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Performing caste: the ban on bar dancing in Mumbai

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ABSTRACT

This thesis examines the ban on bar dancing in Mumbai and Maharashtra as an outcome of politics of gender and caste in a globalising India. By redeploing the historical erotic dancing in a globalising India, the dance bars emerged as the new market providing Bollywood-type entertainment with dance, music, and hospitality to the new consumer class. The Dance Bar market offered employment opportunities to poor women to earn a livelihood and proved to be an exceptional market where female labour was paid very well. By deploying their caste capital, i.e., the hereditary skills of dancing, drama and use of sexuality, the traditional dancing women occupied and ruled the dance bar market. To this extent, the bargirls may be viewed as a ‘performing caste’ continuing their hereditary caste occupations in a globalising capitalist market. However, while their relationship to the customer was defined through the market and they earned money, status and power through their occupation, the bargirls challenged, transformed and redefined the caste hierarchy by the use of ‘caste capital’.

The demand for the ban on dancing in the bars came up through cultural discourses of protection of youth, family, Indian culture and the dignity of women, in which bargirls were projected as bad women earning too much money by cheating their customers and encouraging illegal activities in the dance bars. The ban diminished the freedom, earning potential and unique identity of the bar dancers, pushing them back into their original caste/class positionality. The legal ban can be studied as the effect of politics of caste and gender in Maharashtra intervening into the global market.

DECLARATION

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CHAPTER 1. INTRODUCTION

1.1. THE STORY OF THE DANCE BARS BAN

My interest and involvement in the dance bars of Mumbai stemmed from my engagement with feminist politics, as an activist and a lawyer.¹ I was a keen observer of the debate that followed the motion to ban dancing in the bars and was interested in finding out the effects of this move on the society, in general, along with the bar dancers. With my PhD work, I planned to assess why the State of Maharashtra deemed it necessary to ban dancing in the bars for bargirls while all other activities of bars, entertainment or dancing – such as orchestra bar, silent bar or dancing in films, discotheques, cultural programmes or hospitality by women in other industries – were allowed to continue. Since it was not the type of dance that seemed to be the real problem, I wanted to know what was so threatening about the bar girls that the state would intervene into the market to curb and control them; whether the threat laid in the poor women earning money, whether it was women gaining power over men, or whether these lower caste women had overstepped the perimeters of the caste politics. So what kind of dynamics of class, gender and caste pushed the state to enforce the ban?

The existence of the dance bars in Mumbai can be traced back to the 1980s when enterprising bar owners introduced orchestra, mimicry, ladies' services, and women waitressing rather than men. It was the post prohibition period and the Maharashtra government promoted the

¹ I had worked in the offices of Flavia Agnes, Mihir Desai and Anand Grover; all of whom were lawyers in the Mumbai High Court case. I moved in the circle of feminist activists and so personally knew many researchers who undertook the quantitative research with TISS.

sale of liquor. The government issues licenses to hold performances under the Rules for Licensing and Controlling Places of Public Amusement and Performances, 1960, including Melas² and Tamashas. In the following two decades, the dance bars became a huge success and their number went up to 1,250 in 2005 (Kale 2008: X – XV).

By the turn of the century, at the same time, the resentment towards the dance bars was rising as their popularity and strength increased. Stories about dance bars were published in local newspapers (Examined in the section on media in Chapter 5). There were agitations by political party workers demanding closing down dance bars in their area. On the other hand, the barline³ became stronger with unionization within it. Bar owners registered their organization called the Fight for Rights Bar Owners Association in 1998. The Bharatiya Bargirls Union was registered under the Trade Unions Act in July 2004. The bargirls union endeavoured to organise all the women working in the bars – dancers, singers, and waitresses – as workers.

The state government, aware of the growing numbers and popularity of the dance bars, tried to regulate them. In July 2004, the state government appointed a Dance Bar Regulation Committee. The Committee suggested a code of conduct for dance bars, recommended measures for prevention of immoral trafficking and other illegal activities. The Government of Maharashtra sent orders to the district administrations based on the recommendations of the committee (Direction dated 16.7.2004 by the Home Ministry [SP], Maharashtra) In

² Mela is like a carnival that comes to the city or village for a few days. It has food, shopping, entertainment and sport

³ The Mumbai bar industry is popularly known as the barline; the bar management, bargirls, patrons, and police refer to it as barline as also the writers such as Mehta (2004) who mention it in their work.

