt cycle*" (2018:79), by attesting that:

*"The raid becomes a burden due to huge amounts of debt they have taken to pay for the legal fees, fines, pay the police. On an average, the woman needs to borrow Rs 25000 (approx. €280). Then they are forced to borrow money to sustain their family while in rehabilitation centres. Since they are all personal loans, the interest rate is also as high as 15-30% per month. 85% of women came back to sex work but it is not easy. The impact of long periods of incarceration is devastating for the woman and her family and pushes them closer to destitution."*

*Deepa, Devina, and Mousim's* experiences of police violence that is driven by corruption and legal disenfranchisement, highlight how the Indian state and its law enforcement apparatus continue to infantilise sex workers and delegitimise their choices. Drawing on Queen's (2013) framework of women reinforcing stigma against themselves, I argue that this mirrors the internalisation and normalisation of structural gendered violence (Sutherland 2004, Farmer 2004, Ryan and McGarry 2022) through mechanisms of self-blame and self-policing (Anglin 1998, Queen 2013, Walker 2015). FSWs and FSW activists have come to internalise capitalist-patriarchal expectations imposed by the Indian state (Beauvoir 1970, Millett 1976, Clough and Millett 1994, Kotiswaran 2008), perceiving their labour as immoral and themselves as unworthy of dignity (Raines and Maguire 2001, Thakur and Sinha 2005, Krusi et.al 2016). This internalisation is further shaped by politicised Hindu ideologies rooted in the *Manusmriti* and *stridharma* (Chitnis and Wright 2007, Mukherjee 2019), which perpetuate caste and gender-based hierarchies. Roy (2017) further highlights how NGOs, functioning as a shadow state, police and shame poor women through forms of feminist governmentality. In the context of sex work and trafficking, these actors often reproduce carceral and moralising tactics through infantilisation, victimisation, and surveillance, which then echo state violence, rather than dismantling it. As Ryan and McGarry (2022) argue, such practices exemplify structural violence, where harm is embedded not just in institutions, but also in the norms and discourses that sustain them.

## 8.2 (j) Infantilization as a form of structural violence:

Adopting Kabeer's (2001) theoretical framework, I further attest that such state-sanctioned infantilization, embedded in institutions, social norms, and discourses, is profoundly gendered. This infantilization constructs FSWs and FSW activists as incapable of agency or rational decision-making, reducing them to passive recipients of state or NGO intervention rather than active subjects of rights and justice. By denying them epistemic authority over their own lived realities, the state and its allied institutions reproduce a form of symbolic violence that justifies continued surveillance, regulation, and punitive control under the guise of protection. Extending this critique, Roy (2017) argues that because of such precarious labor and employment, the actual subjects are increasingly forced, through punitive and carceral means, into compliance with what is presumed to be in their best interests. Poor women are policed, shamed, and punished by NGOs that function as a shadow state. Within the context of sex work and trafficking, such feminist governmentalities increasingly rely on incarceration, shaming, victimization, and infantilization tactics, thereby employing gendered, caste, and class-based violence that not only compounds but also subverts structural, state-sanctioned violence.

For instance, SANGRAM (2018) accuses the Delhi High Courts of invalidating an adult woman's consent during the government's raid, rescue and rehabilitation operation, by arguing that, "A woman who is 'rescued' as a consequence of raid and rescue operations can be handed over into the 'safe custody' of her husband or parents or guardian and this includes adult women who have consented to being in sex work. Once the magistrate is satisfied about the antecedents and 'suitability' of the husband, parents or guardians, he or she may make an order granting custody to them. In many cases such custody is accompanied with an affidavit of the woman undertaking that she will not do sex work in future. Alternately, the magistrate can also pass an order detaining the woman in a protective home for a period between one and three years for her care and protection" (2018:19-20). Similarly, *Swati* (name changed), a 28-year-old volunteer activist who has just joined NNSW after completing her graduation in Social Work from Delhi University, attests that:

*"The court requires a 30-40 year old woman to be sent into the custody of her father, mother, brother or other family member."*

Likewise, *Mila* (name changed), a 29-year-old Christian, practicing FSW activist working as an educator in NNSW seeks assistance from the police for a trafficking case, she is dismissed as:

*“ When we take an actual case of trafficking, the police does not want to help us at all, they call us pimps. They are not serious at all and instead they blame us and say that we have a hand in this.”*

The practice of infantilization portrayed through, SANGRAM, *Swati* and *Mila*'s accounts brings back the conversation about the contemporary Indian regulatory sex work movement being unable to address the gendered systematic discrimination, stigma and infantilisation that the community suffers from. Even when SANGRAM reports that “79% of the women stated that at the time of the raid they were voluntarily in sex work and had not wanted to be rescued” (2018:53), the government, the judiciary, and the advocates of the regulatory model are unable to limit the influence of politicized Hindu ideology, address the confusion surrounding an FSW's and FSW activist's dual identity as both an Indian Hindu mother and a sex worker, negotiate the systemic structural violence and stigma they encounter, or move beyond the broader southern feminist identity (see Basu 1995, Oommen 2004, Roy 2011, 2015). Contrary to Baldwin (1993), Buzdugan et.al (2009) and Vijaykumar et.al's (2018) perception of stigma, *Mila* and *Swati*'s statement highlights the gendered dimension of stigma and violence (also argued by Sutherland 2004, Farmer 2004, Ryan and McGarry 2022) taking precedence over the stigma associated with the business of sex work.

*Mila* and *Swati* are then stigmatised as women first. By identifying them as ‘vulnerable’, ‘weak’, ‘irresponsible’ and ‘needing a stable male member to support and take care of her’, the police and the Indian government are harnessing the principles of *Manusmriti* and *stridharma* (adopted by politicised Hinduism) to stigmatise and inflict violence on her. It means that the violence and stigma that she faces as a woman (the other) is added on to the violence and stigma she faces as an FSW activist (also discussed by Claggett 2023). As Collins (2017) argues, intersectionality reveals how overlapping structures of gender, caste, class, and religion compound marginalisation, but it also functions as a knowledge project that exposes epistemic violence. The infantilisation of *Swati* and *Mila* thus, demonstrates how dominant discourses erase the epistemic authority of FSWs, and FSW activists by reducing their testimonies to evidence of vulnerability rather than recognising them as political critiques. In this sense, their

accounts act as counter-knowledge, unsettling the regulatory model's reliance on patriarchal and communal logics and resisting the co-optation of intersectionality into a depoliticised framework.

### 8.3 Structural violence in the everyday lives of the FSWs and FSW activists:

The data collected during my interviews further revealed that the routine structural violence and stigma that the FSWs and FSW activists are subjected to as women and as sex workers gets further aggravated after incarceration. SANGRAM reports that, "people who are picked up from brothels during 'raid and rescue' operations are required to undergo testing for sexually transmitted infections under Section 15 (5A) of the ITPA" (2018:18). For police officials, incarcerated FSWs and FSW activists become easily stigmatised and coerced into submission, reduced to 'anonymous dirty women' (Dworkin 1993, 2003). This aligns with Anglin's (1998) account of the state's crisis, whereby women are socially and culturally marginalised through exposure to assault, rape, and other forms of violence. During and after incarceration, FSWs and FSW activists are then cast as easy 'prey'. More so when some choose not to contest wrongful arrest, and instead negotiate for quick release, while others attempt to invoke limited legal knowledge to challenge charges. Yet, structural bias in police practice of the ITPA and the regulatory model (Kotiswaran 2008) ensures that protests or questions are met with ridicule, violence, and humiliation. This bias operates more effectively when FSWs have internalised state-mandated disciplinary policies that categorise them as 'undeserving', thereby normalising violence as a condition of social stability (Cornish 2006, Krutz et.al 2008, Millett 2000). As Barry (1979, 1995) argues, such systematic victimisation, enacted through individualised coercion, produces class domination and subjugation. Consequently, FSWs and FSW activists lose their perception of 'self', continually negotiating fraught relationships with their bodies and identities under these regimes of control.

Reiterating the significance of Rubin's (1984) claim of the personal being political while discussing the experiences of violence among FSWs and FSW activists in India, it becomes evident that the continuum of violence they face cannot be separated from broader structures of gendered power. The extent of such violence ranges from verbal accusations to gang rape, sexual assault, and even murder, underscoring the systemic devaluation of their lives. It also highlights three central issues concerning the experiences of structural violence faced by FSWs

and FSW activists unaffiliated with NGOs. They include, the limitations of the ITPA and the regulatory model in addressing violence due to procedural bias (Kotiswaran 2008, 2011, 2017, 2019, Seshu and Pai 2014), the stronghold of politicised patriarchal Hinduism that marginalises all women, (Bhasin 2003, 2004, Mukherjee 2019), and the commodification of women's bodies through substantive bias (Barry 1995, Millett 2000, Kotiswaran 2008). MacKinnon's (1982) 'consciousness raising' framework is instructive here, as it shows how the gang rape and the acid threat, represent abuses of sex (the woman) compounded by the stigma of sex work (also discussed in Silverman 2011).

O'Neill's (2013) continuum of coercion and choice helps frame these experiences as embedded in broader systems of control, where coercion is not limited to direct assault but extends through institutions, law, and stigma that normalise harm. Phipps (2014) critiques on the reliance of punitive, carceral measures, such as greater policing, harsher punishments, tighter regulation, which paradoxically intensify harms for FSWs and FSW activists, by reproducing their vulnerability and denying them recognition as victims. In both instances, the trauma extended beyond the immediate violence to the degrading aftermath, where they were stripped of dignity, silenced, and left reliant on peers for rescue. Collins (2017) theorisation then underscores how such narratives expose epistemic violence. The denial of FSWs and FSW activist's authority to define their own realities and their testimonies challenge state, judicial, and NGO discourses that classify women as 'un/deserving' of protection. Yet, through processes of NGOization (Roy 2011, 2015, 2016), such counter-knowledges are often domesticated into technocratic frameworks, erasing the radical critique they contain. In this sense, such stories illuminate not only material and structural violence but also the systematic silencing of their voices within both state and feminist governance.

### 8.3 (a) Violence mitigated by the police during and after incarceration:

The failures of the regulatory model then extend beyond stigma and coercion to encompass extreme police brutality. Only when feminism is theorised as a multifaceted entity (Roy 2022) can the layered experiences of violence, stigma, discrimination, shame, and prejudice affecting all FSWs and FSW activists be fully understood. Roy's (2022) framework thus, highlights the regulatory model's inability, through its advocates, activists, and representatives, to protect FSWs from systemic violence during and after incarceration. The added vulnerability and

direct violence that FSWs and FSW activists suffer from, cements the presence of the abolitionist ideology of a ‘dirty sex worker’, as explained in the Dworkin-MacKinnon Ordinance of the 1970s and Barry’s (1979, 1995) concept of ‘female sexual slavery’. The Indian police still consider the community to be ‘dirty’, ‘immoral’, and ‘undeserving of human rights’, primarily because of their dual marginalised identity of being both women and sex workers (Robben and Nordstrom 1995, Queen 2013). As Roy (2017, 2022) argues, such layers of precarity are amplified by carceral and punitive logics, where poor women are continuously policed and punished by both state and non-state actors. This convergence of stigma, precarity, and violence becomes most visible during forced raids, where police violence is normalised under the guise of ‘rescue’ and ‘rehabilitation’, and NGO involvement frequently reinforces rather than mitigates these harms, highlighting the regulatory model’s systemic complicity.

### 8.3 (b) Violence mitigated by the police during forced raids:

Such violence and bias escalate during government-sanctioned and NGO-assisted forced raids, rescues, and rehabilitations of so-called ‘illegal trafficked’ victims. The raid process, framed as a ‘surprise,’ typically involves local junior police officials (*havaladar*), senior police officers, the press, and representatives of sex work NGOs. I quote ‘surprise’ deliberately, as the selection of homes is contingent on who is unable to bribe police officials (as identified by *Raja*). Houses that fail to ‘*grease the palm*’ are targeted, while some brothels that have paid bribes may still be raided if superiors order it. Hence, the only unpredictability lies in which house will be raided and whether it will be televised, rendering raids a coercive performance rather than a genuine rescue. Catalyst India Charitable Trust, a state-level sex work NGO in Delhi, recounts collaborating with the Delhi Police in a 2021 raid on G.B Road, using volunteer information from a mobile medical drive to identify five ‘trafficked victims.’ Of these, two were ‘rescued’ while three escaped. Despite constitutional protections under Article 21, presuming innocence until proven guilty and safeguarding the right to cover one’s face (NNSW et.al 2016), the rescued women were forced to appear before the media, their anonymity violated. This reflects a systemic disregard for FSW’s human rights, rooted in their classification as ‘undeserving’ (Robben and Nordstrom 1995, Queen 2013).

Collins (2017) here, highlights how such processes enact epistemic violence. The voices and agency of FSWs and FSW activists are erased as their lived experiences are filtered through

state and NGO narratives, reproducing hierarchical knowledge that silences marginalized groups. Phipps (2014) critique on the reliance on punitive and spectacle-driven interventions, show how framing feminist action through policing, media exposure, and legal enforcement intensifies harms for those it claims to protect. The raids thus, operate as a mechanism of structural and epistemic control, cementing stigma and coercion under the guise of rescue. The horrific account of a government raid and rescue operation, shared by *Seema* (name changed) a 38-year-old, Hindu FSW activist who has since come back to sex work sums up the trauma of forced raids as:

*“The entire process of the raid smacks of a notable disregard for the purported victims who were being rescued. Humiliation, verbal and physical abuse routinely accompanied these raids. I didn’t even have footwear on my feet, I was unwashed, they (police) forced me into a van. There was total chaos, women were trying to run-they pulled the women by their hair, pulled their sarees, some women were disrobed, some women were still in their night gown.”*

The Delhi police’s decision violates the Madras High Court ruling barring the rescue of voluntary FSWs over 18 (NNSW 2019, WINS et.al 2020), highlighting the gendered violence and stigma entrenched in state practice. It affirms Millett (1970), MacKinnon (1982), and Beauvoir’s (1970) view that women’s identities are constructed in relation to men, framing FSW’s suffering as both a sex worker and women’s issue. At the same time, it exposes the limits of southern feminist frameworks (Basu 1995, Fadaee 2016, Roy 2011, 2015, 2016, 2022) that understate the intersection of state violence and sexual regulation. The government-sanctioned humiliation, coercion, and abuse during raids (Walker 2015) further exemplify Kurtz et.al’s (2008) critique that feminist praxis often neglects how carceral state policies discipline the ‘undeserving many’. Sanders et.al (2017) further illuminate this dynamic by showing how the rescue industry imposes homogenising victim narratives that erase the agency of those targeted. In the Indian context, this translates into a systematic production of FSWs as passive victims, denying them recognition as actors capable of navigating their own lives and reinforcing the state’s paternalistic control. Much like Robben and Nordstrom (1995), I also contend here that globalised capitalism exacerbates these patterns, intensifying and rationalising, through internalisation and normalisation, modes of domination such as patriarchy and politicised Hinduism, over subordinate populations such as FSWs and FSW activists on a transnational scale. The combined effect of homogenising victim narratives,

procedural violence, and ideological subjugation situates FSWs and FSW activists within a multi-layered framework of structural, gendered, and epistemic violence.

### 8.3 (c) Violence mitigated after the police raids:

In the context of raids on G.B Road to ‘rescue trafficked victims’, I adopt Anglin’s (1998) framework of gendered structures of violence (see also Sutherland 2004, Farmer 2004, Ryan and McGarry 2022) to highlight how the naturalisation of power escalates violence and stigma after incarceration. My data reveals that once FSWs and FSW activists are detained, they confront three intersecting forms of violence. They include direct violence in the form of rape, humiliation, forced labour, sexual exploitation, and extortion by police; structural violence through a lengthy, costly, and discriminatory judicial process that strips them of income and pushes them toward predatory loans, and cultural violence, manifesting as shame and humiliation when paraded in courts, police vans, or stations, where ridicule and abuse from both officers and male detainees remain unchecked (Walker 2015).

Phipps (2014, 2020) deepens this critique by showing how trauma-led feminist frameworks construct a narrow image of the ‘ideal victim’ (white, respectable, cisgender, passive) rendering sex workers, migrants, and other marginalised women either invisible or deviant. In this sense, feminism risks reproducing exclusionary hierarchies, aligning with neoliberal and carceral logics that valorise some forms of autonomy while criminalising others. Reliance on punitive measures such as longer sentences, intensified policing, and stricter regulation of sex work, I argue, does not protect FSWs and FSW activists, but disproportionately harms them, reinforcing the very structural, cultural, and direct violences they already endure. Sanders et al (2017) add further weight by arguing that the rescue industry itself sustains homogenising victim narratives that erase agency. Within raids and rehabilitation in India, this logic is starkly visible: FSWs and FSW activists are not seen as workers with complex identities but as interchangeable ‘victims’ to be disciplined, paraded, and erased. NGOs that collaborate with police in such operations thus reproduce the state’s paternalistic logics, legitimising violence under the guise of protection while silencing the very voices they claim to empower. For instance, *Simi* an independent FSW activists in G.B road, shares one such incident of police violence after forced raid, rescue and rehabilitation as:

“we were put in jail. There were around seven or eight of us. Amongst us there was an older woman. No one outside knew that we were arrested. Some of us were crying. A couple of women fell ill and the doctor came to visit. We were told that we must wear a white saree but we refused. We spent nearly eight days inside. They used to come and ask us daily whether we have a lawyer or relatives. We used to cry a lot and we couldn't even eat. Women became ill inside and had high fever. We used to pray to be released from the misery. They took away our jewellery on the pretext that women try to kill themselves and then the jailers lose their jobs. At that time the fine was about Rs 1000-1200 (approx. €14). If produced before the court they often do not even know what the charges are and are instructed by the police to just admit to whatever the judge says under the threat of being beaten up and sent to jail if they refuse to do so” (translated from Hindi by author, 2022).

