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Source: *Economic and Political Weekly*, Vol. 30, No. 43 (Oct. 28, 1995), pp. WS59-WS69

Published by: Economic and Political Weekly

Stable URL: <http://www.jstor.org/stable/4403368>

Accessed: 04-09-2017 06:56 UTC

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Judiciary, Social Reform and Debate on 'Religious Prostitution' in Colonial India

Kalpana Kannabiran

'Devadasis' have been a subject of apparently opposed discourses for over a century and a half. On the one hand, various perceptions of them in the colonial period converged in a strong disapproval and condemnation of their moral conduct. On the other hand, both in the colonial period and, more importantly, in post-colonial scholarship, the fact that some of these women were performing artistes of repute provided the ground for a feminist resurrection that separated them from those that did not belong to these privileged traditions and placed them in a newly created space that redefined and respected their freedom, autonomy and creativity.

This study of the devadasi institution was undertaken with a two-fold purpose. First, it was an attempt to understand the relationship, and shifts in it, among women, religion and the state in pre-colonial and colonial south India. The second purpose was to try and disentangle this complex process, specifically to see how far the projects of colonialism, reform and revival were based on an understanding of the material reality of the practice.

THIS article examines the official debate in the colonial judiciary on the devadasi institution of the Madras presidency and the creation of a new body of knowledge on this institution, and the legitimising and dissemination of this knowledge by the different strands of social reform movement.

Devadasis have been for over a century and a half subject of apparently opposed discourses. On the one hand, various perceptions of them in the colonial period converged in a strong disapproval and condemnation of their moral conduct, because they were not monogamous and could contract sexual relationships with more than one man, within certain other constraints. On the other hand, both in the colonial period and, more importantly, in post-colonial scholarship, the fact that some of these women were performing artists of repute provided the ground for a feminist resurrection that separated them from those that did not belong to these privileged traditions (separations that were, I suspect, congruent with caste and class divisions within this diverse 'community' of women), lifted them – literally and figuratively – from their 'debased, immoral contexts' and placed them in a newly created space that redefined and respected their freedom, autonomy and creativity [Kersenboom-Story 1987; Marglin 1985].

This study of the devadasi institution was undertaken with a two-fold purpose: first, it was an attempt to understand the relationship, and shifts thereof, between women, religion and the state in pre-colonial and colonial south India. The second purpose was to try and disentangle this complex process, specifically to see how far the projects of colonialism, reform and revival were based on an understanding of the material reality of the practice.

The period (1860-1935) covered in this article is significant for two reasons. Firstly,

the social reform movement, the nationalist movement, and the non-brahmin movement were at their peak during this period in the Madras presidency. Secondly, and of significance to the present argument is the fact that although these movements had strongly divergent trends, there were areas of overlap in their agendas, which gave rise to very different articulations and interpretations of similar concerns. The devadasi institution was one such area of overlap. Broadly all three movements were concerned with achieving political independence, asserting a national/cultural identity and purging society of all its evils, thus paving the way for a free, equal and modern society. The creation and assertion of this identity, as Kumari Jayawardena points out, was itself directly related to the growth of imperialism [Jayawardena 1989:4].

I

Devadasis and Legal Discourse

In the early 19th century, an important task of the colonial government was that of documenting 'native' religious practice in a manner that would bring it as close to the brahmanic textual tradition – which was itself a product of the official discourse and involved the privileging of western ideals of consistency and in uniformity over variations in indigenous interpretation – and in a manner that would uphold the essential morality of the brahmanic ideal as defined by the colonial state [Niranjana 1990:773-79; Chakravarti 1990:27-87; Mani 1989:88-126]. After 1868, the year of the landmark case, Collector of Madura vs Mootoo Ramalinga, custom could override the written text of law if its antiquity was proved.¹ Despite this, the concern over 'moral degeneracy' of the Hindus haunted the official legal discourse on any matter relating

to the devadasis,² and therefore the debate over whether or not custom could override the written text was opened up again. After the Indian Penal Code was formulated in 1861, there were, generally speaking, two kinds of issues that came up for adjudication under sections 372 and 373 which enabled prosecution of people involved in the disposal or procurement of a minor girl for purposes of prostitution. The first – and one which addressed itself directly to the moral question – related to whether or not a devadasi could be charged of prostitution which, under the Indian Penal Code, was a classified offence. This issue generated a very complex debate, among other things, on the 'true' Hindu tradition. Deeply entrenched in this conception was the ideal of Hindu womanhood constructed through Orientalist scholarship on the Indian past, that was in turn based on the study and 'resurrection' of a pure brahminical sanskrit textual tradition. This ideal was also therefore the foundation, in a sense, on which Orientalist scholarship on Hinduism was based. The ideal projected the vedic aryan woman as the embodiment of Hindu culture and also as the ancestor of women in colonial India. As with the debate on sati and social reform, this notion of womanhood privileged a high caste textual tradition that had opened and offered itself to colonial intervention [Chakravarti 1990; Mani 1989]. The vedic dasi for instance, as Chakravarti points out, found no place in this colonial scheme [Chakravarti 1990].

This is no doubt because the weight of the history of subjugation and oppression that the vedic dasi bore on her shoulders crossed the threshold of colonial tolerance. And clearly, the threshold itself is determined by the interests of the colonial state to keep histories of subjugation – problematic histories – out of the reckoning. It was not, however, just the vedic dasi who were out

of the colonial schema. All those women in colonial India who could not lay claim to the genealogy of the aryan woman – chaste, monogamous, high caste, pure – were also pushed out. There was a definite process of selection, not just of historical antecedents but of contemporary subjects.

A further point of significance is that the processes of exclusion and/or co-optation intersected with class and discursive space in ways in which the impact was different on different women of the same 'community'. Some of the more affluent and publicly visible members of this amorphous group openly adopted marriage reform as a political statement, thus also situating themselves within the context of social reform which advocated marriage reform. The large number of poorer members of the community were charged with prostitution by the colonial judicature, whose object as distinct from the object of reform, was to 'interpret' practice not reform it. Marriage reform therefore did not form a part of the discourse on the devadasi question in the colonial judicature. In this specific instance, the closer the interpretation was to prostitution the more effectively it served the purpose of the law.

DEVADASI AS PROSTITUTE IN BRITISH PENAL LAW

Charging a devadasi with prostitution should be seen as an attempt by the colonial government to resolve its own contradictions in bringing the entire Indian population within its ambit either through a process of exclusion (through the criminalisation of social practice) or through co-optation (via marriage reform). Predictably, the most unacceptable part of social organisation of this group in the eyes of the British was the legitimate multiple sexual relationships the women entered into. That social practice in the devadasi community was tied to and in a sense defined by an upper caste brahminical norm even in pre-colonial society was irrelevant to the new administrators. The argument, therefore, that the colonial administrators and the orientalist before them sought to create recognisable bourgeois patriarchal ideals out of a range of pre-capitalist patriarchies acquires a new relevance here. The only way the devadasi could be 'fixed' within the colonial scheme was by shifting her out of the religious sphere (where 'barbarity', if located within the Hindu family was tolerated, even encouraged by the colonial government) [Mani 1989] to the 'secular' sphere where she could be charged with an offence, prostitution, that came within the purview of British penal law. I would argue that the shift effected by the colonial state driving out the devadasis from the purview of religious law into that of secular law

necessarily entailed a shift from proof of the offence to a speculation on the motives of the accused. Proof, thereby, came to be constituted by the painstaking orientalist discourse on Hindu society rather than by the facts of the case. To say that the judicial system and the battery of principles of utilitarian justice were used by the state to construct the truth behind Hindu religious practice, hence justifying colonial intervention, would be to state the obvious.

Not surprisingly, prostitution was a charge that could not be easily proved because colonial and 'native' conceptions of prostitution differed to begin with. Even assuming that 'prostitution' (in the sense of commoditised sex) was widely prevalent in India, the probability that it was not an 'offence' or 'crime' (in other words, that it did not constitute deviant behaviour) in pre-colonial India would of itself have negated the British charge. Framing this charge, therefore, was not as simple as the British perhaps anticipated.

Early in the history of British penal law, this charge was framed by accusing the women not of prostitution but of the disposal or procurement of a minor for purposes of prostitution. That this charge could be framed at all was because adoption of female children was customary among devadasis, and the prevalence of this custom was exploited by the judiciary. The following excerpt from a judgment gives us the general narrative framework of official discourse.

... every naikin must needs be a harlot. She is taken as a child. She is taught lascivious arts, forbidden marriage, but wedded to a daggar [*sic*] by rites of corrupt significance, and then at the moment of aptitude sold to some epicure in licentiousness.

