

Prostitution as an Organised Crime



Forensic Science

KEYWORDS : Family, Women, Prostitution, Call Girl, Organised Crime,

**Dr. SHARANAPPA P.
TALAWAR**

Guest Faculty, Department of Criminology and Forensic Science.
Government First Grade College, Sindagi, Dist: Bijapur – 580 6128.

ABSTRACT

Law enforcement interest in the control of prostitution is based upon two prime criteria. First is the necessity to eliminate crimes that tend to cluster around the profession of prostitution. Many of these crimes are susceptible to control by "Organized Criminal Groups". Second the number of contacts between client and prostitute must be discouraged, thus minimizing the disease factor. Because neither criterion is well documented, a historical background may offer a logical enforcement rationale. Prostitution, like other vice crimes, is not supported by a good rationale. The spontaneity of control exerted by law enforcement will usually be prompted by political cleanup campaign or as a result of protesting citizen groups. This is frequently done in a spasmodic manner that proves to be unreliable and ineffective. Another Prime concern of enforcement is the criminals who become the client and associate of the prostitute. For example there are many prostitutes controlled by criminal confederation who work circuits and houses of prostitution. Thus, there are continuing problems for law enforcement. Beating and murders by customers and jealous pimp are common occurrences in area where prostitution is not rigidly controlled. Prostitutes attract the easy money criminals such as burglars, robbers, and forgers. The girls serve as a ready market for stolen merchandise, thus compounding the total crime picture. The sale and use of narcotics and drugs gravitate to the high earnings of the prostitutes. Blackmail and extortion are common by products of the profession. Perhaps of greater social importance are the venereal contacts made by the professional prostitute. This is a prime reason why law enforcement through suppressive enforcement can only assist in the overall social control program. If there is to be a logical attempt to control the crime of prostitution, it is important that the motivating causes be reviewed. When one understands the basic motivation as to why a female becomes a prostitute, it is easier to understand why she becomes a working tool for "Original Crime"

INTRODUCTION

Law enforcement interest in controlling prostitution is two fold. One reason is to eliminate crimes that surrounded the profession of prostitution. The second reason is to minimize the contract between prostitute and client, thus reducing the incidence of venereal disease. Although both reasons are logical and unemotional, it is believed that the enforcement officer needs a rationale for enforcement policies. With a more through understanding of the prostitute's historical role in the different cultures, an officer can better appreciate the need for some form of restriction upon the prostitute's activities. Casual factors range from emotional to economic. Perhaps prostitution, more than crimes of property and crimes of violence, supports the "Multiple causes" theory of social science. There are very few empirical studies on the "why" of prostitution; therefore, many observations made about prostitution are purely emotional. Alienation from established values by various subcultures tends to perpetuate this antisocial behavior.

There is no proof that sex acts are essential for normal development. Even if this were true, in view of Venereal Disease (VD) statistics, there would be no logical argument for legalized prostitution. Most vice statutes prohibit the sex act to certain restrictive conditions. The intent of the law is limited to the "Commercial Aspects" of prostitution. Police control of prostitution fluctuates along a continuum from no control to fairly rigid control. The degree of control exerted depends upon the legislation of proper status, the temperament of the community in suppressing overt activities of prostitution, and the effectiveness of the enforcement agencies in initiating and maintaining control measures. Most frequently, a city will have areas that attract certain categories of prostitutes. Lower economic areas will have street walkers and doorway hustlers, while the better apartment house areas will attract bar hustlers as well as call girls working through cabbies and bellboys. The prostitutes who are most overt in their actions will receive a greater share of police attention.

According to Mr. Geoffery "Prostitution may be defined as the practice of habitual or intermittent sexual union, more or less promiscuous. For necessary inducement. According to Prof. Elliott and Merrill remark that prostitution has been frequently defined, but all definitions are in essential agreement, namely that the practice involves illicit sex union on a promiscuous and mercenary basis with accompanying emotional indifference. The Advisory Committee on social and moral Hygiene observes.