August 2004, the bar girls along with bar owners staged a massive rally protesting against the recommendations of the Committee for Dance Bar Regulation.

The legislative journey of the ban started in Maharashtra Vidhan Sabha (Legislative Assembly) on 30 March 2005, when Vivek Patil, the MLA (member of legislative assembly) from Panvel brought in a Calling Attention Motion stating the 42 dance bars in Raigad district were playing havoc with local life (Excerpt of the motion). The government was urged to amend the law and ban the bars completely rather than just cancelling their licenses. Thereafter, the Home Ministry proposed an amendment to the Bombay Police Act and presented it to the legislative assembly and council. The Dance Bar Bill, as it was called, was debated in the legislative assembly and council in July 2005. It was passed in both the Legislative Houses – the Legislative Assembly and Legislative Council – after hours of discussion and without a single vote of dissent. Though the legislative process had begun with the focus on the evils of dance bars, the discussions focused on the bar girls as an evil and what came to be banned was the dancing in the bars, and not dance bars per se. It became illegal for the bars to have dancing in their premises, but it was legal to serve food, alcohol, offer singing or ladies-waiter service.

Innumerable opportunistic and, at times, uncomfortable alliances were formed during the process of the ban. The legislation was resisted by the bargirls, bar owners. The Bhartiya Bargirls Union and the Bar Owners Association came together in rallies and processions, which were attended by thousands. The city saw a huge number of bargirls walking in protest with placards and slogans, and the media images were filled with the young pretty women taking to streets. Many leftist activists joined the rallies against the dance bars, yet some

Communist women activists remained on the side of bargirls and their right to work. Some feminist groups in Mumbai, namely Forum against Oppression of Women, Awaz E Niswan, Women's Centre, Akshara, Women's Action and Research Group and India Centre for Human Rights and Law, became active in support of the livelihood of the bargirls. A few noted Dalit feminist activists supported the ban, stating that lower caste women dancing for upper caste men amounted to continuation of caste oppression (From the email exchange between the feminist groups as also the emails of the Dalit activists). Some child-rights groups and NGOs, working with prostitutes and their children, supported the ban with the hope that child trafficking would be dealt with stringently. The ban was supported by most political parties, and many politicians rallied to showcase that they are the most vocal against the bars and the bargirls.

The ban became legally effective from 16 August 2005. Nearly 75,000 bargirls and up to three lakh⁴ employees were affected by the loss of business and earnings. The ban was challenged in the Mumbai High Court by many groups. Human Rights provisions as well as the Fundamental Rights of all Indian citizens were invoked, such as Article 14 (Equality), Article 15 (Discrimination Against Women), Article 19 (Speech and Expression, Trade and Business), and Article 21 (Right to Livelihood) of the Constitution of India. The legal case in the Bombay High Court concluded on 12 April 2006. The High Court judgment held that the ban imposed by the state government was unconstitutional on the basis that it differentiated between different establishments which hosted dance performances, wherein, dance bars are prohibited, but clubs, gymkhanas and hotels are not. The Mumbai High Court held the amendments to the Bombay Police Act void, but did not impose a stay on the ban. The

⁴ One lakh = 1,00,000 (hundred thousand)

Government of Maharashtra filed a special leave petition in the Supreme Court of India and won an interim order that allowed the ban to continue till the final hearing.

As of September 2012, the bars are open but dancing is banned. The case is pending, awaiting final hearing. The bargirls earned a symbolic victory, yet remained out of jobs as the ban continued for six years. While the ban affected the entire barline, the bar girls were affected the most as they lost their occupation, livelihood, and identity as dancers. The media kept them under the radar and connected them to unrelated crimes, for example, the men detained for the train bomb blasts in Mumbai were said to have visited dance bars (RCWS, SNDT Report: 1). Once stigmatised, women working in the bars were easy targets of attack by neighbours, customers, landlords and police. The SNDT investigation reported that the loss of dignity at work and severe economic hardship pushed many to commit or attempt suicide (RCWS, SNDT Report: 3). By the time fieldwork for this thesis was undertaken, from June 2008 to February 2009, it was quite difficult to find women to interview. Many had returned to their villages, gone abroad to dance, changed homes and phone numbers. Loss of shared profession and working space made it difficult for the Bargirls Union to contact them. Some bars remained open and retained their employees. But the dancers that ruled the stage were demoted to opening bottles; younger women started waitressing and older women lost employment. The women working in bars are in a precarious position, shunned by society and hunted by the police.