Her livelihood thenceforth depends on her zeal and skill in her base profession. Dancing and singing are subsidiary accomplishments, but they are subsidiary only to simple harlotry. As the naikin herself wanes in attractiveness, she must adopt a daughter, if nature has not provided her with one; and as a severance is strongly opposed to the class sentiment, the worn out harlot recoups herself for the past by inflicting a like wrong on a new victim. Thus the evil system is perpetuated from one generation to another and it may be that, as long as a coarse sensualism prevails amongst a wealthy class, the means of inflaming and gratifying their libidinous tastes will not be wanting.³

It would be interesting to look at the facts of a typical case in which the father of a girl is charged under section 372 of the IPC.⁴

In this case 1st prisoner presented an application for the enrolment of his daughter as a dancing girl of the great pagoda at Madura. He stated her age to be 13, and it has throughout been admitted that she is under 16. She attained puberty a month or two after her enrolment. Her father is the

servant of a dancing girl, the 2nd prisoner, who has been teaching the minor dancing for some 5 years. Her father and herself lived in the 2nd prisoner's house and after the ceremony returned there... [B]oth 1st and 2nd prisoners were present when the Bottu was tied and other ceremonies of the dedication performed; ...3rd prisoner as Battar of the temple was the person who actually tied the Bottu, which is equivalent to the Tali of an ordinary marriage, and denotes that the Dasi is wedded to the idol. There is the usual evidence that dancing girls live by prostitution ... the fact being admitted, it was not necessary to multiply witnesses on this point.⁵

The reluctance to multiply witnesses was also in large measure because witnesses resisted the inference of prostitution. The only evidence they unequivocally testified to was regarding the actual dedication ceremony. To frame this charge, therefore, the judiciary had to rely on '[t]he implicit admissions of the witnesses who resist the inference, no less than the direct evidence of those who assert that inference to be irresistible, [that] renders it abundantly clear that girls so sold and so registered are brought up as prostitutes, and that one principal purpose of such a transaction is that they shall be so brought up.'⁶ This inductive reasoning was deemed valid by the law courts because the 'Abbe Dubois and many other authorities had placed the matter beyond historical doubt.'⁷

Characteristic of this stand was the statement of a moral nature prior to an account of the practice. Needless to say, the account of the practice itself is woven into these moral webs, and made to constitute the new 'truth' about the essence of the system that bore little relation to the actual history of the practice or to the complexities inherent in the practice even in the 19th century.

For the colonial government, however, the devadasi practice, which was in strict accordance with personal law, violated the spirit of public law itself.⁸ The resolution of this contradiction was far more crucial than the immediate issues in question. The initial exercise of the courts in privileging the textual tradition over the customary or oral tradition now shifted to the privileging of Penal Law, which was based on 'universal principles of the science of legislation', over Hindu law, both textual and customary. The attempt to effect this shift became necessary because 'such prostitution [was] strictly in accordance with Hindu law and customs', and a judge [up to this point] was bound to pass a decree which was in conformity with private law.⁹

The British judges generally felt they could ill-afford to turn a blind eye to the 'main purpose of the devadasis' profession – prostitution'. Although the issue in question related to religious services, 'it is still

impossible to regard their religious services as disconnected from the other inevitable pursuit of their profession as devadasis'. Recognising custom, they felt, was giving sanction to 'an association of women to enjoy a monopoly of the gains of prostitution, a right which on the score of morality alone, no court could countenance' (emphasis added).¹⁰ In their view a practice founded on error and misconception could not constitute customary law by the mere fact of repetition. A blind adherence to usage which was against public interest and in the process of extinction would work to the detriment of 'social progress'. The court therefore reserved the right to overrule a custom which violated 'natural reason'.

In charging the devadasis under sections 372 and 373 of the IPC, the colonial government was striking at the foundation of family structures and domestic organisation of the colonised. These sections were used to interpret the customary practice of the adoption of girl children by women of the devadasi community. The accused in each of these cases was a close relative – often a parent – of the minor girl. In calling into question the motives of parents of an entire community, therefore, the colonial state recognised that if the justification for colonial rule was to be provided, it would have to be predicated on the nature not just of 'natives' but also of native institutions and their functioning – the family being the crux of native institutions for the colonial state.

LEGAL DISCOURSE AND DEVADASI INHERITANCE

Hindu Law, the very texts the colonial judiciary relied on, sanctioned the existence of courtesans and their rights to property. Also, the laws of Manu which were given immense credibility by Europeans, sanctioned a moral order that was altogether alien to their experience. The following passage, an excerpt from a judgment illustrates this point:

Courtesans have no doubt been a recognised institution in India from very early times. It is plain, from the rules laid down by the Smritis... that unchastity was, at the time of their composition, a very common and comparatively venial offence. Manu's code indicates the influences under which it was composed, by exempting from penalty the virgin who makes advances to a high caste man... The case is contemplated of men who make money by their wives' prostitution. Narada recognises the class of courtesans, and allows intercourse with them as with their slaves who are not kept secluded... He exempts their ornaments from confiscation, as he does the instruments of musicians... [H]arlotry was an occupation of which the Hindu law took cognisance and has been deemed important enough in modern times

to be made the subject of special rules in the Vyavahar Mayuka and Vivada Chintamani.¹¹

Drawing from various textual and customary sources, the judiciary, over a period of five decades built a broad framework within which devadasi inheritance, the second issue addressed by the courts, could be decided.

Devadasis, according to this framework, were Hindus, although their exact position in the caste hierarchy was difficult to determine. Male members of this caste as well as married female members were governed by the ordinary Hindu law of inheritance. It was not imperative, however, that female members of this caste marry. They could remain unmarried, and become professional dasis without risking any degradation or stigma as long as they observed caste customs. Hence, dissolution of the relationship between degraded women and their relations who remained in caste could not be held to apply to members of this caste. 'But it will be seen at once that [the ordinary Hindu law of inheritance] which is based on a system of legal marriage and consequential relationship, cannot be applied at all or at very least without very considerable modifications to the property of a woman of this caste who except her own children can ordinarily have relations only through females.'¹²

If a woman of this community elected to marry, her rights to inheritance would be in conformity with the ordinary Hindu law and subject to the disability of the ordinary Hindu woman to take absolute estate. This would also apply to women who married and 'lapsed' into their traditional calling later, as regards property they held while they were part of the ordinary Hindu family.¹³ Where the case was one of inheritance by dasi descendants of dasis, judgments were governed by the general principle that daughters inherited 'as sons' in this community.

There were, however, important exceptions which could not be decided by analogy. For instance, self-acquired property of one member of the undivided Hindu family was not subject to partition according to textual sources. In the case of Chalakonda Alasani, it was decided that she, as head of the family was entitled to the possession and control of the property that her daughter by adoption claimed to be her own self acquired property.¹⁴ The ground for this stand was that the business of the daughter started with the use of the mother's resources and property and hence the mother's claim as the eldest member of the Hindu joint family could not be but upheld. Apart from textual sources, European text writers like Strange supported this view when he wrote in his Manual of Hindu Law that 'the essence of the exclusive title exists in the acquisition having been

made by the sole agency of the individual without employing for the purpose what belongs in common to the family'.¹⁵ This was a provision that could be applied to all the devadasis in general because the profession or traditional calling was hereditary and the younger generation was schooled into the profession by the older one.¹⁶

A second departure from the analogous textual tradition was made with reference to the norms of patrilineal inheritance, that entitled sons to coparcenary rights in the property of the undivided Hindu family. A coparcenary of dancing girls was constituted only of their rights to survivorship. Daughters did not acquire an interest in ancestral property by birth.¹⁷ This departure was essential in order to bring the question of adoption within the ambit of legality. Further, adoption did not need authentication through a ceremony. A unilateral act of adoption by a woman was legally binding. A daughter thus adopted would inherit her mother's property in preference to the latter's eldest surviving male relation.¹⁸ If this male relation was an illegitimate son, he could still not inherit his mother's property because the sapinda or propinquity principle was applicable only to male offspring governed by the Hindu law of succession. The propinquity principle was however applicable when the rights of illegitimate female offspring were at issue,¹⁹ irrespective of whether they were married daughters or dasi daughters.²⁰

Defining the marital status of a dasi daughter was problematic. The texts, primarily the Mitakshara, made mention of only two classes of daughters – 'Kanya' and 'Kulastri'. The law for 'Sadharan Stri' might have been applicable to these women if it had been codified. That it was not codified was probably because any woman 'lapsing into prostitution, became a disqualified heir as either a 'patit' (outcaste) or 'apapataki' (vicious woman) and forfeited absolutely all right of inheritance.'²¹ Clearly the dancing girl was not a sadharan stri either. It was this very ambiguity about the position of the devadasi that colonial discourse on the inheritance rights of devadasis attempts so hard to resolve. These rights had to be clearly defined and textualised in order to bridge the gap created by the absence of a textual sources.