Echoing *Raja*, *Suman*, and *Vimla*'s accounts of violence rooted in corrupt policing and limited legal knowledge, *Simi*'s experience of being 'rescued' as a trafficked victim violates Section 17 of ITPA (SANGRAM 2018) and reveals how incarceration erases distinctions between NGO-affiliated activists and unaffiliated FSWs. Within prison, all women face the same violence, stigma, and humiliation, as gendered expectations (Bhasin 2003, 2004) overshadow their sex worker identities. This is symbolised by the enforced 'white saree', a marker of purity and innocence in politicised Hinduism (Chitnis and Wright 2007, Mukherjee 2019, Bhattacharji 1987, Sarode 2015). Such practices reinforce abolitionist logics (Cunha 1992), as state officials seek to 'purify' the *veshya* through *Manusmriti*-inspired ideals of Hindu womanhood (Sharma 1994, Bose 2020, Kumar 2024). Collins (2017) helps illuminate how these practices constitute epistemic violence by silencing sex worker's own knowledge systems and enforcing hierarchical gendered norms. Intersectionality here functions as both an epistemological and political tool, revealing how caste, class, race, and gendered logics are collapsed into a homogenising narrative of impurity and redemption. In this way, the rescue and incarceration process not only reproduces patriarchal and Hindu nationalist ideologies but also erases FSWs and FSW activist's lived experiences and agency, reinforcing their structural marginalisation.

### 8.3 (d) Experiences of violence in *Swadhar Greh*'s:

This amalgamation of capitalist and governmental disciplinary techniques (as discussed in Kurtz et.al 2008) with politicised Hinduism (Chitnis and Wright 2007, Mukherjee 2019) produces a dense web of shame, humiliation, stigma, prejudice, and gendered violence (Davis 1970, Bos et.al 2013, Tyler 2018, Tyler and Slater 2018) that is uniquely imposed on FSWs and FSW activists in India. These intersecting forces intensify during the processes of rescue, incarceration, and rehabilitation, where women's identities are simultaneously criminalised and moralised. The testimonies of three FSWs and FSW activists who spent time in state-sanctioned shelter homes before returning to sex work illustrate the horrors of this system. Their accounts reveal how the rhetoric of 'rehabilitation' is underpinned by coercion, surveillance, and discipline, transforming spaces intended for protection into sites of trauma and control. In these institutions, the conflation of caste, gender, and labour identities reinforces their marginalisation while denying them autonomy, effectively reproducing the very harms the state and NGOs claim to resolve. The description shared by two FSW activists who were in such shelter homes and have since returned to sex work recalls the horrors of their stay. First is *Bala* (name changed), a 28-year-old FSW activist who was in the rehabilitation centre for nine months but escaped by faking a medical emergency shares her story as:

*“Late one night, a group of 6 to 7 drunken man armed with knives and choppers barged into our home. They randomly picked up a few girls who were sleeping and started kicking them and raped them. We were all too scared to intervene. When the raped girls told the caretaker the next day, they just shrugged it off like nothing happened. In the past 4 months, I have personally witnessed at least half a dozen such incidents. Those who are picked have to suffer while the rest just huddle up in one corner and dare not create a fuss. The boundary wall of the home is porous and men walk inside as they please. The woman constables and a lone male guard posted at the home sit near the main gate. Even if the girls who get picked up in the night cry for help, nobody comes to their rescue. Most nights, we would stay awake through the night fearing that men would walk in and pick us. Not long ago one such group assaulted two girls. When the girls protested they were brutally beaten and then raped. One of the girls was so disturbed about the incident that she started wandering around the house naked. A couple of weeks later, the authorities called her parents and let her go as she became a liability”* (translated from Hindi by author, 2022).

Second, is *Gauri* (name changed), a 35-year-old Muslim FSW activist in Delhi who bribed her way out of the rehabilitation centre, and shares her experience as:

*“There are over 350 girls in the house at any given time. Of the 2 toilets in the home, only 1 is open. The other has been locked ever since a girl committed suicide in it a couple of months ago. The food was equally pathetic. They gave us small portions of dried and stale vegetables for breakfast. Lunch was unheard of. For dinner we got watery dal and rice. If we asked for chapattis, we were abused. The ‘kitchen mummy’ (cook) would often force us to work for hours without a break. Those who refused to work were beaten with pans. After a few weeks of torture, I realised that there was no point in complaining”* (translated from Hindi by author, 2022).

The traumatic experiences of violence shared by *Bala*, and *Gauri*, reveal the enduring influence of British Cantonment rules within Indian shelter homes and reinforce Ramachandran’s (2024) claim that these detention centres function as carceral, ruthlessly reformative institutions. They also expose the inconsistencies of the contemporary ITPA (1956) and the regulatory model of sex work activism, both of which remain deeply shaped by identity politics and patriarchal Hinduism (Chitnis and Wright 2007, Mukherjee 2019). Much like the Lock hospitals of the 1790s under the British Raj, these centres fail to address the violence their residents face or to recognise that the alternative livelihoods and trainings offered are exploitative, discriminatory, and insufficient (Pai et.al 2013, 2018, Seshu and Pai 2014). Collins (2017) helps frame this failure as epistemic violence through the systematic erasure of sex worker’s lived experiences from mainstream feminist frameworks. By homogenising FSW activists such as *Bala* and *Gauri*, into categories of ‘victim’ or ‘deviant’, the state and NGOs deny the plurality of their subjectivities and foreclose possibilities for agency.

Phipps (2017) extends this critique, arguing that divisions around sex work are less about ideology and more about power, specifically, about whose voices are legitimised. Abolitionist sex work feminists, in seeking to abolish prostitution under the guise of protection, inadvertently reinforce state violence, reproducing the silencing and infantilisation already present in these carceral spaces. Moreover, Phipps (2009, 2014, 2020) demonstrates how racialised and classed constructions of femininity shape which survivors are seen as worthy of protection. Survivors who do not conform to dominant scripts, such as poor, angry, queer, sexually autonomous, like *Bala* and *Gauri*, are dismissed or blamed, while their suffering is recast as evidence of their deviance. This reflects what Phipps (2020) calls ‘interior colonisation’ (also Beauvoir 1970, Barry 1995), where women are socialised to internalise

their oppression and participate in systems of discipline. In this framework, feminism itself becomes complicit, offering legitimacy and protection only to those who meet unspoken standards of innocence and decorum, while mobilising state power to punish those who fall outside. Shelter homes, then, embody this dynamic. Institutions that claim to rehabilitate but in reality reproduce state structured stigma, control, and violence against sex workers under the banner of justice and protection.

### 8.3 (e) Ineffectiveness of *Swadhar Grehs*:

Such rehabilitation centres fail to curb the gendered violence and harassment that FSWs and FSW activists face in their so-called alternative workplaces. Instead, these women encounter heightened marginalisation and vulnerability through stripped choice, independence, or financial stability, they are pushed into precarious forms of labour that reproduce, rather than resolve, their exploitation. This lack of sustainable livelihood options often motivates them to return to sex work, a trend reflected in SANGRAM's findings that "77% of 218 rehabilitated FSWs in Mumbai resumed sex work" (2018:56), underscoring Kotiswaran's (2011, 2017, 2019) critique of the inadequacy of current models. Ryan and McGarry (2022) help situate this within the broader framework of structural violence. Rehabilitation centres do not dismantle the systemic inequalities that stigmatise sex workers but instead deepen them by transferring women into other exploitative forms of labour while simultaneously denying them recognition or protection. This reproduces what Ryan and McGarry term as 'double invisibility'. First, as women whose work is delegitimised, and second, as marginalised labourers in new workplaces where their status renders them disposable. Much like the experiences of migrants in precarious economies, rehabilitated sex workers are rendered both hyper-visible as subjects of stigma and invisible as workers deserving of rights and protections. In this sense, the state's reliance on rehabilitation does not represent a pathway to empowerment but a mechanism of disciplining, one that perpetuates cycles of stigma, ill-health, and economic precarity. Far from offering alternatives, such interventions entrench the very structural violence they claim to resolve, forcing women back into sex work not out of choice, but as a survival strategy against systemic exclusion. *Deepa*, who has also returned to sex work after being forcefully rescued and rehabilitated, alleges that:

*“Even if we agree to rehabilitate, the means of livelihood provided to us does not help them in earning much. Like for example, if we are rehabilitated and given to make achar (pickle) and papad (thin Indian wafer), it would require a lot of time and sweat to earn a few amounts of money. On the other hand, being sex workers, we can earn more than former in lesser time by dealing just a client. In rehabilitation, we were provided two cows and sewing machines. I did not earn much in those works and that is why I started to work as FSW. This job I am doing out of my free will and earning thousand rupees daily and so there is no need of doing another job. With this amount I can fulfil my daily needs, and I do not like rehabilitation at all because I like doing sex work only. In this is job there is more profit in lesser time and time is also fixed and adjustable as well. Although, this is also a very hard job but less hard than rearing cows or operating machines. Skill development is ineffective due to growing corporate economy. Plus, upon release we face massive debts due to loss of livelihoods during the period of incarceration”.*

To counter such marginalisation and the limitations of the regulatory model, which reproduces Kotiswaran’s (2008) three structural biases, I propose Shearing and Ericson’s (1991) ‘craft of policing.’ This approach, by granting autonomy and flexibility to local police thanas, could enable context-specific enforcement of ITPA through consultation with FSWs, FSW activists, and representatives of sex work NGOs and CBOs. In theory, such participatory policing would generate a bottom-up flow of grassroots information, while addressing SANGRAM’s (2018) concern that indiscriminate raids and arrests of consenting adult FSWs drive them into unsafe spaces, heightening their vulnerability. Yet, as Collins (2017) reminds us, frameworks that appear inclusive must also be examined for their epistemological underpinnings. Without interrogating the knowledge hierarchies that silence sex worker’s voices, participatory models risk reproducing epistemic violence, where marginalised women are heard only when their narratives align with institutional agendas. Phipps (2014, 2020) similarly cautions against feminist frameworks that align too closely with carceral logics. This is because, while punitive or regulatory interventions promise protection, they often exacerbate harm, pathologizing sex workers as ‘ideal victims’ or dismissing them as deviant when they do not conform. Ryan and McGarry (2022) further situate this dynamic as structural violence. It includes state-sanctioned interventions that stigmatise and discipline women, embedding harm not only in institutions but in the very norms and discourses that shape them. Even with decentralised policing, without

dismantling these intersecting forms of epistemic and structural violence, the risks of perpetuating stigma and exclusion remain acute.

This is where Lang's (2012, 2023) critique of NGOization becomes salient. The professionalisation and bureaucratisation of activism often dull grassroots radicalism, turning political struggles into technocratic projects. Roy (2009, 2013) further problematises this institutionalisation of the women's and sex work movements through what she terms melancholia. A narrative of loss that contrasts today's 'apolitical', professionalised activism with the radical, spontaneous mobilisation of the past. These melancholic anxieties, as Roy (2006) demonstrates through her ethnography of revolutionary marriages and sexual politics in Naxalbari, are not simply nostalgic but embedded in discursive repertoires that reproduce power relations and social recognition in neoliberal contexts. When feminist movements are co-opted into moderate, bureaucratic forms, they risk reproducing the very global inequalities they once sought to dismantle. Any attempt to reconfigure policing and regulatory frameworks must confront not only the carceral and disciplinary logics at their core but also the neoliberal NGOization that continues to depoliticise feminist and sex worker movements in India (also discussed in Fraser 2009). This conceptual framework then includes what *Akriti* (introduced in Chapter 7) describes as including *Mahila Panchayat* (Women Village Council) in their advocacy discourse. She believes that the localised but flexible advocacy strategies adopted by the *Panchayat* would inspire the advocacy and activism practiced by all kinds of FSW and FSW activists. She is of the view that:

*“we need help from the Mahila Panchayat. They are stronger, have political influence and have a good understanding of the law. Even the police officials are afraid of them as they are elected leaders and represent the government. We need to come together to fight this social evil and work towards equating sex worker's rights with human rights.”*

Shearing and Ericson's (1991) 'craft of policing' will also address *Beera's* (introduced in Chapter 7) suggestion about collaborating with the police to identify the real trafficked victims. She states that:

*“In the past 5 years we have collaborated with the Police in the area of Human Trafficking and various other cases, that gave us the opportunity to understand the department closely.*

*We have rendered external support to the department in the areas where they needed specific services.”*

While participatory policing or NGO/CBO-led reforms may appear responsive, they remain embedded within carceral, patriarchal, and neoliberal logics. Collins (2017) highlights that unless epistemic hierarchies silencing sex worker’s knowledge are dismantled, such reforms reproduce epistemic violence under the guise of inclusion. Phipps (2014, 2020) similarly critiques feminist frameworks aligned with criminal justice, which narrow protection to the ‘ideal victim’ and marginalise those who do not conform, including sex workers, trans women, and women of colour (also reflected in the *Manusmriti* and the ITPA). At the same time, NGOization and professionalisation (Lang 2012, 2023, Roy 2009, 2013) depoliticise activism, turning radical grassroots mobilisation into technocratic interventions that often replicate punitive, infantilising tactics of rescue and rehabilitation.

I further argue that reliance on politics and state institutions (Charlesworth et.al 2017) cannot address the layered harms of violence, stigma, trauma, discrimination, and prejudice faced by FSWs and FSW activists. Their dual marginalisation as women and sex workers ensures ongoing exposure to police brutality, especially during and after incarceration. The Indian regulatory model thus remains ineffective, reinforcing structural and epistemic violence rather than offering protection. The next chapter extends this critique by examining how FSWs, FSW activists, and NGO representatives experience systemic violence and stigma in the healthcare sector, while exploring community-led alternatives. Ultimately, unless epistemic hierarchies, neoliberal NGOization, and carceral logics within feminist and state practices are confronted, regulatory frameworks will remain complicit in perpetuating harm. This entanglement of structural, epistemic, and gendered violence underscores the urgency of analysing how the community navigates healthcare, where institutional neglect intersects with regulation to shape both access and resistance.

#### 8.4 Conclusion:

This chapter has demonstrated that the violence experienced by FSWs and FSW activists is not incidental but systemic, embedded in the very structures of governance and regulation. Police brutality, ranging from verbal abuse and sexual assault to custodial torture and extortion. It

emerges as both a direct harm and a symbolic practice of disciplining women whose existence unsettles dominant cultural scripts. These practices are reinforced by legal ambiguities in the ITPA, judicial inconsistencies, and the ideological weight of politicised Hindu nationalism, which continue to position sex workers as morally suspect and socially disposable. While NGOs and CBOs have created spaces of solidarity and at times achieved significant policy gains, their increasing professionalisation has also depoliticised feminist struggles. By translating lived realities into statistics and legal submissions, they risk obscuring structural critique and normalising conditional empowerment. This ‘shadow state’ role of NGOs and CBOs underscores the abdication of government responsibility, while reinforcing respectability hierarchies that privilege certain ‘deserving’ victims over others.

The narratives examined reveal how sex workers are infantilised, silenced, and denied epistemic authority, forced into cycles of rescue, rehabilitation, and punishment that collapse into a continuum of coercion rather than pathways to protection. The result is a fragile regulatory terrain where recognition is conditional, stigma is institutionalised, and rights are negotiated through violence, dependence, and exclusion. The chapter concludes that a meaningful response to police violence and enforcement cannot be achieved through carceral logics, NGOized activism, or paternalistic rehabilitation policies. Instead, it requires centring the voices and knowledge of sex workers themselves, dismantling epistemic violence, and rethinking sex work not as victimhood but as labour embedded in broader struggles for dignity and rights. This sets the groundwork for the following chapter, which shifts the focus to the healthcare sector, examining how sex workers, activists, and NGOs navigate stigma and institutional neglect while developing alternative practices of care and resistance.

## Chapter 9: Stigma and Violence Experienced in Government Healthcare

### 9.1 Introduction:

This chapter examines the intersecting forms of stigma and structural violence that FSWs and FSW activists experience while accessing free government healthcare in India. Drawing from feminist, postcolonial, and structural violence frameworks, it explores how state institutions, health systems, and NGO interventions reproduce moral hierarchies that regulate the lives and bodies of FSWs and FSW activists in Delhi, India. The analysis demonstrates how healthcare spaces function as sites of moral regulation, where exclusion is normalised and harm is enacted through bureaucratic neglect and moral judgement. Through Goffman's (1963, 1986) theorisation of stigma and Wacquant's (2008) notion of 'violence from above', the chapter reveals how institutional practices perpetuate humiliation and exclusion under the guise of care. In conversation with Beauvoir (1970) and Phipps (2009, 2020), it argues that healthcare systems discipline women through gendered and moralised expectations, reinforcing patriarchal and nationalist ideologies (Mukherjee 2019, Chitnis and Wright 2007). The neoliberal NGO model, critiqued by Roy (2016, 2019) and Lang (2012), further embeds these dynamics by professionalising activism and transforming feminist advocacy into a technocratic apparatus that is aligned with state governance.

Integrating Collins's (2017) intersectionality as both a knowledge project and social justice practice, Phipps's (2017) critique of neoliberal feminism's moral regulation, and Scheper-Hughes's (2008) notion of everyday resilience, the chapter foregrounds how FSWs and FSW activists navigate and resist structural oppression. It argues that stigma and exclusion within healthcare are not isolated phenomena but integral to the moral and political architecture of the Indian state. Ultimately, the chapter contends that understanding FSWs and FSW activist's health experiences requires a decolonial feminist framework that recognises their agency, resilience, and collective strategies against the intersecting forces of patriarchy, neoliberalism, and moral governance.

## 9.2 Experiences of violence while accessing government healthcare:

Ryan et.al (2019) argue that in public health research, interventions, and government policy, FSWs and FSW activists continue to be considered central to containing HIV/AIDS and STD/I levels in India. Often referred to as the 'bridge' population, this community is identified as high-risk due to their potential to transmit infections to the broader public. Such framing not only compounds the pre-existing stigma surrounding sex work and those engaged in it

(Silverman 2011, Chatterjee 2012, Pai et.al 2013) but also embeds stigma within the very structures of government healthcare provision. FSWs and FSW activists navigate a social system in which violence and stigma are pervasive, creating barriers to accessing healthcare. Understanding these regularized forms of violence is essential for examining the health needs of a community constrained by rigid social hierarchies and exclusionary social processes (Kotiswaran 2011, 2017, 2018, Chatterjee 2012, Ryan et.al 2019).

