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Branded by law, cursed by customs: a case of manuja community; a DNT living in the periphery of new Delhi

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Abstract

This empirical research study aims to provide a detailed account of the *Manuja*¹ community. The *Manujas* are a Denotified Tribe living in the western fringes of New Delhi under the National Capital Region of Delhi, India. *Manujas*, with a history of nomadism, were victimised by the colonial state, due to the enactment of Criminal Tribe Act 1871, leading to severe restriction placed on the free movements by the authorities. Post-independence the newly elected Government abolished the infamous Act in 1952. Primarily, the paper focuses on the unique aspect of familial prostitution practised by the womenfolk of this community. Prostitution is the way of life for these families. Here prostitution is intergenerational and sanctioned by the community. Girls are groomed to enter the profession from a very young age whereas the males mostly live off their wives earnings. This research paper also highlights how in the subsequent decades this community underwent several perceptible changes with respect to their culture, economy, religion, marriage; social and political organisation. Even though *Manujas* have gained relative material prosperity compared to other DNTs living in the same vicinity, the community still faces considerable social exclusion, marginalisation and continued stereotyping by government agencies and society at large. Moreover, there is a lack of political representation and significant educational attainment within the community. In this paper the researcher has qualitatively analysed life stories of women sex workers of this community.

Keywords: DNT, criminal tribe, familial prostitution, victimisation, social exclusion

Introduction

Manuja is a De-notified Tribe, mainly found in the state of Haryana in India. There is a significantly large settlement of Manuja community in the outskirts of West Delhi-Najafgarh. Like other criminalised nomadic/ semi-nomadic communities, this community was also de-notified in the year 1952² but unfortunately they still carry the taboo of being the 'ex-criminal tribe'. The legacy of the CTA (1871)³ keeps coming to haunt them time and again. This means complete alienation and stereotyping for the members of such communities by the hands of other 'respectable' people of the society. The police and the media too refer them as 'ex-criminal tribes'. They have been pushed to the periphery of the village because of the stigma of being a DNT attached them and also majorly due to the profession this particular community practices. Members of Manuja community face a lot of difficulties to find work outside their settlement because of the public prejudice and ostracism. Therefore they suffer economic hardships. The other residents of that area keep minimal or say no contact at all with this community and look down upon them because of the profession that their women practice i.e. prostitution. Almost 90% of the women of the Manuja community are involved into sex work. This has become a kind of intergenerational profession for their community.

The Denotified, Nomadic and Semi Nomadic Tribes of India (DNTs), or, sometimes recognised in mainstream society under their colonial-era based classification: the Criminal

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¹ A pseudonym used so as to avoid any sort of stereotype or stigma attached to this DNT due to familial prostitution.

² The Government of India repealed the Criminal Tribes Act with effect from 31 August 1952 by the Criminal Tribes (Repeal) Act, 1952 (Act No XXIV of 1952).

³ <http://ccnmtl.columbia.edu/projects/mmt/ambekar/web/readings/Simhadri.pdf>

Tribes. They are one of the most disadvantaged and marginalised sections of our society. According to a number of scholars, these DNTs are marginalised groups that did not engage in permanent agricultural settlement patterns favoured by the colonial rulers and were involved in marginal trading activities. Crimes if committed were out of desperation and illegal acts were mostly for survival alone.

Thus, according to the author of Subaltern Studies in India, Ranjit Guha⁴ the regional and economic factors are responsible for deviant behaviour. Guha writes that there are regions of chronic poverty where for hundreds of years peasant youths have been slipping out of desolate villages and starvation and bonded labour in order to take to decoity as a profession.

When the colonial authorities branded these communities as criminal tribes, they delegitimised the professions that were practiced by these groups. David Arnold⁵ observes that the Criminal Tribe Act was used against wandering groups, nomadic petty traders and pastoralists, gypsy types, hill and forest dwelling types, in short, against a wide variety of marginal who did not conform to the colonial pattern of settled agricultural and wage labour.

Notably, even within the pastoral lifestyle of DNTs definite patterns were discernable. Hence, Meena Radhakrishna⁶ argues that the nomadic tribes did not wander aimlessly and that they had fixed and cyclic routes to follow.

There are no accurate population data on DNTs, According to the Renke (2008)⁷, the 127 DNT communities presently estimated to be around 10-12 crores. The census of 2011 places the population of DNTs at around 13 crores.

The scholars⁸ broadly classify the DNTs on the basis of their occupation-

- 1) Pastoralist and hunter-gathers, mainly shepherds, cowherds and hunters of small game
- 2) Goods and service nomads, such as blacksmiths, stone workers, weapon makers, salt traders etc.
- 3) Entertainers including dancers, acrobats, snake charmers, monkey trainers and wrestlers and
- 4) Religious performers, ascetics, devotional singers and astrologers.