The painstaking attempt to resolve the adoption issue and define as precisely as possible the rights and privileges attached to adoption displays for us yet another area of tension within colonial discourse. As we have seen earlier, the same courts of law pressed charges of prostitution on women who adopted female children, attempting thus to assert the primacy of penal law over customary law, while simultaneously making every effort to give legal recognition to the

same practice, thereby legitimising it and bringing it within the realm of public law.

THE CONTESTATION OF COLONIAL INTERVENTIONS WITHIN JUDICIARY

It must be reiterated here that the resolution of contradictions and the legitimating of colonial interventions did not go unchallenged. The privileging of generalisations over the facts of the case, and the creation of distinctions which did not previously exist between different groups of people, was seriously contested by Indian judges.

To begin with, the unqualified equation of the devadasi with the prostitute caused considerable tension within the judiciary. Through the contesting of interpretations, 'native' judges forced the colonial government to recognise and address its violation of the very principles of jurisprudence on which it built its entire judicial system and to admit of its biases. The argument they put forth was that since Hindu law generally recognised adoption as a way of ensuring continuity of the lineage, 'it should therefore not in the case of dancing girls be confounded with prostitution which is neither its essential condition nor necessary consequence but an incident due to social influences.'²² They further asserted that the devadasi was entitled to civil rights and hence had the right to adopt a daughter if she chose to, and to offer the girl a choice between her mother's profession and marriage when the time came.²³

In *Queen Empress v Ramanna* (1889), Ramabai, the daughter of parents who belong to the 'Bhogam or dancing class' was given in adoption to an aunt of her father's. This aunt had four years earlier, adopted a girl from another community and used her 'for prostitution' in her minority. She was charged by the deputy magistrate and convicted of the offence by the sessions judge. In Ramabai's case, however, it was argued that she could not be convicted because the child belonged to the Bhogam caste even prior to adoption. To support this contention the sessions judge interpreted the sections 372 and 373 of the penal code as being 'directed against a disposal of a minor which takes her from a position where she is not liable to become a prostitute and places her in a position where she is more liable to become a prostitute... [T]hese sections [do not] apply to adoptions among the dancing women themselves, who do not alter for the worse the status of the child.'²⁴

Justice Muttuswami Iyer felt that this argument violated the 'universal principles of jurisprudence'. He argued that the law could not differentiate between minors on the basis of caste. He further contended that Hindu law in general recognised adoption as a way of ensuring the continuance of the

lineage, dancing girls being no exception to this. There are several dimensions to this argument. At one level, Muttuswami Iyer was really contesting the authority of the British in forcing problematic interpretations on Indian society. On yet another trajectory, this was a line of argument that asserted the civil rights of prostitutes,²⁵ since the earlier argument, if allowed to remain uncontested, would also imply that if a girl was born into a 'prostitute class' she could not redress her grievance in court.

The entire judiciary, however, was consistent in its perception of this institution as an 'unfortunate' and 'undesirable' reality. The disagreement was on the manner and degree of intervention that the judiciary could engage in. Almost without exception English judges were insistent on pressing charges of immorality and moral depravity, while Indian judges, more sympathetic to the reality, hoped that '[a]s the mind of the community becomes enlightened, its legal convictions will change, and this will constitute a change in its common law as that law must from time to time be recognised and recorded in the courts'.²⁶

Finally, another area of tension was the interpretation of history. By positing an alternative dravidian perspective of history, Justice Devadoss, an Indian judge in the Madras high court, and a non-brahmin contested colonial interpretations which were derived from aryan interpretations

Though the *srutis* and *smritis* are applicable only to the Aryans, yet the text-writers have extended the law to all the residents of India, and the courts have applied the Hindu law to all the races inhabiting this vast country in the absence of proof of any special or local custom. The Dravidians of southern India who are of Turanian origin had settled in India long before the Aryans entered it. They had their own laws and customs which are prevalent even today. The Aryans when they settled in this part of India (tried to impose their own laws which) were never completely successful. The laws relating to family relations and succession and inheritance laid down by Manu and the commentators like Yajñavalkya and Vignaneswara were never accepted as binding by all the people. It was the East India Company's courts that held for the first time that the laws contained in the ancient *srutis* and *smritis* were applicable to all Hindus in southern India in the absence of any custom or customary law governing any class of people. Manu in order to extend the influence of the Aryans compendiously uses the term 'sudras' to the people of this country who are not Aryans in the same way as the Europeans use the word 'native' to all those who are not of European descent, and postulates that they are all sudras who have fallen away from the high place once occupied by them in the Aryan polity... This attempt

on the part of the law-giver Manu to extend the influence of the Aryans among the races who inhabited this land was always pushed in the direction of influencing their religion and rules of succession. In course of time the courts have come to regard Manu and the commentators as authoritative exponents of the law applicable to all the inhabitants of this country who don't profess any distinctive faith like Muhammadanism or Christianity. The customary law was considered as an exception to that contained in the *srutis* and *smritis*.²⁷

In general, Indian judges qualified their condemnation of the practice by asserting (a) that even prostitutes have civil rights which cannot be infringed by the mere accusation of moral depravity and (b) that although these are undesirable practices, they are linked to and part of the larger history of the region, a history of subjugation of the native dravidian population by invading aryan and the forcing of alien practices on the native population.

Interestingly and predictably, Muttuswami Iyer, a brahmin judge of the Madras High Court used the civil rights framework, and although the judgments are extremely well delivered and sensitive, they are still bound by the fact of the political polarisation between brahmins and non-brahmins on this issue. Viewed in this context Muttuswami Iyer's position can also be read as an attempt at shielding the institution from judicial scrutiny. On the other hand, Justice Devadoss, an Indian and a non-brahmin, used the dravidian origin framework and set about diligently mapping the terrain on which this debate should be located. While there is undoubtedly an argument on the merits of the case, it is important to reassert at this point, the non-existence of 'neutral' positions on this issue.

Although the importance of this dimension to the discourse on devadasi abolition cannot be understated, a more detailed consideration is beyond the scope of the present article. Suffice it to say that the Indian judges themselves were far from a homogeneous group, with people of varying castes, communities and political convictions, differences which introduced a further complexity into the issue. At the same time, these contentions were part of a much wider and encompassing critique of colonial interpretations of Hindu society and represented an attempt to retrieve a legitimacy that was now being denied to a culture and a people. While this constant challenging of interpretations took place within colonial institutions, and the process of retrieval itself redefined morality and legitimacy in terms of the emerging framework, the manner in which the trend towards monolithic, ahistorical narratives was inverted by Indian judges (though small in number) is a matter of significance. In the

process, the narrow boundaries within which colonial jurisprudence operated were forced to widen in different directions, causing definitions of 'the normal', 'the moral' and the 'marginal' to shift significantly. These are precisely the points where the articulation of the devadasi question in the colonial judicature intersects with the articulation by anti-abolition devadasis of their own position, as we will see later.

In the final analysis, the debate within the judiciary foregrounded most of the concerns of and tensions and contradictions inherent in the discourse on the devadasi institution in the colonial period. Most of these tensions and concerns recur in the debates of the social reform movement in many different ways.

II Social Reform and the Devadasi Question

Alongside attempts to push for reinterpretation through the colonial judicature, the movement for social reform gained momentum and joined issue with the courts on the devadasi question. While the women's question was embedded at the base of the orientalist discourse and all that followed, it acquired a new dimension at the time of the movement for reform. The moral strength of the community was defined in terms of the sexual morality of its women. As a result of this not only was there a reconstitution and restoration²⁸ of the devadasi, but for the first time the ideal of the 'true Indian womanhood' was being held out to a community of women who were till then, in colonial society, treated as marginal at best. This section examines the intellectual and ideological influences on the movement for devadasi abolition and the character of the movement.

