

**DEVADASI SYSTEM IN INDIA: HISTORICAL BACKGROUND  
AND SUPREME COURT'S STANCE ON IT**

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**ABSTRACT**

*Devadasis, basically known as "female slave to god". Girls from wealthy background were forced to get married to deity and would then act as a care-taker of the temple, performed rituals, dancing and music in the honor of the deity. Earlier, Devadasis had a great respect and status in the society as they were married to the deity. But during the reign of medieval sultanate, mughals and the British periods their status in the society started to decline. Many of them became the devadasis of the noblemen or the local royals. This became worse when the poor one's were used as sexual tools for men, trafficking of girls and were taken to the big cities to work as prostitutes. Still Devadasi system continues to in practice due to the religious pressure, social beliefs and economic necessities. Constitution had also taken multiple steps to stop this cruel practises through laws such as Madras Devadasis (Prevention and Dedication) Act of 1947, section 372 of IPC prohibits selling of minors for the purpose of prostitution. Supreme court had also taken a stand on this issue in February 2016.*

**Introduction**

Devadasis a socio-cultural practice citing its presence from a long period of time in India. The Devadasis have many story in a story, a story in which privation, hardship, destitution and inequity against this women is central but what has happened to them is absolutely an outcome Imperialism and British rule in India.<sup>2</sup> In the years around Indian Independence, there was a widespread demand for abolition of Devadasi system by the Reformists and Revivalists. Even though most of the states have since boycotted the dedication of young girls as devadasis, the practice still continuous in different forms and guises. These women were dedicated to the Divine and were

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<sup>2</sup> "Beeban Kidron Quotes." Brainyquote.Com. Retrieved May2,2020, Frombrainyquote.Com Website: [https://www.brainyquote.com/Quote/Beeban\\_Kidron\\_705729](https://www.brainyquote.com/Quote/Beeban_Kidron_705729).

considered married to the God which means that they could not marry any other man. Today also, this system of devadasis is mainly common in Karnataka, Andhra Pradesh and Maharashtra and it is widely prevalent among the 'Beriya' and 'Nat' communities. The figures of devadasis in the Indian interest has changed in different historical old periods. And were associated with the evils of Devadasis system, namely, prostitution and begging. The declining tradition, deteriorated economic condition and forced them to take up other occupation. Prostitution and begging were adopted in large scale because they were approved and sanctioned occupations within the scope.

### **Historical Background**

Devadasi or Devaradiyar or we say "The servants of God". This women's were known by different names and different identity, in different region of India, such as 'Natis' in Assam, 'Thevardiyas' in Tamil, 'Basavis' in Karnataka, 'Meharis' in Kerala, 'Bhavanis' in Goa, 'kudikars' on the west side, 'Bhogam-vandhi' or 'jogin' in Andhra Pradesh, 'Murali' 'Jogateen' and 'Aradhini' in Maharashtra.<sup>3</sup> The oral history of Devadasis culture can be detected as back as 6th century, peculiarly in the southern parts of our country, India, during the regnany of Cholas, Chelas and Pandyas. The life of devadasis was not an easy one. To become a devadasi a young girl has to go through a few samskaras (rites of passage) which are the ritual marriage, branding ceremony initiation in the performing of art, debut, duties and inhumation honors. These rituals change an 'ordinary' girl into an 'ever-auspicious female'. The devadasis, though performed motley worked they were entirely clustered towards ethnic and spiritual services. The Girls, often belonged to wealthy family background were dedicated to the local temples. After they are gone through many practices likes dedication ceremony, they were married to divine. And they would then act as a care-takers of the temple and performed rituals, music, dancing especially bharatnatyam in the honor of the deity.

During those days, they enjoyed great respect and were well treated and held a high

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<sup>3</sup> "Different Names Of Devadasis.", Website:  
<https://www.sgrf.org.pk/wp-content/uploads/2018/05/4.Pdf>

status in the society as they were married to the deity. it was common for them to be invited, to be present or to initiate sacred religious rituals. They were considered auspicious and carry out a life without getting married. Their special status prevented them from marrying human husband. Nevertheless, they were free to select partners, from among the married and unmarried men alike. This relationships could long and stable, or for just a short period of time. But they cannot economically depend on their partners. They use to learn art like music and dancing of 64 types. This women used to dance in the temples at the time of rituals, in front of royals to earn gold and lands as there rewards.<sup>4</sup>