My thesis analyses the correlation of politics of gender and caste with the emergence and demise of the dance bars. I examine whether, in the changing market structures during globalisation, caste determines the value of women's labour and sexuality according to their

caste positionality and whether the ban can be seen as perpetuation of caste governance by the current state order.

1.2 CASTE AND HEGEMONY

This thesis views the emergence and the ban of dance bars through the lens of caste. For this I use the concepts of Hegemony and Domination as put forth by Antonio Gramsci (1891-1937), an Italian communist scholar. According to Gramsci, the civil society is associated with hegemony, while the state with direct domination. They mutually support the subordination of subaltern classes. Hegemony is never absolute or secure; it is a dynamic process and, thus, vulnerable to challenge. The state's force is ever present to enforce its domination when the authority or prestige of the ruling classes is challenged. On the other hand, the coercive power of political society cannot be maintained and reproduced without the exercise of hegemony, i.e., the manufacture of consent of the masses to the intellectual and moral leadership of the dominant class (Gramsci in Forgacs, 1988: 249).

Gramsci's idea of class rule finds resonance in the concept of *Bramhanshahi* – the rule of Brahmins⁵ - by Phule (1827-1890). Phule's *bramhanshahi* can be understood and analysed within the conceptual framework of dominance and hegemony. On the one hand, the consent of the lower castes and women is attained through the religious ideals, myths, and norms. On the other hand, any forms of rebellion are met with violence by upper caste and/or the State. *Bramhanshahi* has consolidated its cultural hegemony within the orbit of civil society and state, in its coercive powers, has assisted with and established the dominance of the ruling

⁵ Many spellings of the word exist; I have used Bramhana, Brahmin, Bramhanical etc. All words refer to the highest layer of the Varna or caste order.

castes. Though in the times of Phule, the Brahmin Peshawa rulers of Pune had lost to the British, Phule analyses how Brahmins with the help of English education occupied the colonial bureaucracy and gained a position to yield state power.

Uma Chakravarti (1993; 2003) takes the concept of *Bramhanshahi* further in her theorisation of Bramhminical Patriarchy, where she studies caste and gender as inherently interconnected and insists that caste positionality of women fixes their good woman/bad woman status. Sharmila Rege's analysis (1996) of Lavani dancers in Maharashtra offers a framework to assess how caste system was, and continues to be, particularly relevant to dancing women, wherein, the hierarchical and sexually anointed relationship between lower caste female performer and upper caste male patron is sealed. Lastly, while relating this framework of caste, class, and gender to the contemporary reality of globalising India and the legal ban on bar dancing, I draw from Stanly Cohen's (2002) analysis of the moral panics that offers an understanding of how a society undergoing change creates deviants in the form of transgressing marginalised groups.

Gramsci stated that while the ruling class consolidates its rule through physical force of the State and establishes its dominance, it does not continue to rule with force alone. The stability of the class rule comes through the consent of the ruled masses, which is attained by persuasion and collaboration with the masses. Culture and ideology are utilised to obtain the consent of the masses. Gramsci sees the civil society and political society as cooperative components of class rule. While political society consists of the police, military, and bureaucracy which work at direct dominance, the civil society organisations such as school, family, church, and unions generate the social, cultural and moral leadership. They establish

the cultural set up to correspond to the economic relations of a society (Gramsci 1971). Hegemony is maintained through these benign looking institutions. To Gramsci schooling/education and intellectuals are major tools in maintenance of hegemony, whereas, the law is the tool of domination. Gramsci asserts that every social group comes into existence with its own function and place in the economic production and creates with itself its own organic intellectuals. The function of the intellectuals⁶ is to mark the social, political function of the social group (Gramsci 1971: 4, 5).