"Adopting Flexner's definition three elements namely, barter, promiscuity, emotional indifference should be present". A new definition has been coined for the word. "Prostitution" in the government of India's "Prevention of Immoral Traffic Act" (Enacted since Jan 1987); which now means "Sexual exploitation or abuse of persons for commercial purposes".

WHAT IS PROSTITUTION?

Prostitution means promiscuous sexual intercourse for hire whether in money or kind with a prostitute. A prostitute is a woman who sells herself for sexual purposes to a great number of men in succession and with little or no choice among them. There are three important elements in Prostitution

- Firstly – promiscuity, that is change of client from time to time.
- Secondly – the acceptance of payment in money for the use of the body for sexual relations.
- Thirdly – Physical or animal nature of the sexual union.

PROMISCUITY

The indiscriminate acceptance of clients is an important element in public professional prostitution. The public prostitute enters into sexual relation with different men; but women of pleasure of the higher class however do not accept undesirable clients. In some cases of secret prostitution and concubinage the woman lives with a single lover and the element of promiscuity is sometimes absent. So promiscuity is not essential.

MONEY PAYMENT

Money payment is an essential element in public professional prostitution. But in cases of secret prostitution the element of payment is much in the background and skillfully veiled. So if payment were taken as the criterion, these cases would not strictly fall under the definition. So it is better to treat as prostitution all cases of sexual relations for material advantage whether for money or not.

PHYSICAL OR ANIMAL NATURE OF THE SEXUAL ACT

A professional prostitute lets her body on hire and submits to sexual intercourse only for money; and love or any other human feelings does not play any part in it. It is usual to style as prostitutes only those females who make prostitution their sole calling. But it is better to call them "Regular" or "Professional Prostitutes" while those females who practice prostitution secretly as auxiliary to some reputable calling may be classified as irregular.

HISTORY OF PROSTITUTION

The prostitute honored, scorned, and crucified, has a tormented background in her struggle to escape the controlling efforts of society. Sociologists, psychologists, and law enforcement agents all have different theories as to why a female becomes a prostitute. Whatever the casual factor, history indicates that any single control measure will eventually prove ineffective. As society has changed, so have the laws governing prostitution. As the laws have changed, so have the prostitutes methods of operation. Prostitution is as old as civilization and appears to be closely related to urban life and mobile populations. Prostitution was recognized and respected in many ancient societies. Parents sold daughters, husbands compromised wives, and religious practitioners engaged in prostitution. The Semites of the Eastern Mediterranean were notorious for their practices. Jewish fathers were, however, forbidden to turn their daughters into prostitutes, and the daughters of Israel were forbidden to become prostitutes. From the Biblical teachings of the Hebrew Civilization, our modern moral code and habits have evolved. The Romans adopted the Greek attitude on prostitution. The excessive supply of prostitutes from the wars lowered their social position and led to compulsory distinction of their dress, loss of civil rights, and registration of those in houses of ill repute. Eventually, women became shielded because of tainted blood in marriages with prostitutes. Rigid laws were passed and heavy taxes levied on the occupation of prostitution. During the reign of the Anglo – Saxon Kings in England, anti-prostitution laws were severe. Violation meant punishment or death. Later prostitution was legalized in the London area, and strife over church or civil control brought disrepute and corruption to both the church and the municipalities. As in England, all of Western Europe was in moral turmoil over prostitution control and enforcement. The control was inconsistent and corruption prevailed. Frequent reform movements were unable to cope with the well-established profession. In the Middle Ages, prostitution was tolerated, the caprice of passions being recognized as a necessary evil.

During the reformation period, moral attitudes shifted due to medical necessity. Syphilitic epidemics swept over Europe in the fifteenth and sixteenth centuries and wiped out nearly a third of the population. Fear and disease had done what moral attitudes had failed to do. Major European cities vigorously punished those engaged in prostitution. In the seventeenth century, major cities instituted medical treatment for prostitutes and reverted to the Greek-Roman system of licensing houses of prostitution and punishing private entrepreneurs. At the end of the nineteenth century, British reformers “Organized Anti-Vice Organizations”. As a result, the criminal Law Amendment Act of 1885 was developed in Great Britain. In the United States, “Vice-commissions” became the popular pastime of civic groups, and the Mann Act of 1910 emerged. Most of the states followed with laws that prohibited third party profit from the activities of prostitutes.