With the passage of time, the tradition started declining, mainly during Mughals, Medieval sultanate and British periods. The ancient old period before the coming of the British was the golden era in the history of devadasis. In North India the practice declined due to the emergence of Muslim invasion and subsequent destruction of the temples. In the commencement of the 20th century, various state governments banned the act of dedicating girls to the temples. With the disfigurement of the huge number of temples and Patronage, their status in the society degraded regards to their exploitation. Many Devadasis became mistresses of the local royals or the noblemen. This led to the religious evil doing such as sex working in temples of India which continues even today. During the British period there was a shift in identity of devadasis to prostitutes. The Reformists, clergy, Missionaries, British government as well as men and women from the devadasi's community contributed to the shift in identity of these girls.

### **Extent Of The Problem**

The Devadasis system of devoting girls to deity is prevalent only in few states, however, the problem is regarded to be a national one. This is because of two main reasons. Firstly, though the geographic attentiveness of the system is limited, the trafficking of this girls from other different parts of India to make them Devadasis makes it a bigger problem. Secondly, many of the Devadasis girls are taken to

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<sup>4</sup> "Devadasi System: Historical Background" Gktoday.In, Website:  
<https://www.gktoday.in/gkdevadasi-system-historical-background-and-supreme-court-stance>

Mumbai, Kolkata or other cities to work in brothels as a sex worker. The girls become Devadasis at a very young age, when they have no idea about what its meant to be one. The girls obtain puberty when they are 11 or 12 years old, and they get their first sexual partner even before they turn clueless about protection measures, nor they have any knowledge of sexually transmitted diseases which causes harm to there body.<sup>5</sup>

The Devadasis have to face AIDS and other health issues at a very small age. Finally, they also give birth to children, which makes it out of the question for them to get out of the system even if they want to, with additional mouths to be fed from there work. On the other hand, giving childbirth and maturing them also makes these women less sensible as younger women enter the supply chain of the Devadasis system. Women who as soon as turns 30 are often called old for the profession. As they do not have anything except their bodies to sell, they end up selling them where ever they can. This means having sexual intercourse with lorry drivers and random men on the road wherever they find for just amount of twenty or thirty rupees. This men in turn, carry and spread HIV through India's extensive road networks.<sup>6</sup>

### **Why the Devadasis System is still practiced?**

Though widely believed to have been abandoned decades ago, the practice had not died down completely in several parts of the country. This practice persists mainly in south India especially in the states of Tamil Nadu and Karnataka. The system continues to prevail because of complex cocktail of superstitious beliefs, disability, continuation of lineage, religious pressures, economic necessity and social beliefs.

**Religious beliefs:** There are still some people who believe that when they pledge young girl to supreme being, then he will be happy and bestow their entire family.

**Social pressure:** Today, most of the Devadasis belongs to the lower classes of the

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<sup>5</sup> "Manjula Pradeep." Devadasis Practise- Forced Prostitution In The Name Of God, Ncwapps.Nic.In Website:  
[https://Ncwapps.Nic.In/Pdfreport/Exploitation\\_Of\\_Women\\_As\\_Devadasi\\_And\\_Its\\_Associated\\_Evil-Executives](https://Ncwapps.Nic.In/Pdfreport/Exploitation_Of_Women_As_Devadasi_And_Its_Associated_Evil-Executives).

<sup>6</sup> Extent Of Problem Of Becoming Prostitutes, Websites:  
<https://Www.Jetir.Org/Paper/:Jetiri90ic49.Pdf>

society. A number of families thinks that offering their daughter will improve their social status and view it as a way to rise in the rigid caste system.

**Poor Enforcement of Law:** It is pacified that governments are not strictly implementing the laws which look over the devadasis system. Further, the funds allotted for the recovery of girls have not been utilized properly.

### **Legal Framework**

Various laws have been enacted in the past to stop the menace of Devadasis system.

- it was first prohibited in 1924 under the British rule,
- Bombay Devadasi Protection Act,1934,
- Madras Devadasis (Prevention of Dedication) Act of 1947,
- Karnataka Devadasi (Prohibition of Dedication) Act,1982,
- Andhra Pradesh Devadasi (Prohibition of Dedication) Act,1988,
- Maharashtra Devadasis (Abolition of dedication) Act,2006
- The Juvenile Justice Act 2015 (JJ Act)

Apart from the above, the section 372 of the IPC prohibits selling minors for purpose of prostitution and punishing culprit with 10years imprisonment and fine. Immoral traffic (prevention) Act,1956 (ITPA Act) also makes prostitution in or in vicinity of public places an offence.