A historical overview of DNT

Historically speaking these tribes were wandering merchants, entertainers, and folk-craft practitioners. In that sense, DNT communities are often compared with the Roma in Europe and "gypsies" elsewhere in the world. The wondering lifestyles of these communities made them suspect in the eyes of India's then British rulers.

Presently, DNTs are spread across India right from Southern state of Tamil Nadu to Bihar, Maharashtra in the west and other states like Haryana and Delhi in the northwest.

Some historical accounts say that in Northern India, these tribes suffered also due to their role in the 1857 uprising

against the British colonial rule. These communities were used by the rebel princes and *rajās* either directly to fight against the British, or were indirectly involved in a variety of logistical support in assisting their armies. Hence, these communities were later declared Criminal Tribes under the Criminal Tribes Act, 1871 by the British.

A number of castes that were "notified" under the CTA and branded "hereditary criminals", were alienated from traditional sources of income, and made vulnerable to a variety of state-sanctioned abuses. These laws were enacted by the British administrators because crime was wrongly considered as a 'hereditary profession'. Under the provisions of act, local governments were authorized to establish industrial, agricultural or reformatory schools and settlements for members of the Criminal Tribe. Most nomadic communities were declared criminal, and put into these settlements where they were forced to work without payment in British owned enterprises, plantations, mills, quarries and factories.

The Salvation Army⁹, a Protestant denomination of universal Christian church, was extremely influential with the British government, and considered these settlements to be an experiment in 'curing criminals'. Even while these were often termed as 'open prisons', land was allotted to the people, housing created, though under strict police supervision, and occupational training was imparted to them in various trades with a view to get them habituated to a settled living earned through hard labour.

The Criminal Tribes Inquiry Committee, 1947, was constituted in the United Province (the present day State of Uttar Pradesh). In its report, many members of this Committee felt that till the Gypsies settled down, they would continue with criminal tendencies. It proposed that 'efforts should be made under sanction of law (suitable provision may be made in the Habitual Offenders and Vagrants Act) to settle them and teach them a life of industry and honest calling as against idleness, prostitution and crime to which their conditions of existence make them prone'.

Following India's independence in 1947, the stigmatised tribes were "Denotified", but these communities have been unable to shake off their historic disadvantage till date. As a part of undoing this process, the people who had been historically wronged and uniquely disadvantaged were given special constitutional protection overlapping with other disadvantaged social categories, such as the Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs). Each was accorded certain privileges to overcome its socio-economic disabilities. In this categorisation, the communities that were earlier part of the Denotified, Nomadic and Semi-Nomadic Tribes were also included in the lists of SC, ST, and OBC categories. However, their categorisation was not logical or uniform. There are still a number of Denotified, Nomadic and Semi-Nomadic Tribes which have not been included in any one of these categories. Instead, they are placed at par with the communities of the general category.

Based on the recommendation of Ayyangar committee, the Government of India repealed the Criminal Tribes Act with effect from 31 August 1952 by the Criminal Tribes (Repeal) Act, 1952 (Act No XXIV of 1952). But, to keep effective

⁴https://warwick.ac.uk/fac/arts/history/students/modules/hi323/lectures/rana_jit_guha_and_subaltern_studies_sakar_2016.pdf

⁵Arnold David, 'Dacoity and rural crime in Madras, 1860-1940', pp140-167, *The Journal of Peasant Studies*, Vol 6, issue2.

⁶Radhakrishnan Meena, 'Urban Denotified Tribes: Competing Identities, Contested Citizenship', pp59-64, *Economic and Political Weekly*, vol 42, No.51,

⁷GoI, National Commission for Denotified, Nomadic and Semi-Nomadic Tribes, Ministry of Social Justice & Empowerment Government of India, [http://socialjustice.nic.in/writereaddata/UploadFile/NCDNT2008-v1%20\(1\).pdf](http://socialjustice.nic.in/writereaddata/UploadFile/NCDNT2008-v1%20(1).pdf)

⁸Interim Report, National Commission for Denotified, Nomadic and Semi-Nomadic Tribes, Ministry of Social Justice and Empowerment, June 2017.

⁹ BBC, Religions,

https://www.bbc.co.uk/religion/religions/christianity/subdivisions/salvation_army_1.shtml

control over the so-called hardened criminals, Habitual Offenders Act was placed in the statute book. Subsequently, the grave conditions faced by DNTs were highlighted in various commissions appointed by Government i.e. The Kelkar Commission (1953), Lokur Commission (1965), Mandal Commission (1980), Justice Venkatchaliah Commission (2002), Renke Commission (2008) and Idate Commission (2015).