COMMON METHODS OF PROSTITUTION AND ORGANIZED CRIME AFFILIATION

The problem of prostitution has been studied primarily from the emotional rather than the more objective statistical method. These studies have assisted the sociologist and the psychologist, but have been of little help in identifying the importance of punitive control as a regulatory process. Few studies have been conducted that identify prostitution with “Organized Crime.” Prostitution is identified as an antisocial behavior manifested to meet the psychological needs of the individual prostitute and her customer. There is considerable doubt whether enforcement, as it is conducted in Western cultures, has much impact upon the eradication of the professional prostitute’s activity. Many psychiatrists and psychoanalysts see prostitution as a more complex problem than do the legislators and law enforcement officials, who often allege that money and unsavory associates are casual factors. Social scientists trace the roots of prostitution to emotional factors, perhaps via economic ones. It is, therefore, generally conceded today that there is a wide variety of economic, sociological, and psychological factors involved in the profession of prostitution. Thus, the crime of prostitution awaits control by logical, clear thinking legislators.

Sociological studies tend to suggest that most prostitutes evolve from areas with high delinquency and crime rates. In such social subcultures the potential prostitute identifies with members of society who are alienated from the ethical standards of larger society. Thus, these subcultures live with, tend to accept, and adhere to many of the mores of the underworld. “Drug addiction has been cited as a growing factor in the recruitment of prostitutes and in keeping them in the trade. The majority of drug addicts are young adults from the underprivileged areas of large cities. They are mainly unemployed and uninterested in employment other than to maintain their drug supply, largely by crime against property and by prostitution. A prostitute as some time in her career may work within each of many classifications. A prostitute will select a method of operation best suited to her physical attractiveness, her financial objective, and her clientele. “Organized Criminal Groups” will select her method of operation and share her profits on a percentage basis.

THE STREET WALKER

The street walking is perhaps the most common form of prostitution in which the amateur can become involved. This method is also least apt to have confederations sharing in the profits. In low economic neighborhoods, the streets are full of girls who are either in the business full time or use street walking as a means to supplement other income. In the age of the automobile the street walker is an instant business success. Old professional street walkers are on the prowl to find new girls to refer to their customers for a small fee. The old street walker in fact becomes a madam over younger girls. These madams can usually show fairly solid business associations with local “Organized Criminals”. Girls who become street hustlers often begin their careers by raising a few dollars to make financial ends meet. Their intension is to turn a few “Tricks” and then seek other avenues of employment. However, once in the business and under the austere direction of a pimp, it is difficult for them to return to the work- a –day world.

THE CALL GIRL

The telephone offers the prostitute a degree of sophistication in contacting her clients. It also offers large “Organized operations” clandestine protection from discovery. The telephone serves to expedite a wide circle of contacts for the prostitute. It discreetly used, the telephone gives the female a certain degree of security from enforcement call girls are frequently a part of “Original Crime” because of referrals and protection offered by pimps. The working prostitute maintains a “Black Book” of customers. When the prostitute wants to work she uses the phone to contact listed prospects. If the prostitute is a part of stable, working for a confederation, customers will be referred to her in a variety of ways. A good black book contains more than the name and phone number of the client. For example, identifying notations may contain a prospective tricks social security number, the wife’s first name, the wife’s maiden name, names of his children, a physical description, and facts about his business that only a particular client would know, from a black book the prostitute can quickly reestablish a business. Thus the black book among the trade has a high monetary value and frequently is sold by the prostitute before she leaves town or is jailed for any length of time because of illegal activities. Through male partners in the confederations the black book may pass from one prostitute to another within the organization.