Efforts at reform in Madras presidency began in the 1830s. These efforts however, developed into an organised movement for reform under the leadership of Kandukuri Veerasalingam. In his efforts at reform, Veerasalingam's thrust was primarily towards the rearticulation of the moral question. This rearticulation was directed not only at the issue of sexual relationships and notions of conjugality, but also towards social hygiene – the ideal education, religious practices, corruption in administration, etc.²⁹ Reform movements during this period were focused almost exclusively on women's emancipation. The most important route to emancipation was thought to be education. This occupied the pride of place on the evangelical agenda³⁰ and was soon taken up by Indian reformers, especially Veerasalingam, who started a girls school in Dowaleswaram in 1874. He then started a journal to propagate ideas of reform.³¹

The other issues that reformers of this period took up were infant marriages, 'Kanyasulkam' (bride price), and enforced widowhood. Following this, women's associations ('Stree Samajalu') came up all over the region and boosted Veerasalingam's efforts. Later still, in the early 20th century, 'Ladies Conferences' were organised where women themselves lectured on female education, women in ancient India, the domestic economy, sanitation, etc (*The Hindu*, April 25, 1911). In this climate of reform, the devadasi question was articulated in two clearly identifiable phases, the first originating in the Telugu areas of the presidency and the second in the Tamil areas.

FIRST PHASE OF DEVADASI ABOLITION: MOVEMENT FOR SOCIAL PURITY

'Nautch', as the devadasi system was described by the westerners to begin with, and then by Indian reformers, came to occupy centre-stage in social reform as part of the 'Social Purity' movement. This movement had as its chief objects 'the total abstinence from intoxicating drinks, purity of private life, (and) the abolition of the devadasi system' [Ramakrishna 1983:134].

The protagonist of the movement, Raghupati Venkataratnam Naidu (1862-1939) was born in Machilipatnam and grew up in North India. Throughout his formative years he displayed a keen interest in sufism and a sensitivity to social reform. His views on reform were modelled not just on the views of Bengali philosophers, especially brahmo philosophers (whose writings no doubt exercised a considerable influence on him), but also on western philosophers, especially Carlyle and Emerson. While at Madras in the 1880s he started the movement for social purity [Ramakrishna 1983:136-37].

The timing of the social purity movement is significant. It was around this time that the Purity Crusade in England and America caught momentum and was assuming the dimensions of a mass movement. It is also significant that the 'parent' movement had as its chief objectives the prevention of intemperance in sexual life and with regard to alcohol. Eroticism in art and literature was widely condemned. Prostitution hitherto defined as 'sexual intercourse, except for propagation,' was redefined to refer to corruption and moral depravity in life [Pivar 1973:33-34]. While the social purity movement served middle class interests, the values of social purity were internalised among some portions of the working class in the late 19th century. This is a dimension of social reform that is crucial to our understanding of the movement for devadasi abolition. The involvement of the working classes was

part of a conscious effort on the part of the pioneers of social purity, who constituted chastity leagues and organised hundreds ladies of rescue committees. They addressed the need for male chastity in meetings of working class men, who were also recruited in thousands into white cross armies that were dedicated to promoting the single standard of chastity and attacking vice [Walkowitz 1980].

The framework of belief in which these changes came about was located firmly within the mid-19th century notions of absolute social progress. It projected a view of the development of the world's history which compared the social, scientific, and material conditions of the western Christian nations with the Hindu and Muslim societies of India, and pronounced their superior social progress to be the result of belief in Christian truths. The material basis of this view can be found in the stark discrepancies in material successes between India and that part of the west that was presented to India. Take for instance the emergent capacity of western societies to understand and manipulate the material world. The advances of 19th century science were projected as one aspect of Christian religion, as opposed to Hindu astrology and geography that was predicated on divine forces. The political sphere too seemed to present 'objective truths' about the incapacity of Indian society to protect itself against enemies, let alone ensure a stable internal order [O'Hanlon 1985:55-56].

The intellectual and ideological influences on India from the west came from two apparently divergent sets of ideas – one, a missionary statement on Protestant Christianity, and the other a distinct radicalism both in religious and political matters. In practice, however, in the Indian subcontinent they worked together to reinforce one another. Together they helped to produce a breakdown of belief in existing Hindu institutions amongst a highly influential section of western educated Indians.

This was not quite the paradox that it seems at first sight. In attacking superstition and idolatry, the Protestant critique of Hindu society bore a strong structural resemblance to the arguments put forth by European religious radicals against the corruptions of the European Catholic church. O'Hanlon suggests that the similarities between these two trends arose from the strategies that were adopted by the missionaries as the most effective means of undermining Hindu religious beliefs [O'Hanlon 1985:52-53]. That Venkataratnam Naidu adopted most of the ideas of his precursors in the west is obvious not just from the almost identical agendas of both the purity movements but also from his rhetoric. His ideas are constructed in and expressed through

frameworks that bear strong influences of Protestantism [Venkataratnam 1901].

Social purity was for him

chastity in body and chastity in mind – stern uncompromising repugnance to whatever is base and vulgar, indecent or immodest in study or pleasure, speech or song, faith or sentiment, thought or life – stout, unrelenting opposition... to every habit or custom, regulation or institution that defeats or tends to defeat the high purpose of human life by gilding shame with fashion, or condones carnal longing as venial.

On the one hand, it honours the life that never deviates into guilty pleasure, and counts him a hero who always keeps the citadel of his senses. It upholds the law that vindicates morality, and espouses the custom that conforms to righteousness... It welcomes the song that softens the savage in man... and lives by the faith that adores the All Holy [Venkataratnam 1901:260].

Then there is of course the concern for the purity of the nation (expressed in terms of the Augean stable that needed to be cleansed). Superstition and blind adherence to custom, for Venkataratnam, were just 'outer abasements' which once removed would reveal the 'native grandeur' of the nation [Venkataratnam 1901:264]. These premises however, could not stand on their own in the context of social reform. They had to find (and did find) support within the native textual traditions. The *Mahabharata*, for instance, describes the wife as 'the friend in solitude, the father in duty, the mother in distress and the refuge in wilderness'.³² This redefinition of conjugality was crucial to the movement for devadasi abolition and enjoyed a dual legitimacy. Believers drew on Hindu texts for authentication, while non-believers, primarily activists of the non-brahmin movement in Madras presidency, drew on what they perceived as western notions of conjugality based on love and companionship – both apparently opposed but in fact similar in this regard.³³ The fulfilment of the agenda for purity began with the anti-nauch agitation. While 'secret vice' was found to be common the world over, India was the only nation in which immorality was practised as a 'hereditary and acknowledged profession, living in peace and amity with and amidst other avocations, fortified against attacks of time and change and endowed with the privileges of social sanction' [Venkataratnam 1901:272]. Summing up his position on the 'nauch' question, Venkataratnam envisaged two changes which if induced would lead to the healthy moral regeneration of the race. These were the allotment of temple-service for sacred purposes to anyone with a 'proven record of chastity' and secondly, the education and improvement of the male members of the community

who were 'mostly drones or parasites' [Venkataratnam 1901:279]. This way '[a] caste, chartered to a vicious life, will cease to be; and though some poor sheep may deplorably go astray not a few of the daughters now deliberately prodigal will be restored to the longing bosom of the Divine Mother' [Venkataratnam 1901:279].

The influence of Christian or other western ideas upon social reform is very significant. Most reformers accepted the missionary critique of Hindu institutions without identifying themselves with any specific Christian doctrines, to which the critique was tied [O'Hanlon 1985:52]. Adopting most of the ideas of its precursor in the west, social purity in Madras presidency roused the consciousness of people, especially students. Between 1881 and 1910 the anti-nauch agitation had spread all over the Andhra. Public opinion at the end of the first phase of the abolition movement forced the government to consider the question of 'nauch' reform seriously. On March 3, 1911 the Indian government home secretary, Butler, circulated a letter to the elders of the presidency asking for opinions on the efficacy of sections 372 and 373 IPC in curtailing the devadasi system (*Krishnapatrika*, July 7, 1911).

In his reply to this letter, Narayana Iyer, the Madras magistrate, said that the devadasi traditionally protected the chastity of married women. But poverty had now forced them into common prostitution. He attributed their poverty to two reasons: first, their not being invited for marriages as a result of reform activity and second, the famine of 1876. A pre-famine and post-famine census of prostitutes, he felt, would demonstrate his point. The measures he suggested to curb this practice are significant because they are representative of the general tone of reform rhetoric: (1) Prostitutes should be isolated; (2) Their numbers should be monitored by frequent censuses; (3) They should be penalised if they solicit men and (4) There must be a ban on adoption (*Krishnapatrika*, May 15, 1911).