This work builds on western research addressing structural and symbolic vulnerability, stigma, and violence, and their impact on sex worker's access to healthcare (Lazarus et.al 2012, Goldenberg et.al 2017). Inspired by Jayashree's (2004) study of sex workers in Kerala, it can be argued that FSWs and FSW activists in Delhi experience systematic structural violence and stigma within the regulatory framework of free government healthcare in India (Buzdugan et.al 2009, Vijaykumar et.al 2018). Unlike the overt violence exerted by police, the discrimination and stigma enacted by hospital staff, doctors, and nurses are both overt and subtle (Goffman 1963, 1986). While accessing government healthcare, FSWs and FSW activists are compelled to endure blame, humiliation, and shame, which affect their mental and emotional well-being (Galtung 1969, 1971, 1990). This thesis contends that, unlike the structural violence experienced through policing, the stigma and microaggressions within healthcare are socially coded as mildly acceptable, or 'yellow' violence (Agarwal and Unisa 2007, Agarwal and Agarwal 2013). FSWs and FSW activists have internalized and normalized such police violence and stigma associated with their trade, the dominant Hindu moral code (Mukherjee 2019), and the political otherness of sex work (Baldwin 1993). Consequently, the discriminatory practices of healthcare staff are then, easily accepted, internalized, and naturalized by the community (Krusi et.al 2016).

Further marginalization arises from inadequate knowledge of healthcare systems and an overemphasis on HIV/AIDS management, leaving FSWs and FSW activists unaware of socio-legal policies that could protect their rights and access to care (Solomon et.al 2006). Ryan and McGarry (2022) further reinforces this dynamic by highlighting how fear, stigma, and anticipated judgment compel sex workers to remain silent in healthcare settings, limiting disclosure and access to appropriate care. Similarly, O'Neill's work (2013) situates these experiences along a continuum of coercion and choice, underscoring how structural violence shapes interactions with healthcare providers and constrains agency. Critically, these dynamics intersect with the process of NGOization, wherein NGOs mediate healthcare access for

marginalized communities. Roy (2017, 2019) and Phipps (2020) critique how such interventions often reproduce respectability politics, imposing moral frameworks that dictate ‘acceptable’ behaviour for sex workers while neglecting structural inequalities. Consequently, the combined effects of stigma, structural violence, and NGO-mediated interventions create a layered marginalization that shapes FSWs and FSW activist’s experiences of healthcare access in India. Taken together, these studies underscore the need to theorize and interrogate the intersecting structural, symbolic, and institutional violences that shape the community’s engagement with healthcare.

#### 9.2 (a) Barriers to access government healthcare:

Ryan et.al (2019) argue that in public health research, interventions, and government policy, FSWs and FSW activists continue to be considered central to containing HIV/AIDS and STD/I levels in India. Often referred to as the ‘bridge’ population, this community is identified as high-risk due to their potential to transmit infections to the broader public. Such framing not only compounds the pre-existing stigma surrounding sex work and those engaged in it (Silverman 2011, Chatterjee 2012, Pai et.al 2013) but also embeds stigma within the very structures of government healthcare provision. FSWs and FSW activists navigate a social system in which violence and stigma are pervasive, creating barriers to accessing healthcare. Understanding these regularized forms of violence becomes essential for examining the health needs of a community constrained by rigid social hierarchies and exclusionary social processes (Kotiswaran 2011, 2017, 2018, Chatterjee 2012).

Inspired by Jayashree’s (2004) study of sex workers in Kerala, it can be argued that FSWs and FSW activists in Delhi experience systematic structural violence and stigma within the regulatory framework of free government healthcare in India (Buzdugan et.al 2009, Vijaykumar et.al 2018). Stigma against FSWs and FSW activists functions as an institutionalised form of violence, manifesting experientially through actions and reactions, symbolically through labelling and stereotyping, and structurally through systemic mechanisms including abuse, resource constraints, disconnected provisioning, and rent-seeking (Ryan et.al 2019). Government healthcare is further characterised by rigid rule-bound practices, often accompanied by intrusive, irrelevant, and moralising questioning that reinforces the social hierarchies governing women’s access to care.

Roy's (2017, 2019) analysis deepens this understanding by revealing how neoliberal governance reshapes feminist activism and the provisioning of welfare. Drawing from her work with *Janam*, an NGO in West Bengal, Roy identifies NGO interventions as extensions of state development policies that reproduce rather than dismantle structural precarity. This paradox of producing precarity in the name of empowerment, mirrors the experiences of FSWs and FSW activists within the healthcare system, where access is mediated through bureaucratic and moral hierarchies. Just as NGOs offer women employment and social recognition while simultaneously ensconcing them in feminised, insecure, and poorly paid labour, the state's healthcare framework extends a similar logic of conditional inclusion by providing care that is contingent on conformity, docility, and moral respectability.

The dynamics identified by Roy find a parallel in what Tyler (2018) and Tyler and Slater (2018) describe as the government weaponization of stigma that is defined as a process through which the state converts moral judgement into a disciplinary technology that regulates marginalised populations. In the context of Indian sex work, stigma functions as both an instrument and an effect of governance, legitimising exclusion while concealing structural inequalities behind narratives of morality and protection. Mukherjee (2019) similarly observes that the state's investment in politicised Hindu moralism positions the 'respectable woman' as the ideal citizen and the sex worker as her moral opposite, thereby transforming stigma into a state-sanctioned form of social control. Within this framework, public healthcare and welfare institutions become sites where morality is operationalised as governance, and where the regulation of FSW's bodies doubles as the regulation of national virtue. Stigma, in this sense, is not a by-product of state neglect but a deliberate political strategy and an instrument through which moralised citizenship, neoliberal development, and patriarchal nationalism intersect to sustain gendered hierarchies of belonging and exclusion. For example, when a community member sought an abortion, she was subjected to invasive questions about her marital and sexual history and was asked to provide identity documents. *Nita*, (introduced in Chapter 8), describes her and her peers' experiences in government hospitals as:

*“Female sex workers are humiliated and criticized, made to wait for long periods, not examined properly, forced to undergo HIV tests, overcharged for services, denied medical services and delivery care, have their confidentiality violated, and are subjected to sexual demands by doctors.”*

Such experiences resonate with Benoit et.al's (2018) concept of 'whore stigma', highlighting its detrimental impact on sex workers' working conditions, personal lives, and health. Two core factors intensify this violence and stigma. First, the prevalence of politicized Hinduism (Mukherjee 2019, Chitnis and Wright 2007) shapes healthcare staff's perceptions. Like police and bureaucrats, doctors and nurses in government hospitals are largely influenced by *Manusmriti* principles (Mukherjee 1978), categorizing FSWs as 'outcasts', morally deviant, and unworthy of basic rights (O'Connell 1999, Raines and Maguire 2001). Second, the narrow interpretation of Goffman's (1963) stigma as an individualized 'spoiled identity' aligns with this Hindu moral framework, obscuring its structural role in reinforcing hierarchical social orders. This perspective contributes to the limited efficacy of government stigma reduction programs (Chapters 6 and 7) by overlooking intersections with poverty stigma (Tyler 2018, Tyler and Slater 2018), caste-based discrimination (Azhar et.al 2020, Kumar 2024), and patriarchal marginalization (Bhasin 2003, 2004, Silverman 2011).

These structural limitations explain why sex work NGOs operating under the regulatory model often fail to protect their members. The influence of top-down bureaucracy and radicalized politics fosters a radicalized NGO model (Fernandes 2013, Roy 2015, 2016) that shapes the community's understanding of their rights, privileges, identities, and collective political agency (Chatterjee 2012, O'Connell 1999), while dictating the stigma and structural violence they are considered to 'deserve' (Mukherjee 1978, Bhattacharji 1987, Singh 2021). Unlike the NNSW's approach, which prioritizes FSWs and FSW activists as 'active agents of change' through HIV/AIDS and STD/I prevention programs (Reed 2001), this ideological influence hampers advocacy by failing to adequately disseminate knowledge of legal and healthcare rights, protect the community from abuse, and address humiliation, marginalization, and stigma experienced in hospitals. Analytically, peer-led health initiatives resist top-down rescue narratives (Chatterjee 1993, 2006), demonstrating the limitations of hierarchized NGO interventions. Rights-based discourses that unite health and labour rights (Azim 2005) emphasize how structural stigma undermines both. Phipps (2009, 2020) critiques trauma-led frameworks, carceral feminism, and respectability politics, exposing how such 'ideal victim' narratives and neoliberal alignment marginalize sex workers. Collins (2017) then illustrates how such mainstream feminist frameworks perpetuate epistemic violence by obscuring the compounded oppression of sex workers along caste, class, gender, religion and labour lines. Integrating these perspectives underscores how stigma, structural violence, and NGOization intersect to limit FSWs and FSW activist's access to rights, healthcare, and collective agency in India.

9.2 (b) Barriers to access government healthcare in (*Swadhar Greh/Griha*) rehabilitation centres:

This dynamic is further complicated by what Sharma (2008) identifies as the neoliberal governmentalization of women's empowerment, wherein state and NGO interventions co-opt the language of rights and agency while reproducing moral hierarchies that discipline FSWs and FSW activists. The barriers to access free government healthcare services thus, increase in the government facilitated rehabilitation centres, primarily due to the strong presence of morally coded (as argued by Ganatra and Hirve 2002) 'spoiled identity' (concept by Goffman 1963) and 'whore stigma' (concept by Pheterson 1990, Benoit et.al 2018). The 'rescued' FSWs and FSW activists experience the institutionalisation and internalisation of gendered stigma (as explained by Beauvoir 1970, Millett 1976, Krusi et.al 2016) due to the persistence of double standards surrounding gender and sexuality (also discussed by Vanwesenbeeck 2013, McClarty et.al 2014) in India. As Beauvoir (1970) argues, women's oppression becomes internalised through social conditioning that normalises subordination, leading many to perceive state-sanctioned inequalities as natural or inevitable. Extending this analysis, Phipps (2009) contends that respectability politics operates as a recurring tool of exclusion. Classed, racialised, and moral expectations of femininity then determine which survivors are believed, protected, or blamed. Those who deviate from such dominant scripts, for instance women who are angry, poor, queer, or sexually autonomous, are often dismissed or deemed complicit in their own harm. This, as Phipps (2020) describes, constitutes a form of 'interior colonisation' (also noted by Barry 1995), whereby women are socialised to internalise their own oppression and to participate in maintaining disciplinary structures. In this sense, feminism itself can become complicit, offering protection only to those who conform to its unspoken standards of innocence and decorum. *Gauri* (introduced in Chapter 8) discusses the limited access to government healthcare facilities that she and her friends had to experience while being in one such rehabilitation centre in Delhi as:

*"2 of my friends who were rescued with me, developed severe medical conditions. One of them was bedridden and could barely swallow any food or water. Despite repeated pleas for medical help, the authorities never called a doctor. The rehabilitation centres or correction homes are in fact prisons. They are forced to live there sometimes for up to five years,*

*subjected to forced medical tests, humiliated and abused, coerced into sex and extorted with impunity in the process.”*

Similar to the reported experiences released by the Bureau of Police Research and Development (BPRD) in 1983 (report by Gandhi and Shah 1992), *Gauri* and her friend's experience of abuse reinforces Muralidhar's (2004) claim that shelter homes in Agra have functioned as prison-like institutions marked by gross human rights violations since the 1980s. Alongside Ramachandran's (2024) argument that shelter detentions in India are shaped by a carceral logic rooted in colonial, racialised, and paternalistic assumptions, echoing the Magdalene laundries of Ireland and the U.K., these conditions illuminate how the Indian state's regulation of sex work is mediated through disciplinary surveillance and coercion. Such mechanisms are rendered largely invisible through processes of governmentality, producing what Ryan and McGarry (2022) describe as double invisibility. Which is the compounding erasure of marginalised women, particularly migrants and sex workers, within both public health systems and social policy discourses.

These carceral and disciplinary conditions further resonate with Goffman's (1961) work on Asylums, which underscores how institutional hierarchies depend on maintaining strict boundaries and power asymmetries between staff and 'inmates'. Stigma and structural violence within these shelter homes are enacted both overtly and subtly, by keeping the 'rescued and rehabilitated' FSWs and FSW activists down (through exploitation and domination), in (through the enforcement of dominant social norms), and away (through disease avoidance). Government hospital staff, nurses, and doctors perpetuate this violence by denying them access to adequate and free public healthcare (for example, by never calling the government doctor), humiliating or shaming women who dare to protest against injustices, such as prolonged detention in these institutions, and/or inducing fear through direct physical violence through forced medical tests and sexual coercion. These practices not only reinforce negative prejudice against the community (as explained by Bos et.al 2013, Phelan et.al 2008, Davis 2017) but also embed state-sanctioned stigma into four dynamically interrelated forms: public stigma, self-stigma, structural stigma, and stigma by association (Pryor and Reeder 2011). Consequently, all FSWs and FSW activists who are already burdened by poverty stigma, experience these intersecting stigmas in varying degrees.

Analysed through an intersectional lens, as articulated by Collins (2017), these interlocking oppressions reveal how epistemic violence operates within mainstream feminist and institutional discourses that claim to ‘rescue’ women yet silence those whose lived realities challenge normative notions of respectability and virtue. Hooks (2000) further illuminates how race, class, and sexuality exclusions within feminism reproduce hierarchies that privilege certain forms of womanhood while erasing others, such as FSWs, and FSW activists whose experiences fall outside dominant moral and political imaginaries. Together, these frameworks expose how structural violence, stigma, and epistemic exclusion converge to sustain the ‘double invisibility’ of marginalised women within both feminist and state-led systems of care and control.

#### 9.2 (c) Barriers of access to government healthcare due to corruption:

Building on these intersecting forms of structural and epistemic violence, the barriers to accessing government healthcare are further compounded by pervasive corruption within the public health system, where bureaucratic gatekeeping, informal payments, and discretionary practices systematically obstruct FSWs and FSW activists from exercising their rights to equitable and accountable care (also argued by Gupta 2017). Drawing from Aggleton et.al (2003) and Tyler’s (2015, 2018) argument about the government deliberately activating stigma, I argue here, that in the case of FSWs and FSW activists, the presence of extreme corruption within government healthcare institutions, influences the dominant politically stigmatised perception of the community. This, in turn, creates both overt and subtle manifestations of stigma and structural violence that is experienced by the community while navigating the barriers of access to government healthcare. Such perceptions impact how the doctors, nurses and staff of government hospitals treat the FSWs and FSW activists. *Vimla* (introduced in Chapter 6), discusses how corruption in government hospitals uses ‘stigma power’ to discourage (as explained by Tyler 2018) the FSWs and FSW activists as:

*“Sometimes they ask for Rs 3000 (approx €34) before the operation (abortion) could be done. We said that a government doctor cannot ask for money and refuse operation of any women whether she is a sex worker or not. A government scheme is for the benefit of all women. We also told that if the doctor fails to do the operation, we will go to the media. So only then the doctor did the operation free of charge. So, with all these things we do not want to go there*

*anymore. So, this is how the government operates when it comes to a community member. Let us investigate the second scenario, when you have money, it is very easy to go to a private hospital, because you pay for the services. So, no problem you know. They go there, it is easier for us to get ourselves heard to get the services done thorough private settings.*

*Government is no no for us.”*

*Vimla's* experience with government healthcare reinforces three core arguments. It highlights that irrespective of an FSW or FSW activist's background, knowledge, or affiliation, all FSWs and FSW activists experience similar forms of marginalisation, shame, humiliation, and violence. Furthermore, corruption and the government's weaponisation of stigma (as explained by Tyler 2018, Tyler and Slater 2018) operate in tandem with the politicisation of Hinduism (see Mukherjee 2019, Chitnis and Wright 2007), embedding moral hierarchies within state institutions. Finally, there is an urgent need to address the wider healthcare issues affecting FSWs and FSW activists beyond the dominant biomedical focus on HIV/AIDS and STDs/STIs. This analysis underscores that stigma cannot be treated as a uniform or isolated phenomenon. As Pescosolido and Martin (2015) argue, stigma is heterogenous, contextually produced, and deeply embedded in social relations. Likewise, Roy (2022) emphasises that feminism itself must be understood as multifaceted and intersectional in order to recognise how hierarchies of gender, class, caste, and sexuality intersect to reproduce systemic marginalisation. Within this framework, applying Pryor and Reeder's (2011) and Bos et.al's (2013) concept of the 'stigma complex' allows scholars, sexualities researchers, sex work activists, and southern feminists to map the multidimensional nature of stigma as a form of violence from above (Wacquant 2008), i.e a top-down process through which state power and social hierarchies are reinforced under the guise of care and moral regulation.

Collin's (2017) theorisation of intersectionality provides a crucial lens here, by positioning it as both a knowledge project and a social justice practice that is inseparably tied to struggles against racism, sexism, classism, castism and other interlocking systems of oppression. Her understanding of violence as a multidimensional system links epistemic violence to structural violence, by showing how exclusions in theory mirror broader patterns of inequality (similar to Phipps 2017, 2020, O'Neill 2009). This framework is particularly relevant in the context of FSWs and FSW activists such as *Vimla* who face routine structural and symbolic violence, institutional stigma, while attempting to access free government healthcare. Sanders et.al's (2017) analysis on how nationalist politics intersect with gender, race, class, and citizenship to

regulate women's mobility and sexuality becomes crucial here. As, these dynamics manifest through state-led policing and moral governance of sex work, whereby, the nation-state's efforts to delineate and protect its boundaries simultaneously discipline women's bodies. I argue that the structural violence and stigma experienced by FSWs and FSW activists such as *Vimla*, in government hospitals are therefore not incidental but deeply rooted in the very processes of state nationalisation and moral reproduction.