### **Offences**

- Among all 92% of the responders were dedicated when they were minors and adolescent (4-12 years-53%; 13-18 years- 39%). Girls who are forced to become devadasis are sexually exploited. 50% of the respondents were sexually abused as minors.
- Special children, with disabilities are more at risk to be dedicated as devadasis.

- There were very few number cases reporting of Devadasis dedication was found, only four cases filed under the KDPD Act (between 2011-2017).

Awareness:

- Only 48% of the girls or the devadasis and the communities knew of the legislation banning dedication which means there is very less amount of girls who know about these.<sup>7</sup>
- NGOs were unknown of the provisions under KDPD Act or the knowledge of how to use the protection of the children from the sexual offences (POSCO) Act 2012, Juvenile Justice Act or Indian Penal code in case of dedication.
- In many cases, the law enforcing agencies were oblivious that the practice of devadasis dedication is taking place.

### **Issues and Challenges**

- Society's acceptance: the practise of becoming Devadasis and the resulting into sexual abuse of these girl children are accepted peacefully and celebrated by society. Those willing to report also have the fear of being thrown out of the society and community and stops themselves from reporting.
- Ineffective awareness programme: Awareness generation about the provisions of the legislation, in communities where the prevalence of dedication is high, is absent. Even most of those awareness programmes implemented failed to bring any behavioral change within the community and the practise continued.
- Lack of Policy Action: the policy are failing to take Suo moto action in cases of dedication and are not registering cases coming to them due to pressure from the community.
- Non-cooperative victims: Some of victims who were not willing to report against their parents or relatives becomes a big challenge. Even if the case is registered, there

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<sup>7</sup> “Devadasis System Still Prevalent.” Drishtiiias.Com, Website:  
<https://www.dristiiias.com/dailyupdates/daily-news-analysis/devadasis-system-still-prevalent>

is a high probability of victim turning hostile. So, the victims were not cooperative with the government.

- **Insufficient preventive measures:** The functionaries and the law enforcement agencies are not taking any measures to prevent and stop dedication of girl from taking place and focus only on schemes to be given to the older devadasis which proves to be insufficient.
- **Lack of coordination:** There is a lack of strategy, planning and systematic working between the various departments, agencies, and functionaries which is guiding to fruitless efforts to stop practice of devadasis dedication.
- **Poor implementation of legislation:** There are several provisions under the different laws (POSCO, ITPAJJ Catnip) that would be relevant in the cases of dedication of girl. However, there is a lack of application of all this legislation.
- **Health Risks:** The devadasis who were forced into prostitution become vulnerable to sexually transmitted diseases like AIDS.

### **Supreme Court Stance**

In February 2016, Supreme court has taken a stance in condemning the illegal practice of dedicating young girls as devadasis. It is proved to be an evil practice done to women by subjecting them to sexual exploitation and prostitution. The issue was has brought up the court's attention by Kerala based NGO, S.L. foundation, which blamed the laid-back approach and inadequate measures of the state authorities and the police forces of Andhra Pradesh, Karnataka, Tamil Nadu, and Maharashtra to the problem.

Further, the Supreme Court has commanded all the states and union territories, especially Karnataka, Maharashtra, Andhra Pradesh, to rigidly follow and enforce the directives to check such an unethical practice.

Earlier in February 2014, Supreme court commanded the Chief Secretary of Karnataka to put stop to girls being forced to become devadasis in the temple function at Uttarang Mala Durga temple in Karnataka.

### **Past Verdicts**

The Supreme court gave stance in the case of *Vishal Jeet vs. Union of India, 1990* recalled the same point of view and had noticed that desired results have not been achieved in checking the Devadasi system in spite of having the rigid and rehabilitative provisions of law under various acts. There are several cases led by Supreme Court such as *State of Karnataka vs. AppaBaluIngale and others*, *Gaurav Jain vs. Union of India and others*, *National Legal services Authority v. Union of India and others*.<sup>8</sup>

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<sup>8</sup> “Act Against Devadasi System, Sc Tells Stance”, The Hindu Newspaper, Website: <https://www.thehindu.com/news/national-against-devadasi-system-sc-tells-states/article8229568.ecc>