THE ELECTRONIC CALL GIRL

The popular new technique for the prostitute is the installation of an electronic answering device. The communication between the prostitute and her clientele is then screened through the medium of a recording device. This device protects the call girl if she is cautious in accepting her customers. This answering instrument also eliminates the possibility of an information leak to the police. Frequently, the phone is installed in a vacant room and the prostitute then takes messages from another location via a tone or automatic response from the electronic device. Willing pimps gladly supply maintenance duties.

THE LONELY HEARTS HUSTLER

Enterprising girls, with the assistance of confederation mem-

bers, have always found clever ways in which to obtain new clients. The pages of pulp magazines are full of cases where boy meets girl through the lonely-hearts club. The numerous contacts made by a prostitute in this manner are seldom reported, and they very seldom come to the attention of the police. The only control law enforcement has over this type of operation is to purchase lists of girls and endeavor to screen professional prostitutes from the legitimate clients. The "Organized Criminal" element may often operate lonely hearts clubs.

THE COMPUTER SELECTE DATE

Computerized dating forms are in the business of introducing couples. Illicit operators can take advantage of the situation and contact cash customers through this medium. Prostitutes pay the nominal fee. Submit a delectable sounding questionnaire, and let the computer select and customers. This automatic matchmaker not only selects congenial men but also categorizes her prospects as to financial endorsement. In this setting of cybernetic bliss, the hustler is able to choose a \$10,000 or a \$50,000 per year client. As of this date, the prostitute still has to make her deals and consummate the transactions.

THE PUBLIC RELATIONS GIMMICK

The line between legitimate and illegitimate enterprises is frequently so fine it is not a matter of law, but one of morality. The public relations "action" is so covert and the mating of the male and female so shrewd the customer frequently believes his romance is for love. The sponsoring company paying the public relations firm must have a satisfied client so the amount of money spent is not a factor. Some years ago a member of a California hoodlum group spent his entire time locating "nice girls" for public relations firms. His title was respectable and the girls were hired as secretaries (if they could type) or as "Product Demonstrators" (if they had no business talents). The company would send the girls out of town to business meetings or conventions to conduct ethical business. During the evening the girls were entertained in the best place, drink the smoothest drink, and slept in the softest beds. What they did not know was that the hiring agent knows of their every activity. Photographs and tape recording were used to blackmail both the girls and her client. Once the girls were in no position to refuse they became full time call girls for the hiring agent.

THE PHOTO STUDIO

Girlie Photo Studios operate in areas that are liberal in certain types of conduct. In areas around Hollywood, California, the small entrepreneur rents an old house and puts up colorful oversized signs advertising nude models to photograph. He then waits for the lonely males to beat a path to the door. In many instances then models may be legitimate and the photographer may actually take pictures. In many cases the model uses the posing session to make contact with a photographer who never bothers to put films in the rented camera.

THE SECRETARIAL SERVICE

Wherever a profession is predominately female there are bound to be a few professional prostitutes who join the ranks to make contracts with male customers. Most secretarial services are legal, well supervised, and render a vital service. Occasionally, however, illicit operators will have business connections and begin contracting secretarial services to unethical business clients. The Jeleke case in New York in 1957 showed this operation. The secretarial service received fees for the girl's service as a secretary. The secretary and the male customer were then able to work their own deals. From the select list of thirty-seven secretaries in one secretarial service it was found that only three could type.

THE HOUSEWIFE

It is not unusual among the ranks of the prostitutes to find housewives who supplement the family income. This is fairly common among impoverished minorities who must either assist or entirely support a family. A few years ago a national magazine article indicated a group of housewives from middle and upper families of Long Island and New Jersey were merchandising their favors for 25 to 100 dollars. The favorite spots for

the hustlers were the race tracks and bars. When this amateur activity threatened the professionals, the professionals immediately informed the police who quickly jailed the trespassers.

KINSEY REPORT

Kinsey and his associates found that about 69 percentage of the male white population in the United States had some experience with prostitutes ranging from those who only visited a prostitute once or twice to those who paid regular visits. Kinsey found, however, that the percentage of men who visited prostitutes varied with educational achievement. By the time that they were 25 years old, 74 percent of the 5300 men studied, who had not gone beyond grade school, had visited prostitutes; in contrast, 54 percent of those who had gone to High School, and 28 percent with College or University training had visited prostitutes. Many of the married men had some illicit relations but only 1.7 percent of their total sex outlet was with prostitution.