The caste ladder in Indian society was an economic ladder for the distribution of resources and surplus created by the working masses was appropriated by the upper castes of priests, warriors, merchants. This system was kept intact by the religiosity based on the Karma doctrine that expects everyone to conduct their (caste) ordained job and hope for a better position in the next birth (Bagade 2006: 329). The religious class or intellectuals in India were from the caste of Brahmins. Through their priestly monopoly over Hindu religion, the Brahmins created religious ideology that justified the stratified caste ladder and the exploitation within it (Bagade 2006: 318). Phule viewed caste as a relationship of power and dominance, both in the productive process and ideological sphere. It could be seen as the base and superstructure of Indian society (Deshpande 2002: 9).

Caste system in India has the foundation of Brahmanical hegemony through religious text, cultural norms, and morality. This consolidates the social, economic and political power of

⁶ As Hoare and Smith state, Gramsci was concerned with the creation of intellectuals from the working class and that his life was the history of formation of such an intellectual. His work on education is the work through which he transcended his own environment and the work required in the forging of the revolutionary part of the working class, the latter's 'organic intellectuals'. A point of similarity with Phule's life here as Phule too insisted on the education of the *shudras* and posited himself as one such person who has been able to break through the burden of ignorance placed on the lower castes.

the upper castes. Phule finds that Brahmins are also part of the British administrative structures, exerting their influence to further their own economic interests. This system continues into the contemporary age. In the modern democratic setup the caste hegemony allows the upper castes to wield political power, form governments, and then use state domination. This nuanced political process can be termed ‘caste governance’ and has implications for the ban on dancing in the bars in 2005.

Phule views the Hindu social structure as a dichotomous concept that has two opposed classes – Bramhana and *ShudratiShudras*. The second class includes *Shudra* – the artisans, peasants etc. – and *atishudra*– the untouchable castes. He does not use the words Hindu or Hinduism, but Bramhanism. It includes all scriptures that perpetuate Brahmin supremacy and offer the hierarchy of divine origin.⁷ Phule saw Bramhanas as the descendants of Aryan invaders who conquered the indigenous people of India and used religion as an instrument of social control. They invented the caste system to perpetuate their rule and gave these social divisions the force of law. Phule stated, “...in order to fulfil their plan that these people should remain perpetually in slavery and they should themselves live comfortably on what the *Shudras* earned by the sweat of their brow, the Bramhanas set up the fiction of caste divisions and made up several books on it for their own selfish ends”⁸ (O’Hanlon 1985: 142). To this, the *Shudras* responded as expected by the Bramhanas. “They did not realise that their ancestors were of the same house, and that the Bramhans had ruined the Mahars and Mangs because they had fought against them with special force. Thus, Bramhans caused

⁷ Phule’s thinking on religion cannot be separated from his writing on caste. Unlike reformists of his times or even Gandhi in the later times who embarked on creating a reformist project of religion, Phule rejected the existing religion totally and laid a foundation of a new religion, the Sarvajanic Satya Dharma i.e. truth seekers religion (Deshpande 2002: 2, 8, 9).

⁸Phule’s “Slavery”, Translated and quoted by O’Hanlon 1985.

these divisions to set up and taught the other castes to hate Mahars and Mangs” (O’Hanlon 1985: 142). Phule depends upon the history of the *Shudras* as the noble warriors, who gave a tough fight to the Aryan invaders and were turned into the shunned lowest castes when they lost the fight. He uses the term Maha Ari meaning the powerful enemy for the Mahar (an untouchable caste), and states that they have forgotten their past glory and they are now unable to recognise the enemy ploy (Phule 1991: 92).⁹

Phule writes, “Bramhana writers concocted piles of Smriti, Samhita, Puran, Shastras at home by mixing all types of folklores and magic tales” (Bagade 2006: 319). In his book, *Gulamgiri*, meaning Slavery, he attacked the most sacred texts and figures of Hindu religious doctrine. He calls Bramha (the God of creation in Bramhanism) “...a skilful clerk with extreme cunning who began to look after the affairs of the state” and explains the portrayal of Bramha as a God with four faces as, “Nobody trusted his words and that is why he was called the four faced Bramha” (Deshpande 2002: 63). Phule insisted that the Hindu religious traditions are ingrained into the Marathi psyche through the extensive integration of the religious literature into popular culture and oral traditions of Maharashtra. His answer to it was to provide alternative accounts of texts, myths, and stories most common in popular Hinduism. By his stories of marshal heroism, of the peasant and the warrior, woven into the symbols and structures of Maharashtrian society, he tried to project a community of culture and interest that united all lower castes against their age old adversary – the Bramhanas (O’hanlon 1985: 138). He invoked the images of;