Roy's (2016, 2019) theorisation of NGOization further illuminates how neoliberal governance has transformed feminist activism from a radical, collective project into a professionalised, state-driven enterprise aligned with state rationalities. Within this framework, empowerment becomes a depoliticised discourse that manages marginality rather than dismantling it, reproducing hierarchies of respectability and exclusion within feminist and institutional spaces alike. Here, *Vimla*'s account of being asked to pay Rs 3000 for an abortion and only receiving treatment after invoking the threat of media exposure, embodies this process at the everyday level. Her experience reveals how corruption and moral governance operate as interlocking forms of structural and epistemic violence, where access to care depends not on rights but on negotiation, visibility, and compliance with normative expectations. The state's selective provision of healthcare, framed as benevolent yet disciplinary, functions to regulate women's bodies and reinforce moral hierarchies. In this sense, Roy's analysis finds concrete resonance in *Vimla*'s narrative, by exposing how neoliberal NGOization and state corruption work together to sustain stigma, precarity, and the erosion of collective feminist agency among FSWs and FSW activists in India.

#### 9.2 (d) Barriers of access to government healthcare due to Covid-19:

This dynamic not only delineates the everyday constraints shaping sex worker activism but also sets the stage for understanding how such vulnerabilities became further entrenched in moments of crisis. As, it is precisely this nexus of systemic corruption and moralized governance that rendered FSWs and FSW activists disproportionately vulnerable to subsequent crises and state neglect during the Covid-19 pandemic. For FSWs and FSW activists, the crisis not only restricted access to essential healthcare services but also exposed how the state's moralised and selective provision of care operates under conditions of scarcity, thereby reinforcing stigma, precarity, and the exclusion of marginalised communities from public

health protections. By deploying shame (as discussed by Walker 2015) as a key mechanism in perpetuating and sustaining this ‘stigma complex’ (Bos et.al 2013) and ‘violence from above’ (Wacquant 2008), staff, nurses, and doctors in government hospitals actively discouraged members of the sex-working community from exercising their legal rights and accessing care. Such state-sanctioned stigma, prejudice, and violence became even more pronounced during the height of the pandemic.

During the Covid-19 pandemic, sex workers faced severe obstacles in accessing routine health services, as government healthcare systems became both exclusionary and exploitative. To receive treatment, FSWs and FSW activists were first required to obtain a Covid-19 negative certificate from a government doctor. Yet many were summarily dismissed, and without the certificate, they were denied care even in private clinics. In other cases, doctors, nurses, and compounders demanded informal payments for forged certificates or insisted that tests be conducted at exorbitant prices within their facilities. These exploitative practices led to decreased testing rates and widespread avoidance of government hospitals, resulting in increased Covid-related deaths and deteriorating health conditions. Many sex workers were forced to rely on informal or alternative medical practices, while those unable to access or afford such alternatives experienced extreme hardship and some dying or returning to their villages in desperation.

I argue that the added marginalisation and vulnerability faced by FSWs and FSW activists during this period stemmed from intersecting forms of poverty stigma (Tyler 2018, Tyler and Slater 2018) and the stigma attached to their morally coded (Ganatra and Hirve 2002) spoiled identity (Goffman 1963, 1986). These experiences of compounded exclusion were further intensified by systemic corruption, inadequate medical infrastructure, and heightened disgust toward the community amid widespread fear and confusion surrounding rapidly changing Covid-19 regulations in India (Sahoo et.al 2020). Stigma, therefore, must be understood as heterogeneous (Pescosolido and Martin 2015) and feminism as multifaceted (Roy 2022) when theorising the sex work movement in India, as only such an intersectional and plural framework can capture the complex entanglements of moral governance, precarity, and survival that the pandemic rendered starkly visible. Similar to Tyler’s (2018) and Tyler and Slater’s (2018) conceptualisation of Walker’s (2015) shame-activating stigma through the lens of consumer capitalism, I argue that the practices of doctors, nurses, and hospital staff are embedded in morally coded poverty stigma and structured violence against FSWs and FSW activists. Much

like police officials and government bureaucrats, medical professionals operate within, and are influenced by a capitalist market structure that commodifies the business of sex work while simultaneously sustaining a radical political ideology that moralises its regulation. The result is a dual process of economic exploitation and moral disciplining, where stigma operates as both justification and technique of governance.

These patterns of exclusion are further illuminated through the work of Sanders et.al (2017), who demonstrate how nationalist politics intersect with gender, class, and citizenship to regulate women's mobility and sexuality. In the Indian context, this manifests in the disciplining of FSWs and FSW activist's bodies through health, legal, and moral regimes that reproduce the boundaries of the nation-state. The structural violence and stigma experienced by FSWs and FSW activists are thus not incidental but are deeply embedded in the state's nationalist and moral projects. Mac and Smith's (2018) advocacy for full decriminalisation, worker autonomy, and labour protections gains credibility in this light, as their comparative analysis of global models shows that punitive legal frameworks amplify stigma, foster police abuse, and endanger sex worker's safety. The resulting stigma is not only symbolic but materially violent, manifesting in criminalisation, surveillance, and systemic exclusion from welfare and justice institutions (also discussed in Phipps 2014, Grant 2014).

Lang's (2012) analysis of NGOization further underscores how western and global NGOs, in mirroring broader global inequalities, have professionalised and bureaucratised activism in ways that often depoliticise grassroots struggles. Within this framework, the management of sex work through NGO-led interventions risks reproducing the very hierarchies it seeks to dismantle and align with state logics of control and moral governance rather than empowering FSWs and FSW activists to assert their collective rights. Taken together, these insights reveal how corruption, nationalism, neoliberalism, and NGOization converge to sustain stigma as a state-sanctioned, morally coded form of violence from above (Wacquant 2008), while foreclosing the transformative potential of sex worker movements in India.

#### 9.2 (e) Barriers to access due to overreliance on HIV/AIDS and STD/I intervention programs:

Such conceptualisation of state-sanctioned stigma, violence, and prejudice that the community suffers from directly refutes Gopalakrishnan's (2022) claim that the ITPA (particularly Sections 372 and 373) has compelled the government to broaden its understanding of sex work

to include issues such as safe sex practices, abortion, reproductive health, menstruation, and communicable venereal diseases like HIV/AIDS and STIs. Moreover, NACO's 2017 estimation of approximately 2.14 million people living with HIV/AIDS in India, making it the third-largest population affected globally (as detailed in O'Neil et.al 2004), has shaped the Indian AIDS Control Programme (in association with NACO) to continue identifying sex workers (both FSWs and MSWs) as the primary carriers and, consequently, as solely responsible for preventing HIV/AIDS and STIs in the country (Srivastava and Bharati 2021). This approach is operationalised through state-supported, peer-led outreach and prevention initiatives such as TIs and HIV Voluntary Counselling and Testing (VCT) services, facilitated by sex work NGOs and CBOs adhering to the regulatory model (Biello et.al 2017). While such programmes appear to create radical spaces for sex worker mobilisation (Buzdugan et.al 2009, Suryawanshi et.al 2016), they also function as mechanisms of surveillance through what Cornish (2006) and Kotiswaran (2011, 2017, 2018) describe as a state-controlled 'care-watch system'.

However, as Swendeman et.al (2015) and Azhar et.al (2020) argue, HIV/AIDS is no longer the most pressing or contemporary health concern for FSWs in India. My review of reports further suggests that the government's overreliance on HIV/AIDS and STI-related healthcare services, often implemented through NGO partnerships, remains deeply limited. It makes the community solely responsible for containing the spread of venereal diseases, thereby reinforcing stigma and blame. It also fails to address the prejudice, discrimination, and violence that accompany this moralised responsibility, while overlooking broader healthcare needs such as pregnancy, childbirth, post-partum, geriatric, and non-HIV-related care. Additionally, it disregards the rigid social hierarchies within the sex work community itself (Ryan et.al 2019), which significantly affect access to government healthcare, and ignores the corruption, prejudice, and violence routinely faced by FSWs and FSW activists in government hospitals. This forces many to turn to expensive private care, unqualified medical practitioners, or traditional healing practices such as ayurveda, homeopathy, religious rituals, black magic, and tantra. The state's regulatory model, therefore, fails to recognise the differentiated experiences of FSWs and FSW activists in their interactions with the police, hospitals, and media, ultimately producing what Basu (1995) and Roy (2011, 2015, 2016) describe as a radicalised regulatory system shaped by NGOization.

Phipps (2017) critiques such neoliberal forms of feminism for collapsing into moral regulation, particularly through public health discourses that frame women's bodies as sites of risk and control. A dynamic also noted by Ryan and McGarry (2022) in their discussion of structural and epistemic violence in healthcare. This critique is particularly relevant to India's sex work sector, where the state's moralised healthcare framework positions FSWs and FSW activists as both vectors of disease and subjects of reform, thus converting care into a tool of governance. What appears as empowerment through peer-led initiatives or 'community mobilisation' is, in fact, the extension of state surveillance under the guise of health promotion.

This rationale becomes further substantiated when considering initiatives such as the Right Guide, which, despite being a peer-based HIV/AIDS prevention programme (SANGRAM 2018), continues to struggle to meet its stated objectives. The situation worsens when representatives of sex work NGOs and CBOs attribute FSWs and FSW activist's inability to practice safer sex to their marginalised social and legal positions. Consequently, FSWs, FSW activists, and advocates of the regulatory model anchor their activism in the promotion of collective bargaining power (Connelly and Sanders 2020, Lobo et.al 2021), primarily by transforming sex workers into 'peer educators' (Cornish 2006) and 'active agents of change' (Reed 2001). Yet, this model of peer education paradoxically reinforces an ideology that valorises community strength, collectivity (see Melucci 1980, Touraine 1985, Mehrotra 1997, Chatterjee 2006, Ferree 2010), and sisterhood (Tilly 2008) in ways that ultimately redirect accountability back onto 'ignorant' or 'irresponsible' FSWs and FSW activists themselves. As a result, the burden of poor healthcare practice is individualised and moralised, rather than structurally interrogated, thereby perpetuating the very cycles of exclusion, stigma, and surveillance it seeks to resolve.

### 9.3 Alternative approaches adopted by the FSWs and FSW activists:

To address and navigate the constant blame, shame, and stigma imposed by state institutions and NGOs/CBOs while accessing government healthcare, FSWs and FSW activists are increasingly turning toward traditional and alternative medical approaches such as homeopathy, ayurveda, tantra, black magic, yoga, reiki, and other indigenous healing systems. Much like nearly 70% of rural Indian populations (Pandey et.al 2013), the community of Indian FSWs and FSW activists is deeply influenced by these traditional and complementary medical

practices (CAM), which have been used for thousands of years and are even integrated within tertiary care hospitals in India (Roy et.al 2015). The overarching influence of these systems provides FSWs and FSW activists with a sense of empowerment and confidence, resonating with Comte's (2014) notion of self-realisation, to resist systemic abuses of power and to cope with both physical violence and psychological trauma.

Drawing from Scheper-Hughes's (2008) concept of 'everyday resilience' and the data collected from my field interviews, it becomes evident that the community adopts several grassroots strategies for survival and care. These include taking private loans at high interest rates to access treatment in private hospitals, seeking medical assistance from Registered Medical Practitioners (RMPs), relying on traditional Indian healing systems such as ayurveda, homeopathy, tantra, reiki, and black magic, using social media platforms to expose corruption and violence, and engaging in inclusive, bottom-up forms of grassroots advocacy and knowledge dissemination in their respective local languages. These practices are not only pragmatic adaptations but also expressions of embodied resistance, which includes ways of reclaiming agency over health, knowledge, and body from institutional neglect and moral governance.

Chatterjee's (1993, 2006) analysis of peer-led initiatives provides an important theoretical lens here, for understanding such practices. She argues that community-led health interventions, unlike state or NGO-driven 'rescue' models, that resist paternalistic narratives by building self-organised networks of care that challenge hierarchies of legitimacy and morality. In this sense, the FSWs and FSW activist's turn to traditional and community-based healing becomes a political act that refuses both state control and NGO co-optation, instead fostering forms of solidarity rooted in lived experience and collective wisdom. O'Keefe's (2021) concept of bridge-builder feminism further extends this analysis by advocating for solidarities that transcend classed, racialised, and moral divides. Such feminism, grounded in mutual recognition rather than saviourism, aligns closely with the grassroots healing and advocacy strategies developed by FSWs and FSW activists, which seek not only survival but also dignity and epistemic justice. Ultimately, these alternative healing and advocacy practices reveal the emergence of a space where marginalised women generate and circulate subaltern knowledge, contest epistemic violence, and reconstruct feminist solidarities from below. By situating their practices within an ethics of interdependence and everyday resilience, FSWs and FSW activists

redefine what it means to heal, resist, and reclaim autonomy within an oppressive neoliberal and moralised healthcare landscape.

### 9.3 (a) Alternative medical choices:

Yet, similar to Roy (2017) discussion of ‘punitive paternalism’ this redefinition of healing and resistance emerges not from ideal conditions of empowerment, but from contexts of persistent deprivation, structural violence, and punitive power of the state, as agency is often exercised through necessity rather than choice. The FSWs and FSW activists appeared compelled to adopt any means necessary to escape the relentless stigma, abuse, and humiliation they routinely encountered in government hospitals. This sense of desperation that is produced by systemic neglect rather than individual failure, often pushed them toward alternative medical practices as acts of survival and self-preservation. These practices predominantly included taking individual or private loans at high interest rates from informal moneylenders to access private healthcare services, or adopting more local, natural, and traditional healing systems such as ayurveda, homeopathy, tantra, reiki, yoga, black magic, and other indigenous modalities (as discussed by Ryan et.al 2019). Within such constrained conditions, the turn to alternative healing thus becomes not merely a pragmatic response to exclusion, but an embodied assertion of autonomy and dignity in defiance of an oppressive healthcare order. Echoing Chatterjee’s (1993, 2006) understanding of peer-led health initiatives as forms of resistance to state and NGO ‘rescue’ narratives, such practices often illustrate how care can be reclaimed as a collective, self-defined process rather than a tool of governance. For instance, FSW activists such as *Oona* (introduced in Chapter 7) prefer going to her local Registered Medical Practitioners (RMPs) who are registered under the State Medical Council and are authorized to practice medicine by the Medical Council of India (as stated by *Nyaaya* 2022). She is of the view that:

*“let us take a scenario of STD. When she has an infection, starting from nurse to the compounder to the ward boy, everybody there, treats us like a worm. They get rid of us and at the same time they want to fleece money from us. So unable to withstand all these things, many women resort to RMPs who are quacks in the common parlance. They don’t get degrees but the practice somewhere for years, under a medical practitioner and get registered. But they are very good communicators. People like me or my friend have no other*

*way. We mentally, our self-respect is lost, our dignity is lost when we go to government hospitals. Like even if it means taking loans from private investors, does not matter if the interest rate is high or what. Its okay. At least we do not have to listen to all such nonsensical questions. And some, you know, we also often go to babas, sadhus or like local astrologers to heal through traditional ways, such as you know, we take ayurveda and homeopathy. And sometimes we also go to like tantras and whatnot to heal through their magical touch.”*

Oona's experience with government medical practitioners further illustrates how structural violence operates subtly yet pervasively. Rather than inflicting immediate physical harm, structural violence manifests through slow, deliberate forms of deprivation that erode well-being over time (Goffman 1963). This marginalisation is produced by multiple intersecting forces such as, a lack of effective policing that enables corruption among officials (SANGRAM 2018, Ryan et.al 2019), and a pervasive objectification of women, reinforced by patriarchal norms and politicised Hinduism that positions FSWs in opposition to the 'ideal Hindu woman' and refuses to acknowledge the empowerment inherent in sex work (see Millett 1976, 2000, Dworkin 1981, 1993, 2003, MacKinnon 1982, Bhasin 2003, 2004, Chitnis and Wright 2007, Kumar 2024, Mukherjee 2019, Bose 2010). These intersecting structures of oppression are compounded by restricted access to welfare, services, and resources, increasing the vulnerability of FSWs and FSW activists (Krusi et.al 2014, Susser 1996). Stigma and moralised healthcare practices, that are disproportionately directed at marginalised populations, further reinforce systemic exclusion (Silverman 2011).

In this context, Scheper-Hughe's (2008) concept of everyday resilience provides a valuable lens for understanding how sex workers and activists create strategies to navigate structural violence and assert their rights (Ryan and McGarry 2022). Among these strategies, respondents emphasised local, bottom-up community advocacy, the dissemination of education (Pai et.al 2014, 2018), and the use of social media in their own languages (Matthews 2008, Suryawanshi et.al 2016), reclaiming both voice and visibility while resisting institutional exclusion. Together, the turn to alternative healthcare, peer-led advocacy, and grassroots mobilisation exemplifies how FSWs and FSW activists enact agency within oppressive neoliberal and moralised healthcare systems. These practices constitute a counter public of care, rooted in interdependence, shared knowledge, and collective solidarity, challenging both state and NGO/CBO frameworks that regulate, surveil, and moralise their bodies. By combining embodied resilience, peer-led mobilisation, and bridge-building solidarities, the community

demonstrates that healing, resistance, and the reclamation of autonomy are inseparable from everyday strategies of survival in a structurally violent and morally coded health landscape.

### 9.3 (b) Push for grassroots health advocacy:

The FSWs and FSW activists who participated in my study rejected the dominant regulatory model's top-down approach, and instead advocated for a renewed, bottom-up understanding of 'peer educators' and 'active agents of change' (Reed 2001, Cornish 2006). Their aim is to cultivate a form of activism and advocacy grounded in the everyday realities of their lives, included sharing knowledge about legal and medical rights in their own local languages and engaging in collective strategies of empowerment. This emphasis on linguistic accessibility is significant, as language barriers have been identified as one of the central obstacles to accessing government healthcare (Ryan et.al 2019). In doing so, the community's grassroots orientation can be read as adopting the characteristics of both older and newer forms of southern social movements (Lopes 2005, Pattnaik and Panda 2005). This bottom-up, locally embedded model not only exposes the limitations of the current regulatory framework but also proposes a more egalitarian and contextually relevant alternative.

This shift resonates with O'Keefe's (2021) theorisation of bridge-builder feminism, which emphasises solidarity, reciprocity, and relational ethics across difference. The FSWs and FSW activist's effort to transform NGOs and CBOs into 'in-between' bridges (Ferree 2010) between the community and the state mirrors this approach, foregrounding collective dialogue and horizontal alliances rather than hierarchical control. However, this reorientation also exists in tension with the neoliberal governmentalisation that Sharma (2008) critiques, wherein the language of women's empowerment is often co-opted to advance state or donor agendas. Despite this, the FSW's and FSW activist's bottom-up strategies illustrate that agency remains possible even within NGO structures (Ram 2020), as they creatively repurpose institutional spaces to serve community-defined goals rather than externally imposed mandates.