Methodology

The present research study is empirical in nature and based on exploratory research design. This paper is based on data that combines field-based participant observation and life-history interviews of the sex workers of the Manuja community. For this paper, the author relies on 3 in-depth life histories. The selection of life-history informants was made using purposive sampling. Prior to beginning of the process of collecting the interviews, considerable time was spent on the field (6-8 months) and a good rapport was established with the female sex workers of this community. The interviews were semi-structured which included the following information: demographic questions (age, marital status, education, brief history of employment, duration of sex work, number of children); family background; risk and safety issues faced during work; HIV risk perceptions; and reasons for being into sex work. However, the questions were not administered in a standard order. The open-ended question allowed women to discuss several factors that resulted in their occupation of sex work as their livelihood option. The interviews were conducted in Hindi language, spoken fluently by the author and the interviewees. Verbal informed consent of the participants was obtained prior to each interview. The purpose of the research study was explained to the participants and they were given time to seek any clarifications concerning the study. To maintain privacy and confidentiality of the participants, the researcher has used pseudonyms.

Data Analysis

The data was analysed using the qualitative method. First, all audio-taped life-history interviews were translated and then transcribed verbatim into English by the author. After the interview transcript was prepared, the copies of the transcript were reviewed for accuracy and appropriate representation of the respondents' thoughts by listening to the tape and matching it against the transcript and, wherever necessary, corrections were made. A line-by-line coding was undertaken. Each transcript was read and coded for the prominent themes emerging out of the interviews.

Case Studies

Case- I: Sunaina Devi

Age- 28 years

Education- Up to 6th standard

Age of entry into sex work- 16 years

Caste- Scheduled Caste (Earlier identified as criminal tribes under CTA, 1871)

Marital status- Married

Religion- Hindu

Age of marriage- 13 years

Brief History- Sunaina Devi is a mother of three, two daughters and a son. Her eldest daughter is 12 years old. Sunaina was only 15 when she conceived her first child.

Her younger daughter is 10 and her son is 6 years old. All her children go to a private school in her locality. She herself studied till class 6th but dropped out because of her poor performance in academics. She did not use to like her school and studies. She wanted to own a beauty parlour. But ultimately due to the pressure from her husband and in-laws, she had to choose prostitution. Sunaina's husband is currently unemployed. Earlier, he used to play *dhol* (double-headed drum) in weddings and other ceremonies. During the interview, she talked about her family background, early marriage, marital problems and sole responsibility of rearing her three young children. Sunaina's father was a very cruel man who used to beat her mother often. They were not very well off as her father didn't used to do any job. Her mother raised her and her siblings on her own. She has four siblings who all live in the same neighbourhood. Her sister is also a sex worker. She says that sex work is her only livelihood option as it is a part of her tradition which has been inherited generation after generation.

She says: '*Yahi hamara pesha hai. Meri maa bhi yahi karti thi, main bhi yahi kaam karti hun aur meri betiyan bhi yahi karengi agar sasural wale karwayenge. Hamari caste mein isse galat kaam nahi maante.*'

'This (sex work) is our only occupation. My mother used to do this work, I am also doing the same and my daughters will also be in this profession if their in-laws want them to. In our caste, sex work is not considered immoral.'

It has been more than a decade since Sunaina is into this profession. Initially she was very uncomfortable going out and soliciting clients but now nothing affects her. She can now handle notorious clients and even policemen confidently. Earlier they used to entertain clients in their homes but people from other castes who inhabit neighbouring areas strongly objected to it and made police complains against them. Now these women have stopped bringing customers to the village. They go to the highways and secluded district parks into a group of 4 to 5. Poignantly, the men from their own families work as their pimps and take them to these places in cars. They wait there for these women to finish their jobs and then bring them back to the village. Sunaina works from 11 PM to 3 AM and earns INR 1,000-1,500 per night. She sleeps through the day after finishing the household chores like cooking, cleaning, etc. She has her own house which is in her husband's name. She recently bought an LCD Television. Overall Sunaina is satisfied with the life she is leading as she does not have any control over her circumstances. She has accepted the harsh reality of her life that community is infamous for prostitution and it will be passed on as an intergenerational profession.

Case- II: Noorbai

Age- 38 years

Education- Illiterate

Age of entry into sex work- 15 years

Caste- Scheduled Caste (Earlier identified as criminal tribes under CTA, 1871)

Marital status- Widow

Religion- Hindu

Age of marriage- 12 years

Brief History- Noorbai is a very cheerful woman who greets everyone with a big smile on her face. Noorbai, like most of the women of her community, was a child bride;

married off at the age 12. She lost her husband a few years ago. Her husband used to work as a security guard in a godown (warehouse) but she had little control over his income. Noorbai hails from the neighbouring state, Haryana. She was from a poor background. She never went to school as her parents wanted to protect her from what they perceive as 'ill effects' of modern education. They thought that once the daughters of their community obtain education, they might not accept their traditional occupation, i.e. prostitution.