In March 1914, the Pudukottai Darbar circulated a memorandum requesting members of the representative assembly to offer their opinion on the subject of devadasi abolition. Of the 30 members of the representative assembly, replies were received from 17, of whom eight recommended that the practice be stopped, five that it be continued under certain conditions, three that the existing practice be continued and one felt that the 'sastras' ought to be consulted. After these deliberations, the Darbar concluded that while it was not yet time to stop devadasi service in temples altogether, it was not necessary for this service to be performed by dedicated girls. It expressed agreement with the judges of the Madras High Court

in construing the dedication of a minor girl as an offence under section 373 IPC, and ordered the dewan peishkar to prohibit the ceremony of Pottukkattal [the 'tali' tying dedication ceremony] in the state. It further issued four orders to safeguard the interests of minors, which said that any woman of the Melakkarar caste, single or married but not widowed, could serve as a dasi in temples provided she was accomplished in the performing arts; no girl under 16 would be appointed as dasi to any vacancy arising after the date of the order, already dedicated girls being exceptions to this; there was to be a scaling down of dasis in terms of numbers, with vacancies being abolished as and when they occurred and finally, temples that had no dasis serving in them would continue without them.³⁴

Clearly during this period, there was an increasing consciousness of the problematic nature of devadasi service, but the fact of its complexity made it difficult especially for establishments to ban the practice altogether. The first phase of devadasi abolition was therefore characterised by protracted debates on what the practice constituted in essence and what ought to be done to remedy the situation without necessarily transforming it. Although there were activists of this time who did not see a difference between the devadasi practice and prostitution, there were also a number of people who recognised the difference. Also notably, the protagonists of reform in the earlier phase were men, as were the beneficiaries.³⁵

Apart from this, the colonial government, despite public support, was not in a position to take any further conclusive steps towards abolishing the devadasi system. To put it in the words of the law member of the council of state the 'Government... would be prepared to assist the house in every way to suppress the evil, if as a matter of fact, the dedication of a girl does amount to her employment as a prostitute... this is an assumption the government as such is not in a position to make' (*Proceedings of the Council of State*, September 1927, p 1137). While the colonial judiciary had since 1861 been attempting, unsuccessfully no doubt, to criminalise the devadasi practice by confounding it with prostitution and penalising individual women, it now became necessary for the government to take a stand on the legality of the devadasi practice. This was decidedly more problematic than dealing with the issue from one case to the next, given the history of the colonial government's complicity with brahmin orthodoxy, the rise of the nationalist movement which in the presidency had a predominantly brahmin composition, and the fact that devadasi abolition was an important item on the agenda of the non-brahmin movement. It therefore remained an unresolved issue and legal abolition had

to wait till 1947 for the nationalist government.

SECOND PHASE OF DEVADASI ABOLITION

At about the time when the colonial government expressed its inability to outlaw the devadasi system, Muthulakshmi Reddi, a medical doctor and legislator, launched a massive campaign for abolition, urging her sisters who belonged to the community out of their 'life of vice' and instead to fulfil their role as 'loyal wives, loving mothers and useful citizens'.³⁶ In the second phase of the movement in the 1920s Muthulakshmi rapidly became the undisputed leader of the movement for abolition. One finds very strong echoes of Venkataratnam in Muthulakshmi Reddi as well. She too believed in the civilising potential of the west and in the moral superiority of the colonial rulers. In urging them to expedite legislation, she frequently referred to their Christian birth and training and to their Christian ideals and sense of dignity. This belief in the moral superiority of the colonial masters coexisted with a belief in a glorious Hindu past in which the devadasis who served in temples were pure and chaste like the vestal virgins of ancient Greece (*MRP*, sf 11). Her aim was to rescue Hindu society from the clutches of blind superstition and obscurantism, which, she believed, could only spell its doom: '[Prostitution] is a question that vitally concerns the dignity and status of every woman in India, inasmuch as it is a stigma on the whole womanhood, and a blot on Hindu civilisation' (*MRP*, sf 11, 3:533-39).

In the second phase of the movement for reform, Muthulakshmi became the only authoritative voice of the movement.³⁷ Her background and professional training contributed in no small measure to her authority. She had had an advanced education (which included specialised medical training in Britain) and had come into political power. She was on par with the political elite in the presidency and the British bureaucracy – both almost entirely male – and with women who were active in the movement for women's emancipation in the west. This clearly set her apart from the devadasis whose cause she was championing. In writing to a white woman friend, she said that they should 'view matters in the light of [their] conscience and in [their] individual sense of right and wrong: because fortunately [they were] in a position to instruct and lead people in the path of virtue' (*MRP*, sf 11, 1:131).

How did Muthulakshmi perceive the situation of women? 'We women ought to realise that the degradation of one woman is the degradation of the whole sex. Women alone can protect women's interests' (*MRP*, speeches and writings, Vol 2, part 3,

pp 1067-75). She writes referring to prostitution: 'Of all the laws, rules and regulations which for centuries have helped place women in a position of inferiority, none has been so powerful in creating in the minds of men and people a sentiment of scorn and contempt for women as the degrading idea of the double standard of morals' (*MRP* Speeches and Writings, Vol 2, Part 3, p 1067-1075). Quoting a passage from the Labour Women's Magazine in London, Muthulakshmi Reddi reminded the government of its duties towards protecting people from four great dangers – disease, ignorance, starvation and disorder. She saw no reason why women in India should even be expected to differ from women in progressive countries. Addressing the Seventh Andhra Provincial Women's Conference at Ellore, she demanded compulsory and primary education for children, sanitary housing for the poor, reform in marriage laws and inheritance rights, equal and high moral standards between the sexes and the suppression of immoral traffic in women and children.³⁸

It is important here to recognise the ambivalence in the positions Muthulakshmi assumes. While on the one hand she consciously sets herself apart from the community whose cause she espouses (and in doing this she is in a sense reiterating a distinction that already exists and is based on class and political power), on the other hand the sheer range of issues she raises, some of them radically and explicitly feminist, sets her apart from the class she identifies with and the people and institutions she shares political power with. In seeking to abolish the devadasi system, Muthulakshmi Reddi was explicitly following in the footsteps of Josephine Butler, whose campaign against prostitution in England was by her own admission her chief source of inspiration [Butler 1976]. This reform was for Muthulakshmi Reddi only the first step in a much larger endeavour: 'Once the Bill is made into an Act and the sanction of the temple to such a practice is taken away, this caste will naturally and spontaneously disappear from our midst. Then we will have to deal with wider question of the international problem of prostitution and protection of young women and children from the indecent attacks of men, which I feel will be an easier task'.³⁹

However, all women were not considered capable of protecting their own interests. In Muthulakshmi's view, for instance, those devadasis who opposed her bill, demanded the right to determine their own future and were unwilling to be transformed by her into 'loyal wives, loving mothers and useful citizens,' were only a 'set of prostitutes who have been set up by their keepers'.⁴⁰ She urged the government 'not to pay heed to such protests from a most objectionable class

of people in society.'⁴¹ This superior self perception and the separation of self from the objects of reform was again not something that was peculiar to Muthulakshmi alone. Rather, it seems characteristic of middle and upper class women in the late 19th and early 20th centuries, who took up the cause of women's emancipation in the west and India. In the west, for instance, feminists insisted on their right to defend prostitutes by invoking two kinds of authority relationships – 'mothers' and 'sisters'. The invocation of the mother-daughter relationship, while at one level subversive of the father's control over his daughter in a patriarchal system, was in this context also one that was hierarchical and custodial. Further, although they were no doubt capable of articulating a radical critique of prostitution, middle class feminists in the west as well as in India were ambivalent about prostitutes and the right of women from lower classes to control their own sexuality. Walkowitz says that 'feminists tended to share the same feelings of anxiety over youthful female sexuality as other members of the middle class... for them as for more repressive moralists, the desire to protect young girls thinly masked coercive impulses to control their voluntary sexual responses and to impose a second code on them in keeping with the middle class view of female adolescent dependency' [Walkowitz 1980: 149].