Moreover, this emerging praxis of grassroots activism aligns with Jackson's (2013) notion of social movement unionism in sex work rights, where struggles over labour, dignity, and citizenship are interlinked. By attempting to transform NGOs and CBOs into sites of negotiation and mutual accountability, FSWs and FSW activists articulate a form of rights-

based secularism that resists the radicalisation and moralisation of state policy (Lopes 2005, Pattnaik and Panda 2005). This localised framework, grounded in bridge-building solidarities and everyday acts of agency, is believed by the community to effectively address the differentiated and often violent experiences of FSWs, FSW activists, and NGO representatives. In doing so, it not only contests the structural hierarchies embedded in the regulatory model but also reimagines the very meaning of empowerment, activism, and solidarity within India's contemporary sex work movement. FSW activists such as *Roohi* (introduced in Chapter 7), share her early experience of implementing and localizing the government policies on condom distribution, HIV/AIDS and STI/Ds as:

*“The idea of starting my work in sex work was HIV to begin with. Women had no information before about it or like what to do for her other day-to-day needs. They used to sell flowers and sell sex. So as a women sex worker, I thought, I should give some kind of information, some kind of self-protection and how they can collectivize at the ground level. The first peer who I met, she said she can give condoms to me. But to give it to many other women who work near canals, you know, near the forest, near burial ground was hard initially without government and NGO's support. Especially during Covid. It is because men from low-income groups buy sex from women, wherever there are places which is hidden. So, they used to come weekly once and take condoms. And most of them didn't know how to read and write because they were all street workers. So communicating in our language was very crucial. Holding face to face meetings instead of publishing something or sending some information over social media.”*

*Roohi's* attempt to localise the government's HIV/AIDS and condom distribution policies through face-to-face interactions in the local language directly responds to the layered vulnerabilities produced by capitalised, state-sanctioned, and overlapping forms of stigma (also presented by Ryan et.al 2019). This practice illustrates how grounded, community-led engagement can disrupt the distance and abstraction of top-down health governance. Much like Showden's (2012) sex-positive queer feminism, I argue that the contemporary sex work movement in India must adopt a bottom-up conceptual framework that localises the regulatory model. It is advocating for a model that includes the diverse realities of all FSWs, FSW activists, moves away from politicised radical Hindu ideologies, and sustains advocacy on the ground through NGO and CBO collaboration in the community's own language (as argued by Sloan and Wahab 2000, Matthews 2008, Loomba and Lukose 2012).

I argue that it is only by centring the lived experiences and grassroots perspectives of FSWs and FSW activists, can the regulatory model evolve into a genuinely inclusive framework that provides space, power, and representation for all forms of sex work. In line with the arguments of Bindman (1997), Kempadoo and Doezema (1998), Hooks (2000), and FitzGerald and McGarry (2018), such a bottom-up, inclusive approach enables the articulation of a distinct southern FSW identity and social movement (also explained by Sanders et.al 2017). Such a model then, operates beyond the boundaries of the international women's movement and remains separate from the broader southern women's identity. This reorientation not only challenges the hierarchical logic of neoliberal governance but also advances a decolonial feminist praxis rooted in solidarity, linguistic inclusivity, and epistemic justice.

### 9.3 (c) Using social media as a local advocacy strategy:

Building on this bottom-up framework, the digital sphere has emerged as a new site of localised resistance, where FSWs and FSW activists strategically use social media to extend their advocacy beyond physical spaces, transforming online platforms into tools for collective visibility, solidarity, and the redistribution of epistemic power. In their attempts to remain inclusive and grounded in grassroots realities (as explained by Touraine 1985, Barker et.al 2013, Bettencourt 2023), FSWs and FSW activists are increasingly experimenting with the use of social media to articulate their own concerns in their own languages. However, this process remains deeply challenging due to a constellation of intersecting barriers as most FSWs and FSW activists are illiterate or semi-literate with limited exposure to digital technology. The combined pressures of poverty, debt, routine violence, and daily survival leave little space or resources to acquire smartphones, stable internet connections, or private digital environments, and finally, linguistic exclusion persists, as the dominant user interfaces of most platforms operate in English.

This digital marginality reflects the broader structural inequalities that shape their offline experiences of state-sanctioned stigma and neoliberal exclusion. The unfamiliarity and fear of the 'unknown' compel many FSWs and FSW activists to identify as 'digital illiterates' and to perceive social media as a 'necessary evil' and a tool they are compelled to adopt, particularly during the Covid-19 pandemic, when physical activism and community support were restricted.

Yet, despite these constraints, participation in global digital conversations surrounding sex work enables them to assert their presence, exchange strategies with western counterparts, and voice their concerns without mediation. This process not only challenges epistemic hierarchies embedded within transnational feminist discourse but also reclaims digital spaces as potential sites of southern feminist resistance, rearticulating what activism and agency mean within India's moralised and technologized landscape. Academic activist and lawyer *Akriti* (introduced in Chapter 7) highlights the challenges associated with using social media by most Indian FSWs and FSW activists as:

*“most of them are media shy and scared of social media. They do not have proper knowhow how to utilize sensitive data. More invested in Facebook and Instagram. Then LinkedIn and Twitter as they are more user friendly. But we are trying to use WhatsApp the most as it is easy to communicate and reach and you can write it in your own language.”*

This fear of using social media intensifies when FSWs and FSW activists attempt to discuss sensitive details about their personal lives. This anxiety largely stems from the strict content policies imposed by Meta, the parent company of most major social media platforms, which tightly regulates what is deemed ‘improper’ or ‘harmful’ for society (as argued by Sturges and Hanrahan 2004). These policies often function as mechanisms of moral surveillance, reinforcing dominant norms of respectability and virtue that render certain women's experiences unspeakable or illegitimate. Consequently, the lives and struggles of FSWs and FSW activists become vulnerable to erasure, as posts and testimonies can be easily removed for being ‘blasphemous’ or ‘indecent’ (also presented by Kotiswaran 2011, Pai et.al 2018, Desai 2019). Confronted with such digital censorship, the community has drawn inspiration from transnational movements that have similarly confronted moral regulation and structural exclusion, such as the women's movement in Kenya (Daniel 2016), gender and sexual diversity organising in Africa (Currier and Thomann 2016), and politicised women's resistance against authoritarian and militarised regimes in Bangladesh (Basu 1995). These examples have encouraged Indian FSWs and FSW activists to emphasise the cultivation of a shared FSW identity as a form of political solidarity. Advocates like *Akriti* argue that articulating a distinct southern sex worker identity could strengthen inclusivity and collective representation across social and linguistic boundaries.

Through this lens, Scheper-Hughes's (2008) notion of everyday resilience becomes particularly relevant. Despite institutional and digital constraints, FSWs and FSW activists engage in small, embodied acts of defiance that sustain their capacity to resist and rebuild community. Similarly, Fraser's (2007, 2009) call for participatory parity, i.e the right of all social actors to contribute as equals to public life, helps illuminate how social media spaces, though exclusionary, are being strategically reappropriated by FSWs and FSW activists to claim visibility and justice on their own terms. Yet, as Phipps (2009, 2017) cautions, the politics of respectability continues to haunt these digital spaces, privileging those who conform to normative scripts of femininity and silencing those who do not. Against this backdrop, the community's insistence on creating both traditional and digital platforms for advocacy, through television, billboards, pamphlets, radio, street rallies, newspapers, and social media, represents not just an act of communication, but a radical claim to social legitimacy and epistemic inclusion.

### 9.3 (d) Increasing significance of social media after Covid-19:

The outbreak of Covid-19 further magnified the centrality of digital spaces in sustaining these acts of resistance, as lockdowns, mobility restrictions, and the collapse of in-person advocacy forced FSWs and FSW activists to reimagine social media not merely as a supplementary tool but as an essential site for survival, solidarity, and political visibility. During the prolonged lockdowns, however, the community was compelled to confront and overcome its fear of digital technologies, and were forced to learn the use of social media, often with the assistance of representatives from sex work NGOs and at times through peers, family members, neighbours, brothel owners, pimps, and others, as a means of survival.

Through these emergent networks of everyday resilience (Scheper-Hughes 2008), social media became a critical platform for accessing vital information. Activities included updates on shifting lockdown regulations, guidance on protecting themselves and their families from the virus, and instructions on how to apply for government identity cards that enabled access to free monthly rations. It also facilitated communication about the availability of mobile healthcare facilities jointly run by NGOs, CBOs and government agencies, opportunities for safe online income generation, maintaining contact with peers and family, and reporting local grievances or urgent needs to state and NGO representatives (also noted in SANGRAM 2016,

2018). In this way, the digital realm functioned as a participatory space (Fraser 2007, 2009), where marginalised voices could assert visibility and agency, challenging exclusionary structures of respectability and regulation that had long confined them to the peripheries of state care. Similar to Matthew's (2008) argument about sex workers becoming empowered and negotiating better at work by enhancing their language and communication skills, FSW activists such as *Drishti* (introduced in Chapter 8) discuss the increasing significance of harnessing social media skills, communicating (sometimes globally) with other activists and sex workers and sharing the dominant advocacy programs and learning from other sex worker mobilisations as:

*“In the last 1 to 2 years, we have picked up social media. See in social media, unless you receive guidance you won't be able to post things, inform people or educate people. For example, now you have your Children's Day. They give very good lectures. But when it comes back, you can't be writing everything. You have to make it interesting. Anyone can just post it, you know, you can post a picture of your family and it is not the case when you write for your own work. So, I think it really demands a person's time, skill, training and energy.*

*Of course, if you ask me, our network members 50% to 60% of them have Facebooks. Sometimes I need to tell them, please don't post God's pictures or you know Good Morning, Good Evening greetings. They want to tell the world that they have learned to use Facebook.*

*But that is not what it is meant for. I have to creatively tell them how to use them for the wider world, you know, that they look at you and like that. But no joke, they really did a lot of Twitter and then they verified also. They can write it in their own language.”*

*Drishti* and her colleague's experience with advocating on social media reinforces the 'fear of the unknown' argument discussed in Section 9.3 (c). Due to this prevailing fear, most FSWs and FSW activists (during and after Covid-19) still relied strongly on traditional media outlets for their local advocacy, education, and communication. This reliance, however, also reflects what Lang (2012) describes as the delicate balance women's NGOs often navigating between challenging dominant narratives and conforming to them in order to maintain strategic access to media platforms and donor support. Similar to the NGOs, FSW movements in India find themselves operating within this paradox of seeking visibility while constrained by the need to frame their advocacy in media-friendly or state-approved ways. Such practices within the community challenge Bhabra's (2014) concept of 'connected sociologies,' which highlights the increasing interconnectedness between western and southern feminist social movements.

Contrary to Bhambra's prediction, many Indian FSWs and FSW activists (despite facing significant challenges during Covid-19) place great importance on grassroots, face-to-face advocacy and knowledge dissemination in their own local language through traditional media outlets. This perspective aligns with the views of Arya and Roy (2006) and Shah (2014), who argue that contemporary FSWs and FSW activist's heterogeneous interests often do not align with the regulatory model's political and capitalist frameworks.

However, it would be incorrect to assume that the community has completely denied the use of social media for their advocacy and knowledge dissemination. Contemporary sex work activists and advocates such as Cornish (2006), Kotiswaran (2011, 2017), Pai et.al (2013), Seshu and Pai (2014), and Desai (2019) have continuously promoted using social media as a tool for effective communication, mobilisation, and knowledge dissemination. They argue that having the space and opportunity to communicate their concerns in their own language has boosted the confidence of many FSWs and FSW activists who are new to social media. Many FSWs, such as *Drishti* and her peers, have confessed that the language barrier and the fear of humiliation because of it were among the core reasons for avoiding technology. But now, the ability to voice their own concerns in their own language has not only provided them with the much-needed confidence to fight their own battles but also pushed many FSWs, FSW activists, advocates, and representatives of sex work organisations and volunteers to learn to use the space positively and for the benefit of their movement.

Nonetheless, as Lang (2012) emphasises, even these seemingly empowering digital and communicative practices can reproduce intersectional silencing when movements must adapt their voices to dominant public expectations. The FSW community's cautious engagement with social media, while opening new avenues for expression, reflects broader structural constraints, as visibility is negotiated within the boundaries of what is acceptable to media gatekeepers, government agencies, and the state system. Thus, both the women's and sex work movements remain simultaneously empowered and constrained in public discourse. What is needed, then, is a more reflexive, participatory, and pluralistic civil society that is capable of accommodating and justifying the multiplicities and internal heterogeneity of both movements in India (also argued in Bardach 1977).

### 9.3 (e) Maintaining the balance between the use of traditional and social media:

Others such as *Swati* (introduced in Chapter 8) strongly advocate the need to maintain a balance between the use of traditional media and social media while also practicing their version of (bottom-up local) activism. Much like Sahni and Shankar (2013), *Swati* and her peers feel that Indian FSWs are often ignored by the mainstream women's movement, as the discussions surrounding 'sex' are complicated. This complexity arises primarily because sex in India is intertwined with diverse socio-cultural and political historiography. Most significantly, the impact of *Manusmriti* (as explained by Mukherjee 1978, Raines and Maguire 2001) on ITPA (as discussed by Gangoli 1993, Misra 2008, Menon and A.J 2020), the Anti-Trafficking Bill of 2018 (discussed by Mohan 2006, Engle et.al 2021) and the dominant discourse surrounding sex work and sex work activism in India (also argued by Polleta 2004, Oommen 2004). By strongly supporting the need for more grassroots field work that contributes towards formulating gendered specific knowledge and localized inclusive policy, *Swati* argues that:

*“If we do not do the field work, we will not be able to know the real situations. If we are far from the reality, what are we going to update on our social media accounts and pages. The strategies that have to be made to solve the problems within the communities can only come from the ground itself and then only will be able get impactful solutions. Because if we want to share any information on social media, we need to get first-hand experience from ground and therefore field visit is a must.”*

*Swati*'s dedication to exhaustive field research and collaborative knowledge underscores the significance of Tambe's (2010) concept of multiple and diverse local feminist identities that vary along differential scales of power and powerlessness. This approach reinforces the importance of multifaceted feminism (as explained by Roy 2022), as the contemporary regulatory model, through its rights-based approach, increasingly focuses on harnessing and prioritising the identities and challenges faced by women, poverty-ridden labour, and marginalised human beings in a patriarchal society like India (also argued by Karandikar 2008, Kotiswaran 2011, 2017, Ryan and McGarry 2022). Through a bottom-up conceptual framework (as explained by Bayat 2010, Polletta 2004), FSW activists such as *Swati* and her peers seek to create a distinct Indian female sex worker identity and southern social movement that extends beyond the dominant southern feminist framework.

Building on O’Keefe’s (2021) notion of bridge-builder feminism, *Swati*’s activism represents a deliberate attempt to foster solidarity across fragmented movements, connecting local struggles of sex workers with wider feminist, labour, and human rights causes. In this sense, her advocacy aligns with Jackson’s (2013) theorisation of social movement unionism, where collective organisation among sex workers is not only a labour rights struggle but also a broader political project challenging neoliberal exclusion and moral regulation. Similarly, Connolly et.al (2020) argue that the global unionisation of sex workers creates transnational solidarities that reconfigure the boundaries of care, labour, and feminist resistance. *Swati*’s model resonates with this global momentum, yet remains deeply rooted in the Indian socio-political context, where she situates solidarity not as abstract sisterhood but as a pragmatic, everyday practice of negotiation, survival, and mutual empowerment.

Moreover, similar to Sutherland (2004), *Swati* urges academics, scholars, and sex work advocates to understand sex work as *dhandra* (business) that is poisoned by extreme structural gendered violence. Moving beyond the dominant regulatory model’s focus on agency and intersectionality (as explained by Kabeer 2001, Devine et.al 2010) and the southern feminist framework (as discussed by Basu 1995, Fadaee 2016, Roy 2011, 2015, 2016), *Swati* calls for centring the extreme victimisation and marginalisation endured by the community, and forms of exclusion that exceed the broader oppression faced by poor southern women. She justifies her approach by arguing that this framework captures the complex intersectionality of agency, structured gendered violence, religious history, and socio-cultural politics of Indian female sex work and activism, without subsuming sex worker identity and struggle within the wider southern feminist movement.

#### 9.4 Conclusion:

This chapter has demonstrated that stigma and structural violence are deeply embedded within India’s healthcare and governance systems, shaping the lived realities of FSWs and FSW activists in Delhi. From the carceral logic of rehabilitation centres to the moralised practices of government hospitals, access to care is mediated by intersecting hierarchies of class, caste, gender, religion, and respectability. These dynamics reveal that exclusion is not incidental but

central to the state's moral and political economy, which simultaneously disciplines and pathologizes women's bodies.

Corruption, bureaucratic neglect, and moral governance operate as forms of 'violence from above' (Wacquant 2008), while neoliberal NGOization (Roy 2016, 2019, Lang 2012) transforms empowerment into regulation. Yet, through everyday acts of resistance, such as by turning to alternative medicine, grassroots advocacy, and digital activism, FSWs and FSW activists embody what Scheper-Hughes (2008) terms everyday resilience, by reclaiming agency in the face of systemic oppression. These practices echo Fraser's (2007, 2009) vision of participatory parity, O'Keefe's (2021) bridge-builder feminism, and Jackson's (2013) and Connolly et.al's (2020) calls for social movement unionism that links labour, rights, and solidarity. Ultimately, the chapter argues that dismantling stigma and structural violence in healthcare requires moving beyond moralised and regulatory models toward a decolonial, intersectional feminist framework that values community knowledge and collective agency. The evolving activism of FSWs and FSW activist's redefines care, resistance, and justice from the margins, illuminating how feminist praxis in the global south can transform both the systems that harm and the epistemologies that sustain their invisibility.