FEDERAL LAWS OF PROSTITUTION

In 1910, the Mann Act became a major deterrent to interstate transportation of prostitutes. This federal act, known as the White Slave Traffic Act, prohibits and penalizes as a felony the act of any person who transports, causes to be transported, or aids or assist in transporting any woman or give in interstate or foreign commerce for the purpose of prostitution, debauchery, or any other immoral purpose. The White Slave Traffic Act covers a broad field. In defining the purpose for which interstate transportation of a girl or woman must not be furnished, the language of the act is broad enough to include practically every form of sexual immorality. The previous character or reputation of the woman or girl transported in interstate commerce for immoral purposes is entirely immaterial. The statute is violated where the defendant has transported, procured, or aided in procuring the transportation of a woman or girl from one state to another for the purpose of inducing or enabling her to engage in the business of prostitution. Statutes regulating public morals, including the regulation and punishment of prostitution and pandering, fall within the police power of the state. There is no attempt to regulate private immorality. There are limits to the degree in which criminal law can regulate the profession of prostitution. The law does not attempt to dictate private morals or ethical sanctions, but only to regulate offences that are injurious to another's rights. With prostitution, as with many more problems, there seems to be no definite or final solution because the problem is a recurring one for each individual and for each generation.

VENEREAL DISEASE AND ITS ASSOCIATION TO PROSTITUTION

A law enforcement officer, in order to understand the basic philosophy for enacting law-prohibiting prostitution, must be aware of related venereal diseases. Although the control of venereal disease is primarily a medical problem, the courts and law enforcement are an integral part of the total process. Most states, as part of their sentencing procedures in prostitution cases, require the prostitute to pass a physical test or be sentenced to jail where she will be treated. There is much disagreement among the experts on how to control Venereal Disease (VD). It is uncertain whether rigid enforcement drives the illegal activity underground where contacts are not reported or whether "Open Houses" under close medical inspection, with more contacts, is better for control of the disease. In the review of the history of venereal diseases there are few human maladies that have influenced the course of history more strongly. The destinies of empires have been decided upon the ravages of venereal disease epidemics.

GONORRHEA

Egyptian writings refer to and describe the miseries of gonorrhoea. Ancient philosophers have referred to the cases of gonorrhoea as pleasure excesses urinary tract ulcerations, and the burning fires of the devil. There are references in writings that relief was gained from extracts of certain Egyptian plants. In Arabia it was not uncommon to resolve the problem through surgery.

SYPHILIS

In the history of medicine, no infectious disease has ever been eradicated or completely controlled merely by treating infected persons. Improved transportation methods encourage travel and migration, and a disease may be erased in one country only to flourish in another. Travel and war seem to have been the companions of the venereal disease called syphilis; since it is alleged Columbus brought the dread disease back from the New World. Also, around 1495 in military campaigns against Naples by Charles VIII of France, the scourge of Syphilis is reported to have hit his armies and caused retreats back into France. The disease spread into all of Europe and by 1500 every major country was "Victimized" by the deadly disease. The rise and fall of social sanctions against prostitution can be traced to reactions against outbreaks of Syphilis.

For more than 400 years after syphilis first became a problem, progress in knowledge of the disease was slow, halting, and wholly clinical. Thus, the social aspects of prevention and education did not really begin until the twentieth century. Because there were not adequate facilities and knowledge available the prevalence of syphilis was related to the contact with the prostitute, which in many cases was accurate. The social struggle to stamp out prostitution and thus the disease has been one of society's struggles. Perhaps the profit factor alone has kept prostitution and its companion, syphilis, much a part of the political struggle between the rights of the individual and the rights of society to sanction certain personal behavior. The struggle between the civil and ecclesiastical authorities have met in conflict time and again. This disagreement between the two most powerful social bodies of society has created a vacuum in which "Organized Crime" has found it most convenient to move in and control.