Where Muthulakshmi was concerned, it was not the devadasis alone who were incapable of articulating their interests. In a letter to an associate while her bill was being discussed in the legislative council, she says, 'I find that none of these women MLitts are up-to-date and capable of piloting any Bill. It would have been better if a gentleman had been given the opportunity of introducing the Bill and getting it through'.⁴² For Muthulakshmi, the devadasi institution epitomised the 'loss of masculinity and cultural regression of the Hindus' [Chakravarti 1990:5]. The devadasi system, in her view, was a slur on the Hindu nation. The integrity of the Hindu nation had to be safeguarded against onslaughts from the Christian evangelical efforts to counter the system through proselytisation. Crucial to her defence was the need to account for a practice which was not only so widely prevalent in the contemporary society, but also found mention in the religious texts. This involved an exploration into textual origins. These explorations revealed to them that devadasis were originally a band of pure virgin ascetics attached to temples. They were believed to have lived a holy life, wearing only the simplest clothes and subsisting on the food given to them by the temples.⁴³

Generally, support for the cause of abolition was mobilised in three ways,

depending on who was being addressed. Since the primary attempt was to wean the women and men away from their community, they constituted the primary target for the abolitionists – a target the abolitionists could afford to be extremely ruthless with. The self esteem of the men and women was undermined and an abhorrence was created in them of their moral laxity and material dependence. The accusation of immorality was directed against devadasi women: ‘The dasi herself is a recognised prostitute. The result is that a depraved woman who has wrecked many a family and who is a curse to humanity is considered to be entitled to an office in the temple of God and is allowed to tempt God’s bhaktas away from the path of morality, by her dancing and singing, even at the time they are praying to overcome temptation.’⁴⁴ The men of the community, on the other hand were exhorted to realise ‘how they have lost their individuality by their abject and servile dependence on their women.’ They were told that their manhood lay in their self-respect and self-reliance and on their capacity to assume their ‘rightful place as the economic unit of the family in place of the woman (emphasis added).’⁴⁵

Yet another group being addressed was the Hindu orthodoxy. At the time when the non-brahmin movement was gaining ground in Madras presidency, the colonial government took over the control and administration of temples which were hitherto controlled by zamindars or the landed aristocracy. Whether or not it was intended, this move by the colonial government helped retain brahmin control over Hindu religious institutions. The importance of brahmin support as a result could not be dismissed even in the face of the rapidly spreading non-brahmin movement. In order to woo brahmin support, Hindu scriptures were invoked to show that servants of God were expected to be chaste and pure and that the Hindu religion did not sanction sexual promiscuity.

By the time the movement for abolition reached its peak, colonialism and the developments associated with it had brought about many changes. Of interest here is the substantial alteration that had taken place in the structure and the ideology of the family. A strictly utilitarian sexuality was increasingly becoming the norm in British India. Young boys were exhorted to practice continence as it would lead to the moral regeneration of the race. ‘Our educated young men and women... must take the vow of Brahmacharya and... take light and knowledge to every poor and ignorant home in the [village].’⁴⁶

Further, the debate on abolition was located in British India and the promulgation and execution of laws was the preserve of the

British. Propagandists for abolition therefore often felt compelled to express themselves in, and to translate reality into language that would be comprehended by the British. The Hindu religion, here represented by the dedication of girls to gods, was alien to the British experience. The first step towards narrowing the gap between the Indian experience and the British one was to use the words ‘devadasi’ and ‘prostitute’ interchangeably. This also translated reality into categories that were consistent with the rapidly changing perceptions of Indians themselves. Contemporary polygamous relationships among the devadasis, according to this argument, were aberrations which did not reflect the glory and sacredness of the Hindu nation. This had marginalised or excluded those women who did not come within the very narrowly redefined boundaries of the monogamous family: an adult female had to be either a wife or a prostitute.

RAMAMIRTTAMMAL AND NON-BRAHMIN ARTICULATION OF ABOLITION

In the Tamil areas of the presidency, most of the abolitionists were in the non-brahmin movement. While they supported Muthulakshmi’s demand for abolition, there were very significant departures in the frameworks within which they articulated their demand. Ramamirttammal, a ‘reformed’ devadasi, writer and active abolitionist was one of the key architects of this lobby. Very briefly, Ramamirttammal held brahminism and the aryan religion responsible for the evil of dedication. She provides an extremely illustrative critique of brahminism. ‘If Brahma is really a great god he should arrange marriages between people of the same age. How can he marry a six-year-old girl to a sixty-year-old man? Even if this is possible why then is it not possible for a sixty-year-old woman to marry a six-year-old boy? Can our women not see that all this is done by brahmins to ensure their livelihood? All these people – dasis, prostitutes, priests and brahmins – need a god who will provide them with a means of livelihood’ [Ramamirttammal 1936:46]. The question she poses ‘God is the protector of the world, will he watch silently while his wives prostitute themselves?’ is a powerful indictment of not just the nationalist defence of the essential Hinduism but also of the pro-Hindu biases of prominent abolitionists [Ramamirttammal 1936:58].

Ramamirttammal used the devadasi practice as a pivotal point in her critique of brahminical Hinduism. In this view religion and god (both terms by implication aryan and brahmin) created caste differences, untouchability, enforced widowhood and prostitution that was practised under the guise of euphemism. The devadasis, she

said, were mere instruments of brahmin treachery. Brahmins were seen as conspiring to ensure the continuance of their oppressive hegemony by perpetuating disgraceful customs like these.⁴⁷

The devadasi institution for the group Ramamirttammal represented, was predicated on Hindu religion and the traditional Hindu family. According to this interpretation, the tensions within the family, between the women and their mothers and sisters-in-law, and the mandatory distance and reserve between husband and wife in a traditional marriage forced the husband into easier and more relaxed relationships with dasis. The solution to the dasi question would be reached, she felt, if the structure of marriage was loosened to accommodate a greater ease in conjugal relationships. The new ideal of marriage was based on the redefinition of ‘Ideal Womanhood’. Brahminical ideals of the unquestioning, self-effacing, obedient wife were clearly inadequate and even detrimental to the interests of women [Ramamirttammal 1936].

THE MOVEMENT AGAINST DEVADASI ABOLITION

There were many devadasis who opposed abolition. They formed groups to oppose the proposed bill tabled by Muthulakshmi Reddi in the legislative assembly. For example, in 1927 the anti-abolition Devadasi Sangam of Periyakanchipuram had 28 members; that of Chinnakanchivaram had 50; that of Tirukkalkunram had 100; and the one in Chinglepet had 25 members (Press Clippings, *MRP*, sf 12).

The devadasis of the Seyyur Kandaswamy temple, Vanmeeghanadha temple and Needamanikkaswami temple in Chinglepet district formed an association in 1927 of which Saradammal and Doraisammal were unanimously elected president and secretary, respectively. The resolutions passed at the first meeting of this association condemned the proposed bill tabled by Muthulakshmi Reddi, and defended the devadasi practice as part of a noble, ancient religion and appealed to the government not to wipe it out through the enforcement of law. The meeting also condemned speeches and writings that equated the lives of honourable people with prostitution (Press Clippings, *MRP*, sf 12). Yet another meeting of devadasis against abolition was held at the house of Maragattammal in Chinna Kanchivaram. Krishnaveniammal presided over this meeting which was attended by approximately 50 men and women. Krishnaveniammal and Kannammal were unanimously elected president and secretary, respectively, and 30 people were registered as members of the association. The unanimously passed resolutions of this meeting vehemently

condemned Muthulakshmi's bill and appealed to the humanitarian government that the practice of 'Pottukkattal bears no connection with prostitution. The resolutions of this meeting were then released in the newspapers (Press Clippings, November 13, 1927, *MRP*, sf 12).

Twenty-eight devadasis of Periyakanchivaram formed a Sangam and sent the following appeal to the law member of the Madras legislative council: 'We condemn Dr Muthulakshmi Reddi's Bill. There is no connection between our ancient and noble practice of Pottukkattal and the disgraceful profession of prostitution. We appeal to the government not to enforce any law that destroys our rights.' These were women who served in different temples and devasthanams in Periyakanchivaram (Press Clippings, *MRP*, sf 12).

Ramamaniammal presided over a meeting of devadasis of the Vedagirisvaraswamikoil Devasthanam in Tirukkalkunram, which was attended by over a hundred people. Ramamaniammal, Manickathammal, Tirupurammal, Valliammal and Balammal, among others spoke about the need of Sangams that would work towards the progress of and unity among devadasis, specifically with reference to Muthulakshmi Reddi's bill in the Madras legislative assembly. The bill and its implications were discussed at length at this meeting. Thereafter, a sangam was formed with 80 people being registered as members. A resolution condemning Muthulakshmi's bill was passed at this meeting (Press Clipping, *MRP*, sf 12). The Madras Presidency Devadasi Association was a prominent anti-abolition group. T Doraikannammal, the secretary, was elected with the specific responsibility of organising her caste sisters through the Devadasi Association with the purpose of defeating the Devadasi Dedication Bill (*The Hindu*, July 14, 1928).

Doraikannammal, Bangalore Nagarathnammal and others met the law minister C P Ramaswami, in November 1927 in an attempt to impress upon him the fact that contrary to Muthulakshmi's assertions, there was no connection between the performance of religious services in the temple and prostitution. 'If the object of the Bill was in fact to stop prostitution, Muthulakshmi ought to find other ways of doing it', they said. In response to their representation, C P Ramaswami assured them that the matter would be thought over carefully and assured them that there will be measures to compensate for the loss of property rights in the event of abolition (Press Clippings, *MRP*, sf 12).