## Chapter 10: Conclusion

This thesis has explored the complex sociopolitical terrain in which the Indian female sex worker (FSW) movement operates under the regulatory model. It examined how colonial legacies, caste-based patriarchy, politicised Hindu morality, and the NGOization of activism

continue to shape and constrain the lives of FSWs, FSW activists and their advocates. Drawing on extensive ethnographic fieldwork with FSWs, FSW activists, advocates, and representatives of sex work NGOs and CBOs in New Delhi, India, the study has argued that the Indian regulatory model of sex work activism, though envisioned as a rights-based framework, remains deeply embedded in structures of systemic structural violence and stigma. These structural conditions are produced and sustained by the state's bureaucratic machinery, the cultural hegemony of politicised Hinduism, and the professionalisation of activism under neoliberal developmental regimes. The result is a paradoxical model of governance that simultaneously claims to empower sex workers while reproducing their marginalisation and precarity.

Historically, the regulatory landscape of sex work in India cannot be disentangled from its colonial, religious, and casteist patriarchal foundations. This thesis explored the legal, cultural, and religious historical contexts that framed contemporary understandings of female sex work and sex work activism in India. It examined how religion, law, colonialism, and the nationalist movement collectively shaped the moral and juridical architecture that continues to govern sexuality and the figure of the Indian FSW even today. Under British colonial rule, the governance of sexuality was deeply informed by Victorian and British-Irish Christian moralities, which reconfigured precolonial sexual economies and Hindu practices into rigid binaries of purity and deviance. Colonial administrators, through codified law and missionary discourse, criminalised sex work and pathologized indigenous forms of erotic and ritual labour. Simultaneously, the nationalist movement politicised Hindu womanhood as a site of resistance to colonial moral intrusion. Native male elites, seeking to reclaim moral authority and protect the image of the Indian woman, idealised her as the chaste, self-sacrificing *sati-savitri aurat*: an ideal Hindu woman and an embodiment of the emerging symbol of *Bharat Mata*. Ironically, in attempting to resist colonial domination, these nationalist projects internalised and reproduced the very principles of British-Irish Christian morality they sought to oppose.

This convergence of colonial and nationalist ideologies institutionalised a moral and legal framework that cast the FSW (*veshya*) as the antithesis of the ideal woman and the moral nation. Post-independence legal regimes, most notably the Immoral Traffic (Prevention) Act (ITPA) of 1956, continued to reflect these inherited anxieties, entrenching stigma and control rather than protection or empowerment. Within this historical and ideological backdrop, this thesis traced the evolution of India's regulatory model and the activism they have provoked. It

situated sex work activism within broader feminist movements, both global and Indian, to analyse how FSWs and FSW activists have contested the intersecting forces of law, religion, nationalism, and morality that continue to shape their lived realities. In doing so, the study illuminated how the figure of the FSW remains a locus of social anxiety, moral panic, and political control, while also serving as a site of feminist resistance and redefinition.

Building on this historical grounding, the thesis then, critically engaged with feminist theories of violence as they relate to sex work, tracing the evolution of both western and Indian feminist discourses and their divergent approaches to conceptualising sex work, stigma, and structural harm. Drawing from abolitionist, liberal, intersectional, critical race, radical, and southern feminist frameworks, the study examined how sex work has been variably positioned as exploitation, resistance, labour, and identity. It interrogated how mainstream feminist discourses, particularly abolitionist and carceral feminist positions, have often replicated the exclusionary and punitive logics of state power by conflating sex work with sexual violence. Such framings reinforced dichotomies of victimhood and deviance that erased the political agency and subjectivity of FSWs and FSW activists. In contrast, rights-based and intersectional approaches foreground the significance of context, power, and lived experiences, recognising the constrained yet meaningful agency exercised by sex workers within systems of structural inequality.

Central to this analysis was an engagement with key feminist critiques by scholars such as Phipps (2009, 2014, 2017, 2020), Collins (2017), and Grant (2014), whose work expose how structural, cultural, and epistemic violence is reproduced through feminist respectability politics, racialised moral hierarchies, and neoliberal criminal justice frameworks. These critiques challenged the tendency within mainstream feminism to universalise western moral categories and to privilege state-centred notions of protection and justice that often criminalise and marginalise the very subjects they claim to defend. Through an intersectional and transnational lens, the research situated the discussion within the Indian context, where feminist theorisation of violence and sex work is marked by deep ideological divergences. While early Indian feminist movements often adopted abolitionist perspectives that viewed sex work as inherently violent and exploitative, later interventions informed by intersectional and southern feminist thought have drawn attention to caste, poverty, religion, and state violence as constitutive dimensions of harm. Concepts such as *dhandā* (as a labouring identity), ‘spoiled identity’, and ‘double invisibility’ illustrated the layered violence that FSWs and FSW activists

experience at the intersections of gender, class, caste, and morality. These intersecting structures of oppression not only shaped the lived experiences but also exposed the inadequacies of dominant feminist and sociological frameworks in capturing the complexities of sex work within the Indian socio-cultural context.

The research then argued that western feminist frameworks have historically marginalised the voices of sex workers and non-western women. Indian feminist thought on the other hand, though influenced by global north paradigms, revealed the limits of universalising narratives and underscores the necessity of context-specific theorisation. By theorising violence as structural, cultural, and direct, and by recognising how national and legal discourses in India produce overlapping forms of harm, this thesis pushed for a shift toward sex worker-led, non-carceral feminist frameworks. Such an approach reimagined feminist praxis as a repoliticised project. One that confronts the enduring legacies of colonialism, caste, class, and religion in shaping sex work as a contested and racialised site of governance. The study called for a feminist politics that resists structural oppression, honours embodied knowledge, and redefines justice through collective, situated, and intersectional lenses that centre sex worker agency, resistance, and political subjectivity.

However, advancing such a transformative feminist politics also required confronting how institutionalisation and NGOization can depoliticise resistance, co-opt activist energies, and reproduce the very hierarchies that feminism seeks to dismantle. As such, the research examined the NGOization of feminist and sex work movements in India through the lens of southern feminist social movement studies. By engaging with Roy's (2011, 2016, 2017) critique of NGOization and drawing on the work of Lang (2012), Scoular and O'Neill (2007), Sanders et.al (2017), and INCITE! (2020), it interrogated how processes of professionalisation, and state alignment have reshaped radical grassroots activism into institutionalised, service-oriented interventions. It situated such transformations within the broader context of neoliberal development regimes, tracing how feminist praxis has increasingly been channelled through bureaucratic frameworks of accountability, visibility, and compliance. As activism became professionalised and institutionalised within neoliberal frameworks, its radical potential for collective mobilisation and political resistance is displaced by technocratic management and moral regulation, generating a pervasive precarity haunted by melancholia for a lost 'golden past of Indian prostitution'. Although NGOs have been instrumental in providing essential services and limited forms of legitimacy and protection to marginalised communities, they

have also perpetuated paternalistic and carceral logics of ‘rescue’, ‘rehabilitation’, and ‘responsibilisation’, driven by the lingering melancholia that underpins their moral and institutional frameworks. Central to what Sanders et.al (2017) conceptualise as the ‘rescue industry’, these discourses reproduces FSWs and FSW activists as subjects of victimhood and moral governance, disavowing their political agency while reinscribing hierarchies of worthiness, respectability, and citizenship. Thereby, reaffirming the normative binary between the idealised Hindu woman and the FSW.

The NGOization of feminist and sex work movements revealed a complex interplay between activism, institutionalisation, and governance. The coexistence of multiple ideological frameworks that included the legacies of Indian feminism, postcolonial developmentalism, neoliberal statecraft, and transnational donor agendas, have produced a layered terrain of power. Within this terrain, NGOs and CBOs function not only as facilitators of empowerment but also as agents of regulation, often aligning with state and global development agendas that discipline gendered and sexualised subjects. Roy (2017) critiques this convergence of NGO feminism with regulatory logics, arguing that it diverts attention from structural inequalities toward individualised and managerial solutions. Similarly, Lang (2012) highlights the democratic deficits of NGO representation, suggesting that empowerment without authorship risks reproducing dependency rather than enabling autonomy.

Consequently, the regulatory model surrounding sex work in India operated less as a mechanism of protection and more as an apparatus of control by disciplining female sexuality and labour under the guise of care and welfare (Mukherjee 2019, Chitnis and Wright 2007). These dynamics generated new forms of precarity and discipline, re-inscribing hierarchies rather than dismantling them. However, while acknowledging the strategic and material gains made possible through NGO involvement, such as enhanced visibility, service delivery, and policy engagement, the study once again advocated for a shift toward participatory, rights-based, and sex worker-led models of organising. Such an approach demanded a reimagining of feminist movement-building, that is able to resist technocratic co-optation, centres autonomy and accountability, and grounds itself in the collective, justice-oriented ethos of southern feminist praxis. As, it is only through such a repoliticised framework can feminist and sex work movements reclaim their transformative potential, challenging both the neoliberal state and the moral (predominantly Hindu) governance that continue to shape the contours of gender, sexuality, and labour in postcolonial India. Yet, the very conditions that called for this

repoliticisation are complicated by the uneven power relations, institutional dependencies, and ideological tensions that structure movement spaces themselves.

A central finding of this study was the differentiated ways in which FSWs, FSW activists, advocates, and NGO and CBO representatives experienced and interpreted the Indian regulatory model. This divergence encapsulated the asymmetrical nature of regulation in India's sex work landscape. The positive experiences reported by the advocates and NGO/CBO representatives highlighted how proximity to institutional power, through education, class privilege, and bureaucratic legitimacy, mediated access to protection, recognition, and resources. In contrast, FSWs and grassroots activists consistently reported negative encounters with law enforcement and government healthcare systems, underscoring how stigma, moral surveillance, and structural violence remain deeply entrenched within the very mechanisms designed to safeguard them. The occasional positive interactions between FSWs, FSW activists and traditional media further reveal a performative inclusion, where selective narratives of empowerment are amplified to sustain the legitimacy of the model while silencing dissent and complexity.

FSW and FSW activist's narratives thus, revealed a persistent tension between professionalised, bureaucratic, and state-aligned frameworks of NGOized activism and the passion-driven, grassroots collectivisation that many within the community continue to champion. Drawing on critiques of NGOization (Roy 2011, 2015, 2016), feminist governmentality, and the structural violence embedded in carceral feminist logics (Phipps 2009, 2014, 2020, O'Neill 2009, 2013), the research highlighted how sex worker activism simultaneously resists and is constrained by intersecting forms of stigma, precarity, and bureaucratic regulation. By situating such narratives within broader feminist debates on intersectionality (Collins 2017), recognition, and respectability politics, it also foregrounds how internal hierarchies that is rooted in caste, religion, motherhood, labour status, and migration, fracture the promise of collective solidarity, while at the same time giving rise to alternative radical political imaginaries.

Building on these findings, and drawing on fieldwork, secondary data, and policy analysis, the study interrogated the ways in which NGOs and CBOs working with FSWs and FSW activists reproduced state bureaucratic structures and localised state policies through culturally resonant practices. The analysis contended that the politics of NGOization unfolded through two

interlinked dynamics. It included the replication of top-down bureaucratic modes of administration within sex work organisations, and the politicisation of emotions and culture through the localisation of state policy and bureaucratic practice. Through the lens of southern feminist theory (Basu 1995, Roy 2011, 2016) and critical scholarship on NGOization (Roy 2009, 2013, 2017, 2019, Lang 2012, Raveendran 2023, INCITE! 2020), the study demonstrated that such organisational forms are far from politically neutral. Rather, they reproduced hierarchical governance and translated radical claims for labour and sexual justice into state-friendly idioms of empowerment, health, and rehabilitation. In doing so, the research intervened in broader debates on feminism and development by showing how the institutionalisation of sex work activism under neoliberal governance simultaneously enabled visibility and constrained dissent, by revealing both the possibilities and limits of organising within the logics of the state and the development apparatus.

Policy instruments such as NACO's Targeted Interventions, the *Ujjawala* scheme, and the *Swadhar Greh* programme exemplify this dynamic. They medicalised, surveilled, and morally regulated sex work, by often conflating it with trafficking. At the same time, these initiatives localised bureaucratic authority through festivals, public events, and culturally embedded welfare practices that both strengthen solidarity and reinforced the state's ideological framing. The findings reveal a complex and ambivalent terrain in which empowerment is inextricably entangled with control. The replication of bureaucratic forms within sex work NGOs and CBOs reflected both strategic adaptation to secure political legitimacy and deep-rooted socio-cultural logics shaped by caste, class, religion, patriarchy and nationalism. While these structures have delivered tangible gains, such as improved healthcare access, legal recognition, and inclusion in welfare schemes, they have also anchored the movement within a state and civil society nexus that prioritised compliance over dissent. At the grassroots, politicised sisterhood, cultural localisation, and collective identity formation functioned as powerful tools for mobilisation and community resilience. Yet, under NGOization, these same tools are increasingly instrumentalised to implement top-down health and rehabilitation agendas, narrowing the political scope of activism to domains sanctioned by state morality and epidemiological governance. Initiatives such as NACO's TIs, *Ujjawala*, and *Swadhar Greh* embody this contradiction. They deliver essential services while reinforcing paternalistic, abolitionist, and surveillance-oriented frameworks.

These dynamics further substantiated the concept of structural violence as a form of slow, institutionalised harm normalised through everyday bureaucratic interactions. The law and healthcare systems, when viewed through this lens, become agents of what Wacquant (2008) terms ‘violence from above’. Likewise, Goffman’s (1963) notion of stigma provided a crucial interpretive framework for understanding how sex work is situated within the moral order of Indian society. FSWs and FSW activists are simultaneously rendered hyper visible as moral threats and invisible as political subjects. The research thus, underscored three key conclusions. First, NGOization reconfigured oppositional politics into service brokerage, aligning movements with donor metrics and state-defined priorities. Second, the instrumentalization of solidarity and identity recasts historically radical forms of collective action into consensus-building mechanisms that serve governance objectives. Third, the persistent conflation of sex work with victimhood sustains entrenched moral hierarchies, even as it extends limited welfare entitlements. Ultimately, the trajectory of the Indian female sex work movement exemplified Roy’s paradox of NGOization. Rights and visibility are won, but often at the cost of diluting transformative potential. The challenge, therefore, lied in sustaining grassroots agency and political autonomy both within and against the bureaucratic architectures that now mediate the struggle for FSW’s rights in India.

Yet, amid these tensions, FSWs and FSW activists continued to articulate alternative forms of politics grounded in emotional solidarity, care, and collective identity. Drawing on Bayat’s (2010) notion of ‘quiet encroachment’ and Kabeer’s (2001) theorisation of sisterhood, this study demonstrated how FSWs and FSW activists reclaim agency through subtle, everyday acts of resistance. They navigated, contested, and reimagined the contemporary regulatory model in India, by challenging both the carceral tendencies of the state and the neoliberal rationalities of NGO governance and fostering community-based forms of regulation, rooted in lived experience. These bottom-up practices resonated with Bevington and Dixon’s (2005) call for movement research that privileges local knowledge and participatory frameworks over externally imposed models.

The analysis further demonstrated that, even under the regulatory model and amidst NGOization, FSWs and FSW activists continued to carve out spaces of resistance grounded in lived expertise, negotiating agency within restrictive structures. Their rearticulations of identity, collective strength, and political subjectivity expose the epistemic violence embedded in mainstream feminist and state discourses, while challenging neoliberal governance logics

that seek to discipline marginalised communities. Far from retreating from politics, FSW activism embodied a re-centring of politics in the everyday, where passion, care, emotion, collectivity, and survival become radical tools of feminist praxis. In doing so, these practices unsettled the very frameworks designed to domesticate them, opening possibilities for solidarities that are intersectional, messy, and transformative. At the same time, this study documented the social experiences of police violence and enforcement and their profound impact on the everyday lives of FSWs and FSW activists in Delhi. Drawing on extensive fieldwork, it presented a stark picture of systemic structural violence, including verbal and physical assault, custodial torture, bribery, sexual coercion, and custodial deaths. These lived realities stand in sharp contrast to constitutional protections under Article 21 and judicial pronouncements that have occasionally affirmed sex workers' rights. The thesis situated this contradiction within broader socio-political dynamics, where corruption, ambiguities in the Immoral Traffic (Prevention) Act (ITPA), and the cultural logics of politicised Hindu nationalism that reinforced the binary between the idealised *sati-savitri aurat* and the stigmatised *veshya*. Drawing on feminist critiques, it showed how sex worker's rights are continually negotiated across overlapping structures of law, morality, and governance, where recognition is conditional and vulnerability is institutionalised.

The thesis examined the limited but significant role of NGOs and CBOs in resisting police violence and advocating for rights. Collectives such as SANGRAM and DMSC have achieved important policy interventions and fostered solidarity. Yet their work is circumscribed by the processes of NGOization, which refracted struggles through state policies, bureaucratic accountability, and global anti-trafficking agendas. This paradoxical position, wherein NGOs act both as advocates and as substitutes for a retreating state, often reproduces the very structural dependencies they seek to dismantle. Through case studies and theoretical perspectives, the study argued that police violence cannot be understood as isolated misconduct but as a systemic outcome of intersecting logics encompassing state power, patriarchal norms, neoliberal empowerment frameworks, and technocratic NGO infrastructures.

To address such challenges, FSWs and FSW activists articulated a renewed bottom-up regulatory framework grounded in inclusivity, participatory decision-making, and epistemic justice. Such a model envisioned NGOs and CBOs as 'in-between bridges' (Ferree 2010) that facilitate dialogue between communities and the state, rather than functioning as gatekeepers of legitimacy. This reorientation would decentralise power, foster secular, rights-based

activism, and resist the cultural and political co-optation of feminist discourse. Crucially, it would allow FSWs and FSW activists to articulate their demands through their own idioms of justice, care, and dignity by dismantling the epistemic hierarchies that have long silenced them. The narratives examined in this study revealed the persistent infantilisation, silencing, and denial of epistemic authority experienced by sex workers, who are frequently forced into cycles of rescue, rehabilitation, and punishment. These cycles collapsed into a continuum of coercion rather than pathways to protection, producing a fragile regulatory terrain where recognition is conditional, stigma is institutionalised, and rights are negotiated through dependence, exclusion, and violence. The study concludes that meaningful responses to police violence, structural abuse, and regulatory overreach cannot be achieved through carceral logics, NGOized activism, or paternalistic rehabilitation policies. Instead, effective change requires centring the voices and knowledge of sex workers themselves, dismantling epistemic violence, and reconceptualising sex work not as victimhood but as labour embedded in broader struggles for dignity and rights.