⁹This volume of Entire Anthology of Phule, edited by Phadke and published by the Maharashtra government. Most of Phule’s available writing are in 18th century Marathi. In the absence of other translations, I have used my own translations here.

- King Bali, the brave warrior and just king as falling to the Bramhanical treachery through the figure of Vamana,
- Buddhism as an expression of caste struggle and a critique of Bramhanism,
- Medieval saints like Tukaram trying to throw away the shackles of caste,
- King Shivaji as consolidating the power of the Maratha; the caste cluster of cultivators and warriors in Maharashtra (Phule 1991: 111-192).

In his new religion the Sarvajanic Satya Dharma he calls God “*Nirmik*”, i.e., the creator to replace the Bramhanical male deities. He made rituals redundant, asserting that Bramhanism keeps a person busy with rituals from birth to death. In his book, “The Cunning of the Bramhana”, he speaks of religious robbery that Brahmin priests do during the festivals and ceremonies. He refuted the idea of Karma and fate that was invoked at all possible occasions in society (Bagade 2006: 329).

Education, as Phule recognised, had a special secular and material function in the 19th century Maharashtra under the British rule. Brahmins were the first social group to gain English education in the government run schools and were able to fill the lower bureaucracy and administrative posts. English education is thus directly connected with the State regime and power. Phule critiques the British education policy of levying taxes on the farmers in the name of education and providing education only to Bramhan children (Phule 91: 77 to 80).

As we see in his writing, Phule views the British colonialism as a chance to escape Bramhanism as this power, higher than the Brahmins, could offer a respite to the masses. He requested the British queen to rescue the *Shudras* who had been kept away from knowledge. He called upon the Queen of England to abolish the slavery of *Shudras* in India as she had

done with the black slaves elsewhere (Phule in Phadake 1991:92, 101, 105). Phule has written a sonnet telling the Queen that her reign is hardly alive in India as it is overpopulated by Brahmins. He says:

“Everywhere you see *Bramhanshahi*. In the village, the Kulkarni holds the pen. Mamledar is like Yama (the god of death) to the *Shudras*, as he punishes them all the time. Even the Collector is unable to do much against the shrewd clerks. In the Revenue office, so many Bramhin officers. Everywhere *Bhatshahi*,¹⁰ no recourse to the peasant Kunabi. Please come to our rescue and save us.” (Phule in Phadake 1991: 72)¹¹

Here, Phule can be seen as analysing the aspect of dominance within the caste rule. His critiques of Brahmin dominance continued through the medium of the British government and he asserts that even though the Brahmin Peshawa state of Pune has made way for the British rule, in reality Brahmins are ruling. Brahmins, continue to use their administrative power to exploit the lower castes. In this manner, the force of law and state is still present for the benefit of Brahmins during the British period.

Against Phule’s hope that the British colonial power might offer an escape from caste tyranny, it was not in the interest of the British colonisers to transform Indian society. It was more beneficial to exploit the Indian people by keeping them backward. The result was superimposition of minimum modern capitalist relations upon the old feudal land relations

¹⁰Bhat is another word for Brahmins of the Konkan region in Maharashtra.

¹¹The *Abhang* or the short poem is taken from Mahatma Phule’s complete anthology published by the Government of Maharashtra in Marathi. The translation is done by me.

that sustained the caste system. On the one hand, railways, communication, trade and commerce would undermine the old structure and the caste relations within it. On the other hand, the colonial power sought economic and political support from the feudals and in doing so supported the fabric of the caste institution (Randive1990:135,136).