At yet another meeting in Georgetown on November 27, 1927, in which both Nagarathnammal and Doraikannammal participated, the question of equating the devadasi practice to prostitution was

debated at length. This meeting was attended by over a 150 devadasis and 25 prominent men of different castes. This meeting passed resolutions condemning the concerted attempts among some sections to discredit a group of women who lived their lives according to a widely respected religious tradition. It also condemned the demand to ban pottukkattal as a remedy for prostitution (*Swadeshmitran*, November 30, 1927).

Doraikannu, in yet another pamphlet expressed her unhappiness at the attempt by Muthulakshmi Reddi and her followers to target one group and open it up for public scrutiny. She felt that instead of looking at social evils and thinking of effective ways of stemming prostitution, a blind judicial system was being put into the service of men of the Isai Vellalar community who had a vested interest in dispossessing and discrediting the devadasis (*MRP*, sf 12).

Bangalore Nagarathnammal, also a prominent anti-abolitionist, was a very respected literary figure and artist in her time. She was actively involved in publishing the work of Muddupalani, a reputed courtesan and poet in the Tanjavur Court between 1739 and 1763.⁴⁸ In response to Muthulakshmi's plea for illegalising pottukkattal, Nagarathnammal felt that while prostitution was indeed a serious problem that had to be addressed, and while it was true that some devadasis did take to prostitution, removing the pottukkattal ceremony would not affect prostitution in any way. She felt that the link that was being made between the two was far too simplistic. Further, if the argument of the abolitionists was that pottukkattal was a disguise for prostitution, then removing it would only mean opening the field to the unhindered and undisguised practice of prostitution, not to its disappearance. Finally Nagarathnammal was of the opinion that the devadasi institution was being evaluated by the abolitionists from the standpoint of western religion and social practice. It was necessary instead to locate it within its own parameters and then articulate demands for reform (*Swadeshmitran*, November 30, 1927).

The Madras Rudrakannikai Sangam was an active anti-abolition body, issued statement saying 'the people who propose the Bill offer the lame excuse that Isai Vellalar themselves support it. But Isai Vellalar are men born of Rudrakannikais. It is strange that they are supporting the Bill. We will soon see that selfishness prompts them to support the Bill. The women of this class have the sole right to property and the right to funeral honours ... It is a fact that in this world men have always had a selfish motive. The men of this class wanted to have the right to property and therefore they bite the

hand that feeds them.'⁴⁹ And from the same group: 'A bill to abolish prostitution ought to exert control over and punish the men responsible.'⁵⁰

Another anti-abolitionist says, 'Some members of the Madras Legislative Council, especially Muthulakshmiammal and some Congress leaders... have... been carrying on propaganda work under the misapprehension that the morality of Hindu society would be improved thereby... No healthy social conditions can be founded on inequality and injustice. Without male chastity female chastity is impossible.'⁵¹

It is interesting that the abolitionists were also propagating a single standard of chastity. The difference in articulation however is that the anti-abolitionists did not see chastity or sexual conduct as the key issue. For them the question of identity and the safeguarding of rights tied to that identity were critical. However, it was precisely this overlap in articulation that in a sense disabled the anti-abolition position, and made it impossible for the anti-abolitionists to sustain their position. Inevitably, an important part of the devadasi defence was their attempt to portray themselves in a role that was both sanctioned by religious custom and acceptable to the changing ideology. The sanctity of marriage became a central issue: 'As soon as a virgin who is born into that caste ties *tirupottu* then she acquires the name *tevaradiyal* ... Just as a married woman belongs to her husband, so also the *kannikai* belongs to Iswaran and her *tirupottu* symbolises this'.⁵²

At one level, we could, after Foucault, see the devadasis' defence of their profession as a reverse discourse, where, as in the case of homosexuality in the west, the devadasi way of life began to speak for itself; to demand that its legitimacy be recognised and acknowledged often in the same vocabulary, using the same categories by which it was being increasingly denounced and denigrated [Foucault 1980: 101] But this is only a part of the explanation. At another level, the articulations that got co-opted into the 'brahmin framework' were those of women who were articulating their position outside it. The polarisation of politics and the particular configurations of political alliances that seemed possible at that time, equated modernity and political radicalism (especially that of the non-brahmin movement) with the abolitionist position, and reduced anti-abolitionist articulations to a backward traditionalism that hindered progress. This dichotomisation of positions on the part of the reformers invisibilised a discourse that could not be contained in simple dichotomies. The positions that the anti-abolitionists like Nagarathnammal and Doraikannammal for instance took, were certainly not 'brahmin' positions, nor can they by any stretch be called a 'set of prostitutes set up by their keepers', to quote

Muthulakshmi.⁵³ Their own radicalism and sensitivity to issues is comparable to the radicalism of the non-brahmin movement, but they were located outside it and in opposition to it. It was the impossibility of fixing the anti-abolitionists firmly within any of the existing political-ideological frameworks that wiped out their resistance.

III Conclusion

The agendas of reform, the non-brahmin movement, the colonial judiciary, and first wave feminism intersected to produce a hegemonic ideal of monogamous conjugality that would replace and recast the extended sexuality of the pre-colonial family in South India. The pro-abolitionists 'defined' the system largely in terms of the evangelical, bourgeois feminist and emerging nationalist frameworks of a new moral order – an order whose patriarchal constraints were very different from and alien to the patriarchal constraints that up to that point defined the choices available to female temple servants – and then attempted to find the system they were describing and its participants.

The anti abolitionist devadasis on the other hand strongly resisted the interpretation of pottukkattal as prostitution. Those who were opposed to reform and asserted their right to continue living their lives in the 'old' way were also actively redefining their own positions and attempting to fashion and assert a space for themselves within the emergent moral order, a space guarded against appropriation (by the state, reformers and men of their own community alike), a space that, if retrieved, would also be legitimate within the new order.

The devadasis who were willing to be co-opted into the revivalist scheme and those who were willing to organise themselves for reform get transformed from passive subjects mobilised by charismatic leaders into people who recognised changes in their life situation and acted to shape their future and retrieve themselves. In this scheme, while the pioneers of reform saw themselves as initiating change, for most of the participants it served as a platform that provided visibility, official recognition and 'legitimacy' to changes that were inevitable within the emerging system.

Viewed from this angle, we begin to see the 'victims' and their marginalisation in new light. At one level they cease to appear as a homogeneous group. At another level however, the anti-abolitionists' position intersected with that of the pro-abolitionists in that both accepted the emerging ideal of monogamous conjugality, and were attempting through different trajectories, to situate themselves within that ideal.

Notes

[This paper is based on my doctoral dissertation 'Temple Women in South India: A Study in Political Economy and Social History', Jawaharlal Nehru University, 1992. This paper has been substantially revised based on comments and suggestions from the editorial group of the journal *South Indian Studies*. I am grateful to M S S Pandian for his co-operation in agreeing to let it be published in *EPW* instead. I am grateful to the librarians and staff of the Andhra Pradesh High Court Library, Hyderabad, The Nehru Memorial Museum and Library, New Delhi, The Adyar Library, Madras, The District Records Centre of the Tamilnadu Archives, Madurai and the Ideas-Aicuf Centre, Madurai. For a range of help I am indebted to KG Kannabiran, R Chudamani, V Ramakrishna, Lakshmi Goparaju, Patricia Uberoi, Uma Chakravarti, Yogendra Singh and V U V S Subbalakshmi. A special word of thanks to the referee of *South Indian Studies* who provided painstaking comments on earlier drafts.]

- 1 I am grateful to the referee of *South Indian Studies* for drawing my attention to this judgment.
- 2 Naikins, nautch girls and devadasis are used interchangeably in the first section of this article since the discourse of the colonial judicature, which the section deals with, does not maintain these distinctions. Precedents are cited across these categories, thus ironing out the differences between them. While I maintain the distinctions and recognise their significance, it is necessary at this point for me to examine the cases as a body.
- 3 Mathura Naikin v Esu Naikin, *Indian Law Reports* 4 (1880) Bombay, pp 570-71 (hereafter *ILR* 4 (1880) Bombay, pp 570-71).
- 4 Section 372 of the Indian Penal Code is as follows: 'Whoever sells, lets to hire, or otherwise disposes of any minor under the age of 16 years, with intent that such minor shall be employed or used for the purpose of prostitution or for any unlawful and immoral purpose, or knowing it to be likely that such minor will be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine'.
- 5 Reg V Arunachellam, *ILR* 1 (1876-8) Madras, p 165.
- 6 The direct evidence was without exception given by the agency that charged the accused – invariably the state. *Exparte Padmavati*, *Madras High Court Reports* 5 (1870) p 416 (hereafter *MHCR* 5 (1870) p 416).
- 7 *Exparte Padmavati*, *MHCR* 5 (1870) p 416. The Abbe Dubois 'in his work on Hindu manners and customs says, 'the official duties of devadasis consist in dancing and singing within the temple twice a day, morning and evening, and also at public ceremonies. The first they execute with sufficient grace, although their attitudes are lascivious and their gestures indecorous. As regards their singing, it is almost always confined to obscene

verses describing some licentious episode in the history of their gods'. For these services the devadasis were paid a fixed salary which was supplemented by 'selling their favours in as profitable manner as possible'. See Dubois (1989).