Extending this critical feminist analysis, the study interrogated how the carceral and paternalistic logics underpinning state and NGO interventions are reproduced within the domain of public health, by positioning healthcare as a key site through which the state's moral and regulatory authority, and its disciplinary power, was inscribed upon sex worker's bodies and subjectivities. Within this framework, healthcare spaces in India emerged as arenas of moral regulation, where exclusion is normalised and harm is perpetuated through bureaucratic neglect, moral judgement, and the intersectional operations of caste, class, gender, religion and sexuality that structured access, recognition, and care. Using Goffman's (1963, 1986) theorisation of stigma and Wacquant's (2008) notion of 'violence from above', the thesis illustrated how institutional practices perpetuate humiliation and exclusion under the guise of care. In dialogue with Beauvoir (1970) and Phipps (2009, 2020), it demonstrated how healthcare systems disciplined women through gendered and moralised expectations, reinforcing patriarchal and nationalist ideologies (Mukherjee 2019, Chitnis and Wright 2007). This disciplining of sex worker's bodies and subjectivities within healthcare, mirrored broader patterns of governance, where moral regulation and technocratic control intersect to delimit the boundaries of legitimate feminist praxis. The professionalisation of feminist activism under the neoliberal NGO model, critiqued by Roy (2016, 2019) and Lang (2012), entrenched these dynamics, by transforming advocacy into a technocratic apparatus aligned with state governance. Integrating Collins's (2017) intersectionality as both a knowledge project and a

social justice practice, Phipps's (2017) critique of neoliberal feminism's moral regulation, and Scheper-Hughes's (2008) concept of everyday resilience, the study foregrounded how FSWs and FSW activists navigated and resisted structural oppression. Stigma and exclusion in healthcare are argued to not be isolated incidents but integral to the moral and political architecture of the Indian state. Understanding FSWs and FSW activist's health experiences required a decolonial feminist framework that recognises their agency, resilience, and collective strategies against intersecting forces of patriarchy, neoliberalism, and moral governance.

This analysis further demonstrated that stigma and structural violence are deeply embedded in India's healthcare and governance systems, shaping the everyday realities of FSWs and FSW activists. From the carceral logic of rehabilitation centres to moralised practices in government hospitals, access to care is mediated by intersecting hierarchies of class, caste, gender, religion, and respectability. Exclusion is neither incidental nor peripheral. It is central to the state's moral and political economy, which simultaneously disciplines and pathologizes women's bodies. Corruption, bureaucratic neglect, and moral governance operate as forms of 'violence from above' (Wacquant 2008), while neoliberal NGOization (Roy 2016, 2019, Lang 2012) transforms empowerment into regulation. Yet, FSWs and FSW activists continued to exercise agency and cultivate resistance through everyday practices. Whether through alternative medicine, grassroots advocacy, or digital activism, they embodied Scheper-Hughes's (2008) notion of everyday resilience, and reclaimed control in the face of systemic oppression. These practices resonated with Fraser's (2007, 2009) vision of participatory parity, O'Keefe's (2021) bridge-builder feminism, and the calls for social movement unionism articulated by Jackson (2013) and Connolly et.al (2020), linking labour, rights, and solidarity. Ultimately, dismantling stigma and structural violence in healthcare required moving beyond moralised and regulatory models toward a decolonial, intersectional feminist framework that values community knowledge, collective agency, and lived expertise. The evolving activism of FSWs and FSW activists redefined care, resistance, and justice from the margins, illuminating how feminist praxis in the global south can, I argue, transform both the systems that harm and the epistemologies that sustain their invisibility.

In light of these findings, this thesis advocated that a genuinely rights-based and transformative approach to sex work must resist both state violence and institutional co-optation. It must critically engage with the regulatory frameworks shaping the everyday realities of sex worker

organising in India, while centring sex worker's own knowledge, political agency, and collective leadership. Understanding the impact of politicised Hinduism on sex worker communities requires delineating the contours of the Indian regulatory model, which simultaneously aligns with and diverges from global sex work governance frameworks. This research called for the re-politicisation of feminist and activist praxis in postcolonial India, foregrounding caste, class, and religious difference and recognising sex work as both labour and citizenship. Situating sex work within broader struggles against structural violence and epistemic marginalisation, the thesis advances a framework that challenges moralised binaries of victimhood and deviance, highlighting the agency, expertise, and collective strategies of FSWs and FSW activists.

The study contributed to southern feminist scholarship advocating decolonial, intersectional, and participatory approaches to gendered labour and sexuality. The proposed bottom-up regulatory model that is anchored in collective knowledge production, emotional solidarity, and grassroots decision-making, offers a transformative approach to addressing structural violence, stigma, and moral governance in India's contemporary sex work landscape. Ultimately, this thesis underscored the paradoxes of power, identity, and resistance within the Indian sex work movement. While the regulatory model has failed to protect FSWs and FSW activists from violence and stigma, grassroots strategies of resilience, solidarity, and everyday negotiation offer avenues for reimagining activism. FSWs and FSW activists are not merely policy subjects, they are theorists of their own emancipation, crafting a feminist praxis rooted in lived experience and collective agency. This redefinition of activism foregrounds those historically marginalised, offering a model of transformative praxis capable of reshaping both feminist theory and social justice practice.

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# Appendix I

## Ethics Application

### **Social Research Ethics Sub-Committee**

#### **Protocol for Tier 2-3 Ethical Review of a Research Project Involving Participation of Humans**

**(This form must be submitted via the online [Ethics Module in RIS](#)).**

### 1. Applicant.

Name:	MU Address/Department
Akangshya Bordoloi	Sociology

### 2. Title. Brief title of the research project:

The Waves of Activism: An ethnographic study of sex work activism in Delhi, India

### 3. Research Objectives. Please summarize briefly the objective(s) of the research, including relevant details such as purpose, research question, hypothesis, etc. (maximum 100 words).

The aim of the research is to explore the contemporary forms of sex work activism in Delhi, India where stigma and precarity remain important impediments to feminist mobilisations. It has two main objectives:

1. To document and analyse the struggles of the sex work activists of Delhi, India in the category of security, health, and identity through a life course perspective. The thesis will contribute towards investigating the possibility of a global solidarity of sex work activists under the 'wave phenomenon' wherein the affected voices out their concerns through their own creative strategies on various digital platforms.
2. To conceptualise whether a bridge needs to be constructed between academia, legal institutions, and the contemporary forms of raw activism so that it becomes more representative and might pave the way for a possible fourth wave of feminism. This will finally assist in the formulation of new strategies and programs to address the issue.

### 4. Methodology.

#### 4a. Where will the research be carried out?

Location(s)	The research will be held in G.B Road, KatKatha and Ministry of Women and Child Development, Delhi as even though my original proposal included an internship in Sex Workers Alliance Ireland, but due to certain organisational issues, this is no longer a possibility. So, my request for ethical approval now is for Delhi, India only. If, however, this situation changes in the future, I would apply for additional approval for Dublin, Ireland ethnography.
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#### 4b. Briefly describe the overall methodology of the project.

The research takes place within an Interpretive Qualitative Research Methodology. This methodology has been proven to be the most effective in gathering rich and sensitive data in almost all contemporary qualitative work. It provides a space to both the researcher and the participants to communicate ethnographic data efficiently and conduct peer-led research while documenting their rich experiences and perspectives.

The key features of our methodology include:

- Identifying and building relationships with the gatekeepers that include sex work activists involved in the various organisations in India and individual academic/retired activists like Dr Prabha Kotiswaran, Dr Srila Roy and the Ministry of Women and Child Development in Delhi, India. Although letters of support will not be possible at this stage of my application, but the organisations might provide me certificates of participation after the completion of my voluntary internships. As the relationship with the organisations and the people involved is sensitive and delicate, letters of support before the completion of the voluntary internship would jeopardise my research and their confidence in me. The relationship with the gatekeepers in India is maintained by following their social media handles like Twitter, Facebook, YouTube, and other applications. I, however, am just following them to build and maintain relationships.
- I will utilise qualitative methods like in-person focus group interview for my field work in Delhi, India with sex work activists' organisations in Delhi, an internship work in KatKatha, Delhi and Ministry of Women and Child Development. The focus groups would have not more than 5/6 respondents from one organisation at a time, moderated by the researcher. I will also use in-person individual interview to follow up with the activists of one organisation at a time and then later while interviewing the independent retired/academic sex work activists. This will assist in documenting their experiences through their perspectives while maintain the reliability and validity of the data. I will contact the appropriate gatekeepers through my official student email id and will send them a detailed description of my work along with consent form. My department has also agreed to provide me with an official letter of support and recognition of my work to the organisations, if required.
- Due to a sudden anticipation of covid regulations, I might have to shift to online individual interview. For the online individual interviews, I would use Microsoft Teams only and would record the conversation after prior approval and proper consent. The recorded interviews will be saved in password protected files in my laptop and no other copies would be made.

## 5. Participants.

5a. Who will the participants be?

The participants will be:

1. Practising and/or retired sex work activists who are part of sex work organisations in Delhi.
2. Independent sex work activists who are not a part of any organisation. (Example: academic activists, retired activists, lawyers, policy makers and others).

5b. Outline the recruitment process, considering any criteria for inclusion/exclusion.

The recruitment process employs a purposive and snowball sampling design. I have written to almost eight organisations, who have agreed to participate in my research. For my field work, I will conduct an internship in KatKatha, in Delhi for the month of June 22 and a voluntary program with Ministry of Women and Child Development from 4<sup>th</sup> to 8<sup>th</sup> of July 22.

My primary gatekeepers include the prominent sex work activist and Professor of Law and Social Justice from King's College London-Dr Prabha Kotiswaran, who is considered a pioneer and an expert of sex work in India.

Inclusion Criteria:

- Participants must be an adult, i.e 18+ years of age.
- Participants must be a female/cis female. This is to simplify my target group and remain focused to my objective as there are separate organisations for different kinds of sex workers. This also helps me to maintain my time constraint and produce rich/in-depth qualitative ethnographic work about the power dynamics and evolution of feminist sex work activism in India which has been largely dominated by the female sex.

- Participants must identify themselves to be a sex work activist.
- Exclusion Criteria:

- Participants under 18 years of age.
- Participants forced into the sex trade.
- People who do not identify themselves as female/cis female.

5c. What will research participants be asked to do for the purposes of this research study?

In the in-person focus group interviews, the participants would belong from one organisation at a time. The participants would be requested to take part in an in-person focus group interview for an average of 1 hour 30 minutes. Here, they would be required to answer questions from my interview guide and contribute actively while respecting other people's opinion and maintaining the decorum of the interview. For the in-person individual interviews, the length of the interview will be on an average of 45 minutes to an hour. The location of the interviews would be in a quite public place and will be decided after deliberation with the respondent. The themes for my in-person individual interview would be as follows:

- Background
- Ideology
- Contribution
- Challenges
- Relationship with organisations, activists, media, hospital, police, policy makers and others
- Medium of communication
- Future prospects

My interview guide for the focus group would include topics like

- the background and origin of the organisation
- the kind of services they provide
- the kind of relationships they have with the police, law, medicine, media, and other organisations.
- The kind of challenges they face and the strategies they invented to address them
- The medium of communication they use and others.

They will be explained in detail about the research work, and how the information will be used, prior to any interviews. They will also be required to sign a proper consent form, that would confirm their voluntary participation. In addition, they would also be required to provide a verbal confirmation regarding their participation and consent for recording the session.

5d. Conflict of Interest.

Yes  No

*Please consider the basis of any potential conflict of interest and describe the steps you will take to address this should it arise?*

[Access the Conflict of Interest Policy here](#)

5e. Will the research involve power relationships e.g. student/employee/employer/colleague etc.?

Yes  No

If yes to above, please outline the basis of the potential power relationship and describe the steps you will take to address this should it arise?

*Note that power relationships may exist in situations other than supervisor-student relationships and or adult/child relationships.*

There might be some power dynamics between the researcher and the individuals involved in sex work organisations. But I would utilise my professional academic research skills and my sense of belonging to the country to address the issues. I would try my best to make everyone comfortable without losing my professional stance. I would also take every necessary measure to protect myself and the integrity of my work.

5f. Will the participants be remunerated, and if so, in what form?

No

## 6. Risk/Benefit Analysis

6a. Potential Risks: Please identify and describe any potential risks arising from the research techniques, procedures or outputs (such as physical stress/reactions, psychological emotional distress, or reactions) **and** for each one, explain how you will address or minimise them.

The participants might face the following risks:

- Risk of conflicting data: As I am employing both in-person focus group and individual interviews, there might arise some situations where the data collected might not be in complete harmony. For such a situation, I have decided to go back to my recordings and look for the reasons of inconsistencies and resolve them. If I am not able to address the confusion, then I will go back to the organisation in question and ask them clarification about it.
- Risk of difference of opinion: by different members of the organisation during the interviews. This might also lead to heated arguments and insensitive statements. Such situations will be handled very carefully and with much professional expertise. All the participants would be informed before the start of the interview to be sensitive and respect contrasting opinions. They would also be informed that no hurtful comments would be tolerated and if such instances happen than, there would be a swift termination of the interview.
- Risk of judgement and ridicule: by both their peer organisations and the government social welfare organisation that deals with policy issues-if and when they come to know about the varied unique strategies and ideologies employed by the organisation in question. This might happen due to their difference in opinions/ideologies, the ways they function (the techniques and tools in use) and the

kinds of policy analysis they practise along with agendas they issue. Exposure to this risk is minimised by a commitment not just to employ standard anonymization procedures but going further to disguise certain biographical features of the participations. Only the name of the organisations will be included if permitted. There might be some challenges in anonymity while conducting my group interviews, as the participants would face each other during the interview. But I intend to handle that by getting their consent about it and maintaining the anonymity during the transcription of my interviews.

- Risk of ethnography: It might arise while conducting my in-person group interviews with the sex worker organisations in Delhi. It might be difficult to anticipate in advance but nonetheless it cannot be ignored as working within the ethics of the organisation might hamper the reliability and validity of my data or my access to the field. In such situations, I would maintain utmost professionalism to protect myself and the respondents involved. I would also be very aware and careful of the perception others in the field hold of the position and intent of the researcher, the problem of being partisan or neutral and the related risk of being targeted by stakeholders in violence and conflict (like the formal authorities). It would include a constant and active patrolling of moral frontiers that balances the necessary intimacy of ethnographic work with an understanding and engagement with broader social issues. All the utilised strategies will assist me in understanding how and why the current strategy of sex work activism is considered unique and successful in handling the various agents in contact with the organisations.
- Risk of distress: There might be a certain risk of distress when the participants recall some horrific details of their past and/or become uncomfortable with the question. The researcher in such a situation would play an active part in making the respondent comfortable while giving them the option to discontinue with the interview or change the line of questioning/discussion. I would further give them the option of approaching the helpline centres that are managed routinely by their local Community Based Organisation, National Network of Sex Workers or by the Ministry of Women and Child Development if and when required.

6b. Potential Benefits: Provide a list of potential benefits for this Research.

There are multiple benefits to the study:

1. Due to this concept being under-theorised, there is a lot of confusion. My research will be able to bring in authentic opinions from India and Ireland about contemporary sex work activists and provide them with a space within the academic discourse.
2. It would also create a space for the activists to produce gendered knowledge and speak out their real concerns and demands without a 'surrogate' and the fear of being judged.
3. The project will lead to a greater understanding of communication between sex workers with health, policing and elected officials leading to more targeted services.
4. The project is about global sex work activism in the contemporary academic discourse while supporting collaboration between the two countries.
5. Finally, it would allow for the two countries to learn from each other and formulate action-oriented policy methodologies that benefit the cause and result in a rich and diverse production of gendered knowledge.

6c. Risk/Benefit Analysis: Taking into account your answer in section 9 (a) & (b) above, please provide a short justification for proceeding with the research as outlined in this project.

The unique combination of methodology adopted by the research, provides a very rare opportunity for a possible collaboration of sex work activism discourse between the two countries. The quality of gendered knowledge produced as a result will contribute greatly to the contemporary academic analysis and understanding surrounding sex work and sex work activism. It is about understanding the rollout services in health and violence prevention in which sex workers are playing a key part. The research findings will be interesting for those in service provisions, throughout other Indian cities.

## 7. Informed Consent.

This section focuses on what and how, you tell participants about your research, and then obtain their informed consent as outlined in [section 3.4 of MU Research Ethics Policy](#).

**Please note if you are collecting personally identifiable data you must seek explicit consent in a recordable manner (e.g. written or audio recorded and transcribed)**

[Template consent form available from the website](#)

7a. Confirm you are seeking and recording informed consent from participants



- Who will be responsible for seeking and recording consent? Akangshya Bordoloi

When and where is consent obtained e.g. do participants get an information sheet and sign a consent form, keeping a copy for their records or is consent secured by another means?

All the listed organisations will receive a consent form in their email, prior to any involvement. The form would include necessary details about the research, their role in it and the ways in which the collected information will be protected and used. I will continue with the process and hold interviews, only after I have received their consent. In addition, verbal confirmation for recording of the interviews, will be taken in the beginning of the interview process.

The listed organisations include:

- KatKatha
- Sangram
- Ministry of Women and Child Development
- National Network of Sex Work Activists
- All India Network of Sex Work Activists
- Nirangal
- Women's Initiative and others

7b. If applicable, please also justify deceiving or withholding information from participants ([see section 4.9 MU Ethics Policy](#)).

8. **Follow-up.** As appropriate, please explain what strategies you have in place to debrief or follow up with participants – especially in cases where information is withheld or deception is involved or where research has been carried out on sensitive topics, and/or with vulnerable persons.

I understand that some data might be sensitive, thereby leading to amendment of the interview guide. But utmost care would be taken in maintaining the anonymity and confidentiality of my respondents, while preserving the reliability and validity of the collected data. All the transcribed data would be provided to the organisations for their approval after proper anonymization through email. Separate transcripts will be provided to each participant from one organisation, with other respondent's opinions redacted for review. Any amendments that they wish to be made or any information eliminated would be done in accordance with the University's ethical guidelines.