He saw patriarchy as part of the ploy of Bramhanism; various scriptures were written to consolidate the Bramhanical dominance, caste system and the oppression of women. In this, the woman's temperament (*streeswabhav*) was seen as fickle, cruel, and adulterous, and so women must be kept in bondage at all times. Phule started the first Marathi school for girls in Pune and imparted learning to girls belonging to all castes. Phule criticised the *Pativrata* ideology that binds women to the bond of good behaviour and lets men scot free. He reasoned that adult men are allowed to marry a second time to young virgins but virgin widows are not allowed to remarry. Men then coax or coerce young widows into illicit relations and make it essential for them to kill their new born babies to save face (Bagade 2006: 322). ¹²Yet Phule did not undertake a detailed analysis of differential positions and treatment of women belonging to different castes. He included all women in the *ShudratiShudra* category (Deshpande 2010: 10).

This line of thought was well developed by Uma Chakravarty in her theorisation on caste and gender. "Bramhanical Patriarchy" as per Chakravarti signifies "...a set of rules and institutions in which caste hierarchy and gender oppression feed on each other and where women are crucial in maintaining the boundaries between castes. Women are a gateway to

¹² Phule along with his wife, Savitribai, started a delivery home and an orphanage in his own home, where Brahmin widows could leave their babies discreetly. In this manner Phule challenged the sexual morality that penalised women.

caste. “Purity of caste cannot be ensured without closely guarding women, who form the pivot for the entire structure” (Chakravati 1993: 579). Honour and respectability of the caste depends upon the women and it is protected by guarding the women’s bodies. The upper caste women are the object of moral panic in this scheme, as the purity of the caste depends upon them. The lower caste male whose sexuality is a threat to the upper caste purity is institutionally prevented from having access to the women of higher castes through a system of surveillance and seclusion (Charavarti 2003: 72). This system uses the twin tools of ideology and violence. The religious duty of a woman, her *Stree Dharma*, is to be a *Pativrata*, a chaste wife who worships her husband. Chakravarti states that the Pativrata concept is the stroke of genius of the Hindu patriarchy – the most successful strategy constructed by any patriarchy in the world – where women control their own sexuality.¹³ The Pativrata model is then the ideological purdah, i.e., veil of a Hindu woman (Charavarti 2003: 75).

What happens to women who fail to live up to this model? They face violence by the kinsmen and community as well as strictures and punishment from the king. Thus, Bramhanical patriarchy is not a mere social organisation of community relations; it is a state regulated and enforced legal order (Charavarti 2003: 76-78). In this system, the upper caste and the lower caste women are posited differently, almost as opposites. While upper caste women must be guarded at all times, the lower caste women must follow permissible sexual norms which keep them available for upper caste men. The state categorised and furnished

¹³The stories of pure women rule the mythology and the Hindu imagination. Sita, who remained faithful even when she was held captive by Ravana who desired her; Savitri, who won back her husband from Yama, the God of Death; Anusuya, who could transform the evil men who desired her into babies; these are women who attained divine power through their virtue and chastity (Charavarti 2003: 72-75).

justice according to the caste positionality, so the same offence might yield different punishments, e.g., punishment for adultery differed according to the caste of the accused woman. For the eighteenth century Peshwas in Maharashtra, the punishment for adultery for a Brahmin woman was to cut off her nose, while a Kunbi – a farming labour caste – woman would be sold off as a slave. Thus punishment for the same offence differed; the upper caste women would be disfigured and sexually unwanted, the lower caste woman would be made available for sexual pleasures of upper caste men. (Chakravarti 1996: 13). Consequently, the institution of slavery – crucially the trade of female slaves – in the late Peshawa period, offered revenue and labour to the rulers. A major way of procuring slaves was charging lower caste women with adultery and enslaving them (Rege 1996: 26).

Thus, the lower caste and Dalit women reproduce the caste hierarchy by being objects of sexual pleasure, aggression and violation. Anupama Rao asserts that caste hegemony is secured in two ways: by regulating caste respectability and by justifying flagrant transgression as a form of upper caste privilege. So the sexual economy of caste is doubled; the exchange of women within the caste through the formal closed circuit of respectability and marriage, and the informal circuit of sexual liaisons with women seen as amenable to sexual violation. This ‘other’ economy of sexual violation/pleasure equates caste privilege with the availability of lower caste women as upper caste property (Rao 2009: 235).