- 8 *Exparte Padmavati*, *MHCR* 5 (1870), pp 416-17.
- 9 Chalakonda Alasani v Chalakonda Ratnachalam, *MHCR* 2 (1864) p 57.
- 10 Chinna Ummayi v Tegarai Chetti, *ILR* 1 (1876-8) Madras, p 170.
- 11 Mathura Naikin v Esu Naikin, *ILR* 4 (1880) Bombay, pp 550-51.
- 12 Subbaratna Mudali v Balakrishnaswami Naidu, *Madras Law Journal* 33 (1917) p 208 (hereafter *MLJ* 33 (1917) p 208).
- 13 *Ibid*, pp 208-09.
- 14 Chalakonda Alasani v Chalakonda Ratnachalam, *MHCR* 2 (1864) p 57.
- 15 *Ibid*, p 57.
- 16 *Ibid*, p 57.
- 17 Gangamma v Kuppamal, *MLJ* (1938) pp 923-33.
- 18 Narsanna v Gangu, *ILR* 13 (1890) Madras, pp 133-34.
- 19 Yendamuri Veeranna v Yendamuri Satyam, *MLJ* 1 (1947) pp 301-03.
- 20 Jagadammal v Saraswathi Ammal, *ILR* (1950) Madras, pp 755-64.
- 21 Tarav Krishna, *ILR* 31 (1907) Bombay, p 510.
- 22 Venku v Mahalinga, *ILR* 11 (1888) Madras, p 396.
- 23 Queen Empress v Ramanna, *ILR* 12 (1889) Madras, p 276.
- 24 *Ibid*, p 274.
- 25 *Ibid*, p 276.
- 26 *Op cit*, p 563.
- 27 Visvanatha Mudali v Doraiswamy Mudali, *MLJ* 49 (1925) p 687.
- 28 For an elaboration of the concept of restorative behaviour see Richard Schechner (1985).
- 29 See Ramakrishna (1983) for an extremely informative account of reform trends in Andhra in the late 19th and early 20th centuries.
- 30 The first attempt to set up a girl's school in Madras was made in 1821 by the Church Missionary Society. Later, between 1830 and 1837, the L M S, the Wesleyan Mission, the American Mission and the Christian Missionary Society started several boarding and day schools for girls. For further details, see Ramakrishna (1983:91-93).
- 31 Veeresalingam through this journal as well as *Satहितabodhini* inaugurated an epoch in women's journals in Andhra. See Ramakrishna (1983:94).
- 32 Manu too 'demands of him that would be a father ... to be wholly satisfied with her he has taken unto wife, and guarantees good fortune to the house where the husband is content with the wife and the wife with the husband' [Venkataratnam 1901:253-254].
- 33 What is extremely significant is that western liberal ideas of love and marriage found advocates not just among the 'respectable' upper class elite but also in a group struggling to survive. Take the views

- of Ramamirtammal, an active pro-abolition devadasi and author of a novel on the evils of the system, *Dasigal Mosavalai*, for instance. The author was a reformed devadasi who was active in the movement for abolition. The work is strongly autobiographical and narrative of the trends in the movement. See, Mu Ramamirtammal (1936:44) and S Anandhi (1991).
- 34 Copy of the Proceedings of the Darbar, Dis 3058/C of 15 dated December 9, 1915, *MRP*, sf 11, part III.
- 35 Take for instance the Bill for the Protection of Minors. This bill was passed in 1914 and authorised magistrates to give custody of minor girls who fear adoption for prostitution, to suitable males belonging to the same caste. The custodian would, according to this bill, be given an allowance, decided on by the magistrate, towards maintenance of the minor girl (*Krishnapatrika*, January 17, 1914).
- 36 Letter dated September 8, 1927, *Muthulakshmi Reddi Papers*, subject file 11, part 2, pp 349-51 (hereafter *MRP*, sf 11, 2, pp 349-51). At the time that Muthulakshmi entered the scene, the Kovai Senguntar Mahajana Sangam was among the most active bodies in the Tamil areas. It was established in 1913 and registered in 1924. The activities of this organisation involved propaganda work in remote villages to 'reclaim' devadasis and their daughters. The Society for the Protection of Minors was formed in Cochin in 1917. In the Andhra areas of the presidency, the Andhradesa Kalavanthula Sangham was the most active pro-abolition body.
- 37 This is clear from the extremely subservient attitude that other abolitionists assumed in relation to her. The secretary of the Andhra Kalavanthula Association at Repalle, for example, tells her: 'The whole community has every faith in you that you would earn the worldwide fame of taking away the evils of the community by popularising the marriage system and by taking away every other status with and practices and customs of social life like the other sects of Hindus' [Letter, *MRP*, sf 11, 2, p 380].
- 38 Muthulakshmi Reddi, 'Presidential Address delivered at the seventh Andhra Provincial Women's Conference', Ellore, November 1933, p 11.
- 39 Extract from untitled speech (?). *MRP* sf 11, 2: 349-351. In November 1927, Muthulakshmi Reddi proposed a bill in the Madras legislative council to amend section 44 (a) of the Madras Hindu Religious Endowments Act of 1927. She proposed the bill for the enfranchisement of inams, she said, in support of the women's associations in this presidency who feel this practice of dedicating young girls or young women to temples for immoral purposes as a slur on Indian womanhood and a great wrong and injustice done to the innocent youth of this country, and in response to the incessant demands of the enlightened sections of those aggrieved communities themselves whose rightly developed moral sense naturally revolts at such a notorious custom prevalent among the unenlightened of their community and who, with their persuasive method and educative propaganda work...are unable to suppress this vice without further legislation and above all, in deference to my own personal conviction that, in the cause of humanity and justice, we can no longer delay this piece of beneficial legislation, a reform by which we can rescue thousands of young innocent children from a life of immorality and vice, from life-long invalidism, suffering disease and death resulting from infection with venereal disease' *Proceedings of the Madras Legislative Council* for November, 1927, pp 415-16. The amendment was introduced and inam lands held by devadasis were enfranchised and converted into ryotwari pattas which conferred independent titles to land. It might be useful at this point to dwell for a while on the western feminist position on prostitution that Butler represented. The crusade against male vice in both America and England began with an opposition to state regulation of prostitution. Like earlier female reform efforts, the feminist attack on state regulation reinforced women's self conscious participation in a distinct female subculture. The feminist campaign also drew hundreds of women into the political arena for the first time by encouraging them to challenge male centres of power. They rejected the prevailing view of 'fallen women' as pollutants of men and depicted them instead as victims of male pollution. From the point of the middle class feminists, this entailed a strong identification with the fate of prostitutes. Says Walkowitz, 'Prostitution also served as a paradigm for the female condition: it established the archetypal relationship between men and women, repeated in a more subtle manner within genteel society...' [Walkowitz 1980:147].
- 40 Letter to A Kaleswara Rao dated September 21, 1938, *MRP*, sf 11, 1, p 38.
- 41 *Ibid.*
- 42 *Ibid.*
- 43 Note dated March 17, 1940 regarding Kudikars in Dewaswoms, *MRP*, sf 11, part III.
- 44 S Anjaneyulu, 'Presidential Address to the Andhradesa Kalavanthula Social Conference', 1924, *MRP*, sf 12.
- 45 *Ibid.*
- 46 Muthulakshmi Reddi, 'Presidential Address,' p 12.
- 47 Muthulakshmi herself was a staunch supporter of their cause although anti-brahminism for her did not entail a rejection of Hinduism. Press Clippings, *MRP*, sf 12.
- 48 For a detailed account of the controversy surrounding this publication, see 'Introduction', *Women Writing in India: 600 B.C. to the Present*, Volume 1, pp 1-12.
- 49 Newspaper article by the Madras Rudrakannikai Sangam, reference undecipherable, *MRP*, sf 12.
- 50 Newspaper article by the Madras Rudrakannikai Sangam, reference undecipherable, *MRP*, sf 12.
- 51 B Varalakshamma, open letter to Muthulakshmi Reddi and Sir CP Ramaswamy Iyer, *MRP*, sf 11, 2.
- 52 *Ibid.*
- 53 *Op cit*, p 38.

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