## 9. Data Management, Storage

*Please complete 9a if personally identifiable data is being collected. If no personally identifiable data is being collected please move to 9b.*

### 9a. Anonymity

Page 2 of the [Maynooth University's Research Integrity Policy](#) states 'where ever possible personally identifiable data should be rendered anonymous in order to provide the best protection for participants'.

Will personally identifiable data be protected through the use of pseudonyms and/or codes?

Yes  No

- If yes, please confirm that the key to pseudonyms and/or codes will be held in a separate location to the raw data?
- Will personally identifiable data collected be irreversibly anonymised (All identifiers including keys to link pseudonyms or codes back to individual participants are destroyed)?

Yes  No

- Who will be responsible for rendering the data anonymous? Akangshya Bordoloi

If you answered No to above and are keeping personally identifiable data please explain your decision & rationale for not adhering to the policy.

9b. Data Access and Security:

Data must be stored in a safe, secure and accessible form, must be held for an appropriate length of time, to allow (if necessary) for future reassessment or verification of the data from primary sources, as outlined in the [Maynooth University's Research Integrity Policy](#).

Please tick the box to confirm;

- Only the researchers listed on this application will have access to the personal information and data collected from participants
- Electronic Information sheets/consent forms and data collected will be encrypted and stored on a PC or secure server at Maynooth University
- Hard copy Information sheets/consent forms and data collected will be held securely in locked cabinets, locked rooms or rooms with limited access on campus

- Please justify any exceptions to the information stated above

- Do you plan to transfer Data outside of the European Economic Area?      Yes  
 No
- If yes, please confirm you are doing so in accordance with Section 6 of the Maynooth University Data Protection Policy      Yes   
[See Data Commissioners website for a list of approved countries and exceptions](#)

9c. Data Storage:

- Are you planning to collect data on a mobile device (SB keys, smart phones; video recorders; audio recorders and/or laptops)?  
Yes  No

If yes, to be compliant with [Data protection Law](#), please confirm:

- Data collected on a mobile device will be protected with a strong password at a minimum, and/or encrypted if the device supports encryption
- Data will be removed from the mobile device as soon as is practicable

- Data will be removed to a desktop PC or server in a secure location at Maynooth University

9d. Secondary Use and Processing:

- Are you planning for any secondary use of the data? Yes  
 No

If yes, please confirm you will obtain **explicit consent** for;

- Re-use and/or sharing of anonymous data at the beginning of the project
- Re-use and/or sharing of the identifiable data for any purpose other than the current research project
- Depositing in an Archive such as the *Irish Qualitative Data Archive* or the *Irish Social Science Data Archive* ? 
  - If yes, please give name and contact details for the proposed archive

Maynooth University Library

9e. Data Disposal: Data should be destroyed in a manner appropriate to the sensitivity of that data.

Please confirm:

- Paper based data will be destroyed by confidentially shredding or incineration
- Electronic files will be deleted by overwriting
- Who will be responsible for destroying personally identifiable data? Akangshya Bordoloi

**10. Professional Codes of Ethics.** Please append an appropriate code of ethics governing research in your area to this protocol, and/or provide a link to the website where the code may be found.

Maynooth University Research Ethics Policy:

Indian Sociological Society Code of Ethics: <http://www.insoso.org/images/ISSCodeofEthics-1.pdf>

Sociological Association of Ireland Ethical Guidelines

<https://www.sociology.ie/sai-ethical-guidelines.html>

### **Submission Check List**

- Completed application form
- Letter from supervisor if applicant is a student

#### **if applicable – copies of:**

- prior ethical approval
- ethical approval from other partner institutions
- Letter/email of support from named gatekeepers or external parties involved in the research
- proposed information sheet and consent form
- Samples of surveys/questionnaires, indicative focus groups/interview questions etc.
- Documentary evidence for the use of existing data records, sourced from third party organisations, that consent was originally sought for data to be used for research purposes

Please upload your full application to [RIS](#) as **one single File**.

## Appendix II

### Information and Consent Form for Research Participants

- *The aim of this form is to facilitate informed consent by communicating with participants in language that they can understand.*
- *Please adapt depending on whether participants are children or adults and for the type of interaction you are proposing, e.g. survey, interview, focus groups etc.*
- *If participants are not native English speakers translate this information sheet appropriately*

#### Information Sheet

#### For in-person focus group interview

Purpose of the Study: I am Akangshya Bordoloi a Research Scholar and Tutor, in the Department of Sociology, Maynooth University, Ireland. As part of the requirements for my Doctoral Degree, I am undertaking a research study` under the supervision of Dr Paul Ryan, Lecturer for Department of Sociology, Maynooth University, Ireland. The study is concerned with conducting an ethnographic study of sex work activism in Delhi, India. The purpose here is to have a critical academic conceptualization of sex work and sex work activism for enhanced cooperation and collaboration. We would like to collect data about your organization, its structure, its contributions, and its impact on the said field. I would also like to know about your ideologies, plans and strategies for the future.

Requirements: The study will involve in-person focus groups interviews with sex workers/activists from different organizations of India and voluntary internships in KatKatha, Delhi and Ministry of Women and Child Development. A focus group could be defined as a planned group interview involving a small number of similar participants who have common traits/experiences to meet together at set times and discuss set topics in an organized manner. The information and consent sheet could be translated to the local language if the need arises. It could also be amended based on the organization involved. The names of other organizations involved in the research will not be named to other organizations or participants. You will also be provided with a sample interview guide prior to signing the consent form, so that you have an idea about the style of questioning. Individual participants will be given the choice to review the transcripts and ask for amendments if you feel some materials were

incorrect.

Consent: You have been asked to be a part of the study because the work of your organization and your rich experience would be greatly valued and contribute exhaustively to my research. You are under no obligation whatsoever to take part in this research. However, we hope that you will agree to take part and give us some of your time. If you decide to do so, you will be asked to sign a consent form and given a copy and the information sheet for your own records. You are still free to withdraw at any time without giving a reason and/or to withdraw your information up until such time as the research findings are analysed and written up for publication. A decision to withdraw at any time, or a decision not to take part, will not affect your relationships with the University. You can withdraw by the end of August 2022. With respect to the anonymity guidelines of the University, you have the choice to include the name of your organization or not.

Ethics: This study has been reviewed and received ethical approval from Maynooth University Research Ethics committee. All the information that is collected about you during the course of the research will be kept confidential. No names will be identified at any time. All hard copy information will be held in a locked cabinet at the researchers' place of work, electronic information will be encrypted and held securely on MU PC or servers and will be accessed only by me and my supervisor. No information will be distributed to any other unauthorised individual or third party. If you so wish, the data that you provide can also be made available to you at your own discretion.

*'It must be recognised that, in some circumstances, confidentiality of research data and records may be overridden by courts in the event of litigation or in the course of investigation by lawful authority. In such circumstances the University will take all reasonable steps within law to ensure that confidentiality is maintained to the greatest possible extent.'*

Data Confidentiality: All the information you provide will be kept at Maynooth University in such a way that it will not be possible to identify you. On completion of the research, the data will be retained on the MU server. After ten years, all data will be destroyed (by the PI). Manual data will be shredded confidentially, and electronic data will be reformatted or overwritten by the PI in Maynooth University. The research will be written up and presented as a part of the Doctoral Degree. It would also be a part of future publications, conferences, seminars and others. The data from my field work will be deposited in the IQDA (Irish Qualitative Data) Archive which is the central access point for qualitative social science data generated in or about Ireland. You will be requested to provide consent for that as well. In a situation where the organisation or any of the respondent from the organisation feels uncomfortable about it, proper measure will be taken to redact/edit those statements before submission.

I don't envisage any negative consequences for you in taking part but if it does, proper and adequate measures will be taken to address the issue as litigated by Maynooth University guidelines. At the end of the interview, I will discuss with you how you found the experience and how you are feeling. If you experience any distress following the interview you may contact me at [akangshya.bordoloi@mu.ie](mailto:akangshya.bordoloi@mu.ie).

If you agree to take part in the study, please complete and sign the consent form overleaf.

**Thank you for taking the time to read this**

## Consent Form (for in-person group interview)

I.....agree to participate in Akangshya Bordoloi's research study titled 'The Waves of Activism: An ethnographic study of sex work activism in Delhi India'.

Please tick each statement below:

The purpose and nature of the study has been explained to me verbally & in writing. I've been able to ask questions, which were answered satisfactorily.

I am participating voluntarily.

I give permission for my interview to be recorded through audio

I understand that I can withdraw from the study, without repercussions, at any time, whether that is before it starts or while I am participating.

I understand that I can withdraw permission to use the data right up to August 2022.

It has been explained to me how my data will be managed and that I may access it on request.

I understand the limits of confidentiality as described in the information sheet

I understand that my data, in an anonymous format, may be used in further research projects and any subsequent publications if I give permission below:

I agree to be documented as a part of IQDA

I agree to quotation/publication of extracts from my interview

I do not agree to quotation/publication of extracts from my interview

I agree for my data to be used for further research projects

I do not agree for my data to be used for further research projects

I agree for my data, once anonymised, to be retained indefinitely in the IQDA archive

Signed.....

Date.....

Participant Name in block capitals .....

---

*I the undersigned have taken the time to fully explain to the above participant the nature and purpose of this study in a manner that they could understand. I have explained the risks involved as well as the possible benefits. I have invited them to ask questions on any aspect of the study that concerned them.*

Signed.....

Date.....

Researcher Name in block capitals .....

*If during your participation in this study you feel the information and guidelines that you were given have been neglected or disregarded in any way, or if you are unhappy about the process, please contact the Secretary of the Maynooth University Ethics Committee at [research.ethics@mu.ie](mailto:research.ethics@mu.ie) or +353 (0)1 708 6019. Please be assured that your concerns will be dealt with in a sensitive manner.*

*For your information the Data Controller for this research project is Maynooth University, Maynooth, Co. Kildare. Maynooth University Data Protection officer is Ann McKeon in Humanity house, room 17, who can be contacted at [ann.mckeon@mu.ie](mailto:ann.mckeon@mu.ie). Maynooth University Data Privacy policies can be found at <https://www.maynoothuniversity.ie/data-protection>.*

**Two copies to be made: 1 for participant, 1 for PI**

**Information Sheet**  
**For in-person individual interview**

Purpose of the Study: I am Akangshya Bordoloi a Research Scholar and Senior Tutor, in the Department of Sociology, Maynooth University, Ireland. As part of the requirements for my Doctoral Degree, I am undertaking a research study` under the supervision of Dr Paul Ryan, Lecturer for Department of Sociology, Maynooth University, Ireland. The study is concerned with conducting an ethnographic study of sex work activism in Delhi, India. The purpose here

is to have a critical academic conceptualization of sex work and sex work activism for enhanced cooperation and collaboration. We would like to collect data about your background, your interests, opinions and contribution for the cause, along with your plan for the future.

**Requirements:** The study will involve in-person individual interviews with independent sex workers/activists, academic activists, lawyers, policy makers and others from Delhi, India. The information and consent sheet could be translated to the local language if the need arises. The names of other participants involved in the research will not be named. You will also be provided with a sample interview guide prior to signing the consent form, so that you have an idea about the style of questioning. You will be given the choice to review the transcripts and ask for amendments if you feel some materials were incorrect.

**Consent:** You have been asked to be a part of the study because of your sustained and impressive work towards the cause. You are under no obligation whatsoever to take part in this research. However, we hope that you will agree to take part and give us some of your time. If you decide to do so, you will be asked to sign a consent form and given a copy and the information sheet for your own records. You are still free to withdraw at any time without giving a reason and/or to withdraw your information up until such time as the research findings are analysed and written up for publication. A decision to withdraw at any time, or a decision not to take part, will not affect your relationships with the University. You can withdraw by the end of August 2022. With respect to the anonymity guidelines of the University, you have the choice to include your name or not.

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I am participating voluntarily.

I give permission for my interview to be recorded through audio

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I understand that I can withdraw permission to use the data right up to August 2022.

It has been explained to me how my data will be managed and that I may access it on request.

I understand the limits of confidentiality as described in the information sheet

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I agree for my data to be used for further research projects

I do not agree for my data to be used for further research projects

I agree for my data, once anonymised, to be retained indefinitely in the IQDA archive

Signed..... Date.....

Participant Name in block capitals .....

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Signed..... Date.....

Researcher Name in block capitals .....

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**Two copies to be made: 1 for participant, 1 for PI**

## Appendix III

### Pictures of small scale strategies and polices adopted by the local CBOs in Delhi

- HIV/AIDS, STI, TB prevention strategies:

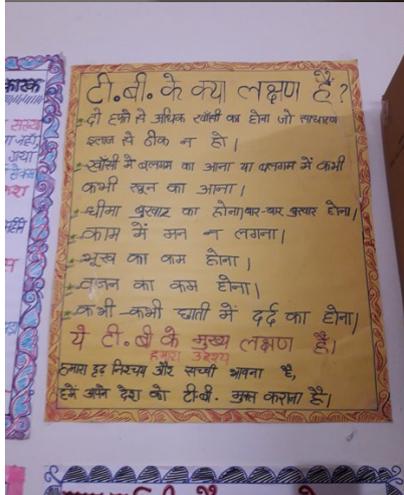
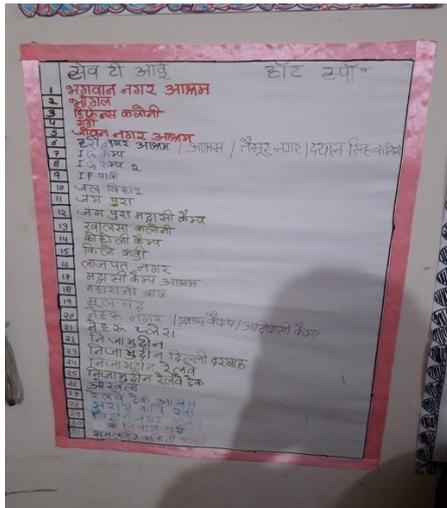
## एच.आई.वी. और एड्स मे क्या कोई फर्क है

जी हाँ। एच.आई.वी. केवल एक वायरस है जो हमारे शरीर में प्रवेश करने के बाद खून को संक्रमित करता है। ये वाइरस शीरे-धीरे हमारे शरीर की रक्षा शक्ति को कमजोर करता जाता है, जिससे शरीर विभिन्न जिवाणुओं को पेट में आ सकता है। एच.आई.वी. से संक्रमित व्यक्ति अगर ध्यान से रहे तो बहुत सालों तक एक स्वस्थ जीवन बिता सकता है। जैसे-जैसे शरीर की रक्षा शक्ति कम होती जाती है, शरीर की दाईं तरफ के बाईं तरफ किण्वणों का अंतरा रहता है, जिससे विभिन्न तरह के बीमारियाँ हो सकती हैं। इन बीमारियों के सबाइ को एड्स कहते हैं। अपने आम में एड्स कोई बीमारी नहीं और यह भी जरूरी नहीं कि हर एच.आई.वी. माराटिव व्यक्ति को एड्स हो।

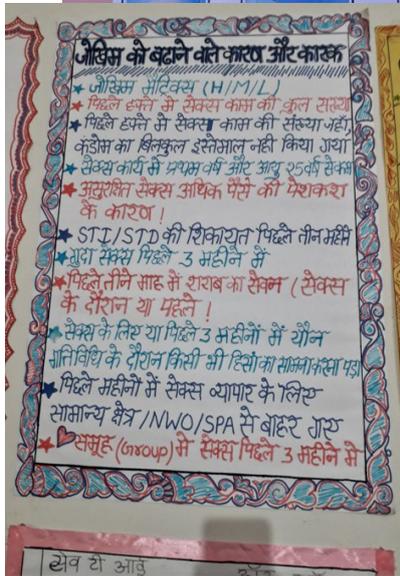
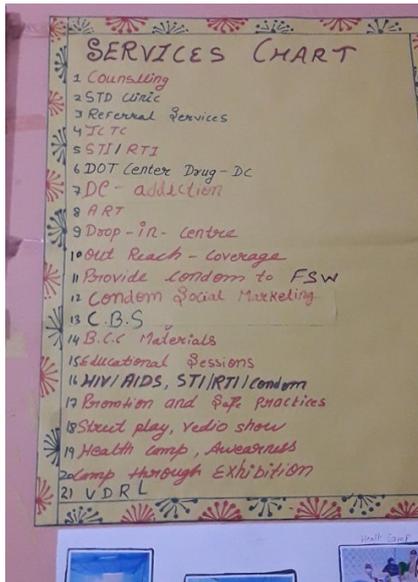
## एच.आई.वी. का पता कैसे लगता है

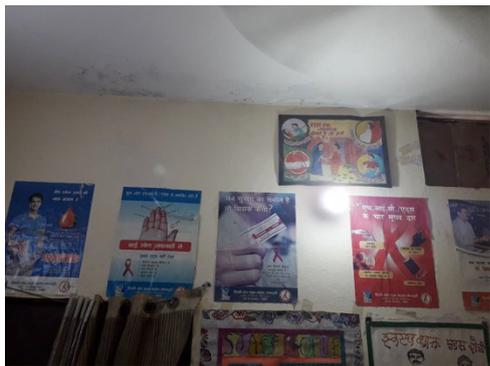


एच.आई.वी. पता खून की जाँच से ही लग सकता है



- Various small scale harm reduction services provided by the local CBOs of Delhi:





## Appendix IV

### Interview Guide

<b>Themes for Interview</b>					
About	Services	Funds	Relations	Challenges	Communication
Background	Types	Main source	Police	Ideology	Medium
	Government Policies				
Inspiration	Impact	Auxiliary source	Politicians	Practises	Types
Administration	Goal	Main expenses	Medical	Activism	Reason
Members	Inspiration	Decisions behind expenses	Sex workers/Activists	Communication	Expected impact
Number					
Background					
Selection process					
Informed/Educated					
Goal	Methods used	Expected impact	Media	Others	Future plans
Ideology	Future plan	Steps undertaken	Methods used	Solutions	