One way of ensuring sexual entertainment by lower caste women is the creation and perpetuation of particular castes that would survive by dancing and entertaining the gentry and upper castes. For women of some lower castes and nomadic communities, dancing, singing, and entertaining sexually were hereditary occupations. Sharmila Rege (1996: 24-27)

shows that the bodies of untouchable women were represented to be either arousing or satiating male desire in the erotic lavani performance in Maharashtra. The songs in lavani are mostly composed by Brahmin men and presented by the lower caste female performers. So it is a genre that articulates female desire in explicitly sexual terms, composed entirely by men, performed by women to an entirely male audience. While they depict expressions of female sexuality, they endorsed the dichotomy of the *bateek* (whore) versus *soubhagyavati* (wife). The lavani that overtly express the insatiable desires of women are composed in the voice of the lower caste whore, while those that express the pain of separation (*virah*) are composed in the voice of the wife. The *bateek* shows her intense need for bodily fulfilment, she pleads with the man to visit her regularly and give her pleasure. The wife takes pride in her husband's manhood, virility and excessive desires described as such that only a whore could satisfy him. Her own desires are expressed only through the pain of separation, maybe on account of menstrual segregation, presence of elders of the family, or husband being away on business or war.

The caste ideology which ordered the division of labour also ordered the division of sexual labour. The Kolhati women are located in the space of the erotic (albeit as in the male gaze) and are denied familial and material spaces. On the other hand, the upper caste women are constructed as *gharandaaz* (family women or noble women), or passive and moral. Their familial and domestic labour is appropriated within the familial space and they are denied the space of the erotic (Rege 1996: 33). Good and bad women are produced along the caste lines within this system.

1.3 DANCE BARS AS THE AFTERLIFE OF CASTE

Afterlife of this system of caste based erotic entertainment can be seen in the Mumbai dance bars. The dance bars can be seen as the space of sexual entertainment where lower caste women offer erotic and artistic labour for the entertainment of upper caste men. Viewing the Mumbai dance bars in this light, one can ascertain similarities and continuities with the earlier traditions of dancing women (See Chapter 2, Literature Review, for *tawaif* and *devdasi*, and their connection with certain castes or communities).

The SNTD surveys found that the bargirls came from mixed backgrounds: a large proportion of bargirls belonged to traditional performing communities, some of them were the daughters of industrial workers who had been laid off during the Mumbai textile mills closures of the 1980s and 1990s, and some of them were domestic and piece-workers looking to improve their meagre incomes (SNTD: 9-11). Similarly, many daughters of sex workers in Calcutta and Bombay entered the bar industry as they could earn well without sex work (Interview with Varsha Kale). Dance bars became a livelihood option for women from poor households and localities in Mumbai (Kale 2008: X). The lucrativeness of the dance bars encouraged female immigration from other regions into Mumbai. Blanchet (2010) examines how women from Satkhira and Jessore villages in Bangladesh migrated to Mumbai to work in the dance bars. They enriched their families, invigorated the village economies, and also had to manage the expectations of good womanhood of the Samaj, i.e., the local community and religious heads.

Some scholars view the dance bars as a new venue in which women of traditional dancing communities provide dance and entertainment in order to earn a livelihood. Kale states that

women from caste groups such as Nat, Deredar, Bedia, Kanjar, Gandharva from the Northern states of India such as Uttar Pradesh, Rajasthan, Madhya Pradesh, and Bengal had been dancing for a livelihood for generations. With the loss of traditional patronage, many of these veered towards prostitution (Kale 2008: X, XV).

Agrawal finds that many young women of the hamlet have left for Mumbai in the past decade or so. First the brothels of Mumbai and then the bars have proven to be lucrative opportunities for the present generation of Bedia women who have learnt to be mobile in search of better income. They send money home on a monthly basis on which their extended families not only live, but manage to build homes and buy land (Agrawal 2008: 126-128). The expected returns from sex work are radically high since the entry of Bedia women into the bars of Mumbai. The income expectations often exceed the possibilities of legitimate income from even the most prestigious and highly skilled occupations and the government sector. A school teacher, a collage lecturer, or a Class I officer in the state employment seldom earns what a Bedia woman expects to earn in a single night in a Mumbai bar (Agrawal 2008: 132).