Noorbai has four children- two sons and two daughters. Both her daughters are married and living in a nearby settlement. Again both the daughters are into prostitution. Her eldest son is now 21 years old. He is married to his cousin (daughter of Noorbai's brother). Together they have a son. Her daughter in law, Manisha is also a sex worker and the sole earner in the family. Noorbai's brother in law is their pimp. Manisha goes with him every night except for the days when she is menstruating. While Manisha is out doing her job, Noorbai stays back home and take care of her grandson who is only 2 years old. Noorbai's youngest child is still going to school. He is good in studies and extra-curricular activities. He wants to become a singer. Noorbai has great expectations with her eldest son. Right now he is looking for a job as cab driver in Uber/Ola company. He knows driving and wishes to own a car soon. He doesn't approve of his wife being a sex worker but feels helpless as prostitution is their family tradition. All the women of his family were and are into this profession.

Says Noorbai: '*Mere ladke ko pasand nahi ye line. Uski jab theek-thaak naukri lagegi toh ye bhi (Manisha) jana bandd kar degi.*'

'My son doesn't like this line (profession). Once he gets a decent job, she (Manisha) will leave the profession too.'

Case- III: Geeta

Age- 30 years

Education- Primary

Age of entry into sex work- 17 years

Caste- Scheduled Caste (Earlier identified as criminal tribes under CTA, 1871)

Marital status- Married

Religion- Hindu

Age of marriage- 14 years

Brief History: Geeta entered into this profession when she was only 17 years old. She delivered her daughter when she was 16. Her daughter, Aisha is 13 years old. Aisha is going to get married next month to her maternal uncle's son. Geeta also has a 9 years old son, Keshu. He studies in class 4th in a government school. His sister is in 6th standard. On being asked why Geeta is marrying her daughter off at this tender age, she coyly smiles and replies:

'Hamare yahan aise hi hota hai shadi-byah. Meri bhi sirf 14 mein hui thi. Us time mujhe shadi ka matlab bhi nahi pata tha. Sex bhi nahi pata tha'

In our culture, marriages are arranged in this fashion only. I was barely 14 years when I got married. At that age, I didn't understand the meaning of marriage. I didn't understand what sex meant.

During the interview, she also mentioned her husband's abusive behaviour. He beats her often, especially when he is drunk. He is unemployed and has a habit of gambling. He also has a 'girlfriend' who is from another caste. On one

particular instance that she recalled, her husband came home drunk and started peeing in the bedroom in front of the children. When Geeta intervened, he hit her with a piece of brick. She blames her fate that she was born into this community. She clearly doesn't want her daughter to enter this profession. Though she knows that it is an intergenerational practice, still she dreams her daughter not to be involved into prostitution. Aisha goes to a nearby ladies' salon to learn basics of skin care and grooming skills. She has requested her brother not to force Aisha to work as a sex worker. She hopes that her brother honours her request. Rest she says it all depends on Aisha's fate.

Conclusion

This study found that, women from Manuja Community enter into the profession due to tradition, monetary benefits and lack of alternative life skills. The combination of all these factors forces them to continue in this sector. Apart from the reasons mentioned in the present research work also concludes that women entered into prostitution for multiple, interrelated reasons. For instance, the life histories clearly illustrate how poverty, early marriage, early motherhood, lack of education and the neglect and abuse of these women; both within the family and in society restrict them from developing skills that can help them attain better education and employment opportunities. These women are more vulnerable to economic and sexual exploitation due to gender inequality in Indian society. In addition, they spoke about their marital lives and its problems, such as domestic violence, husband's infidelity and having to bear the sole responsibility of their entire family. Apart from this they have multiple roles and responsibilities as a mother, daughter, sister-in-law, daughter-in law and wife. Unlike their counterparts residing in the brothels of red light areas of the city, these female sex workers from Manuja community reported their nature of profession even more unsafe as they are out in open soliciting their clients. They have to deal with so many anti-social elements, police personnel, violent clients, etc. The data clearly suggest that, through their own lived experience of long hours of strenuous work and sexual harassment; these women come to realize that prostitution helps them manage their responsibilities as bread winner for their families and also it gives them a sense of autonomy. They can decide to whom they want to provide services and how much they need to charge. This study finally portrays another shade of sex work i.e. familial sex work. This study tries to give an understanding of the traditional practices among certain ex-criminal tribes that shape the lives of these women, rather than a 'standardised' description of prostitution and sex workers.

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