After the initial shock of the great syphilitic pandemic of the fifteenth and sixteenth centuries, reformation of the citizen became the order of the day. Out of fear of the disease prostitution control spread throughout Europe. Medical treatment, and the isolation of houses of prostitution both under the control of the police, became the standard for the progressive European countries by the beginning of the twentieth century. The medical inspection of houses of prostitution was never very successful. First, the prostitute in her multiple contacts could spread the disease before it was detected. Second, there was a tendency for unethical doctors and police officers to engage in bribery to overlook inspections, thus the sanctions were useless. Thirdly, the enterprising prostitute in spite of severe sanctions was always ready to bootleg the illicit merchandise. The Criminal Law Amendment Act of 1885 was initiated to curb the international trade in white slavery and served to restrict some of the international trade between countries so that control of the prostitute would be reflected in a reduction of syphilis. The cities that are noted for tight control of prostitutes generally have substantially lower rates of venereal disease. Obviously if "Organized Crime" controls a city, there can be no effective enforcement

THE OBJECTIVE SYMPTOMS OF VENEREAL DISEASE (VD)

Law enforcement officers will have occasions to associate with suspected or active cases of venereal disease (VD). Both for understanding the problem and as a medical precaution the officer should be familiar with the traits. The primary stage is the most infectious stage in syphilis. These germs do not float

around in the body as commonly believed, but like to settle in body tissue. Their favorite locations are the brain, heart, and liver. In this primary stage the germ enters the body. Their presence can be noted in the blood from ten days to three weeks. This stage is painless to the infected individual. The secondary stage still produces no pain; often the "Victim" will break out in a rash. During this stage the carrier is still infectious. The latent or dormant stage occurs about two years after the initial infection, and so signs are usually present. This stage may last from ten to twenty years. It is during this time that infection from syphilis sets in. In the terminal stage the vital organs are so badly deteriorated that death is the result. Although Law enforcement does not hold the answer to the control of venereal disease (VD), if the vice officer is aware of medical ramifications, it is easier for him to understand the reason behind rigid laws for the control of prostitution.

CONCLUSION

Prostitution is a social phenomenon and it is a necessary to society and prostitutes are not in the society automatically sex affiances against women will be increased and some affects are. The prostitute retains differing roles in society lending credence to the accusation she will in many instances be schizophrenic. The prostitute is usually a social isolate in terms of other female friend, couples and normal social life; thus, many become heavy drug users. The prostitute has a paranoid distrust of men possibly because of material deprivations in childhood. The prostitute has no self-values so far as lying or violating a trust. Other studies have shown that the sex act and the exchange of money between the prostitute and the client are a form of social rejection. The causes of their reaction may be parental rejection inferiority complex due to physical or psychological impairment, or hundred of other social abridgements that curtail social development. The prostitute becomes a natural only of "Organized Criminal Groups".

REFERENCE

- Farley, M. (2003). Prostitution, Trafficking and Traumatic Stress. New Delhi: The Haworth Press Inc. | Geis, G. (1972). Not the Law's Business: An Examination of Homosexuality, Abortion, Prostitution, Narcotics, and Gambling in the United States. United States: National Institute of Mental Health. | Lacey, N. (2008). Women, Crime and Character. New Delhi: Oxford University Press. | Lener, G. (1986). The creation of Patriarchy. New Delhi: Oxford University Press | Mulgund I.C., Reading in Indian Sociology, Publisher, Shrusti prakashan, Dharwad, 408-4014 (2009) | Pande, R. (2008). Prostitution and Beyond, An Analysis of sex work in India. New Delhi: Sage Publications Ltd. | Prasad B.K., Social problems in India, publisher, Ananal publications Pvt. Ltd. New Delhi, 1st ed, 556-557 (2004) | Sharma R.N., Criminology and penology: social disorganization and social problems, surjeet publications, New Delhi, 101-105 (2008) | Verma, Paripurnanand, sex offences in India and abroad, B.K. Publishing Corporation Delhi 1st ed., 151 (1799) |