Bedia community is part of the Bhatu caste cluster that includes diverse nomadic groups such as Bedia, Nat, Rajnat, Sansi (Agrawal 2008, Interview with Varsha Kale). Historical and ethnographic works have found these communities mainly spread over the 'Hindi belt', i.e., Rajasthan, Agra, Uttar Pradesh, but sporadically even in other parts of the country. They intermarry and have caste panchayats, where arbitration of disputes takes place. Many of these groups are the de-notified tribes after independence and were known as criminal tribes during the British rule. They are referred to as traditional dancing and sex work communities

in reference to the dance bars debate and are argued to be the majority – up to 75 per cent – in Mumbai’s bargirls (Flavia Agnes 2005, SNDT reports). They keep their culture hidden and speak a language common to them all but strictly guarded against outsiders. Many of these communities live by entertaining – such as street acrobatics and theatre, sex work, and dancing. The Kolhati caste in Maharashtra carries the name Bhatu as well and shows similar characteristics, and constituted a travelling or nomadic *balutdar* in the *jajmani* system prevailing in Western India (Rege 1996: 33). Traditionally, Kolhati women have been the *lavani* dancers in Maharashtra (Korgaonkar 2010, 2010a, 2010b).

Agnes analyses this process as victimization of women who are the primary breadwinners in their communities by the conflicting forces of modernisation. The developmental schemes and welfare policies of the government bypassed these communities, and they moved to the cities, along national highways, in search of livelihood. The news of the advent of dance bars in Bombay spread through the community networks. Young women came as migrant labour to the bars in Mumbai. The dance bars provided the women from these communities an opportunity to adapt their strategies to cater to the new demands of the new economy (Agnes 2005: 12). Interestingly, this new economy was filled with glamour and money. Through inside stories of famous bar dancers, their customers and lovers, Suketu Mehta offers his understanding of sexual and mercenary politics of dance bars. He states, “...the world that the dancers and the patrons call the bar line, is unique to Bombay, and is the intersection of everything that makes the city fascinating: money, sex, love, death and show business” (Mehta 2006: 285).

Kale explains how the new concept of the dance bar became a sensation. The traditional dancers learnt to dance to recorded music and created the fusion of old attire of Chania Choli (long skirt and blouse) with modern makeup, and old and new dance moves with Bollywood songs. Dancers used to get salary in the beginning and dance bars had an entry fee. But the tips of the customers were enormous and dancers demanded their share of the tips. By 1997, in most bars, dancers claimed 70 per cent of their tips and had done away with the salary. By 2005, Bombay had around 75,000 women working in the bars. In this, 2 to 3 per cent were singers and about 25 per cent were waitresses (Kale 2008: XI, XII, XV).

I view the new venue of the dance bars as indicative of the changes introduced by globalisation. The barline attracts and absorbs sexual labour of the lower caste and class women into the mainstream labour market at a large scale. Secondly, dance bar is a site which sells not only food, alcohol and musical performance, but also an opportunity for exploration, adventure, fantasy, drama for its customers. This combination persuades the customers of the market of the dance bars to pay excessive amounts of money. The customers' access to cash flow is, again, suggestive of the economics of globalisation in India. Thus, the dance bar can be assessed as a market that offers unprecedented monetary value to the sexual labour of the lower caste/class women made possible by globalisation. This thesis prioritises the location and context, along with the act of the bar dance and sees the dance bar as a micro model of the globalising market.

1.4. MORAL PANIC

While the dance bars have existed since the mid-1980s in Mumbai, they were perceived as an issue only in the beginning of the 21st century. What were the factors that made the dance bars suddenly visible and intolerable after going unchecked for 20 years? Why were they seen as needing urgent attention from the state?

The theory of moral panic by Stanley Cohen (2002) is useful in understanding the turbulent times when society is undergoing major changes. In periods when old structures are being challenged and shattered, a moral panic helps to restore the order and the revival of the class (or in our case, caste) rule. Cohen bases his arguments on a detailed case study of the 1960s folk devils of England – the Mods and Rockers. He analysed the clash between the Mods and Rockers when the two youth groups gathered at Brighton beaches and mob skirmishes led to damage to properties, hotels, cars. This event shook Great Britain as news and media covered it extensively, labelled the Mods and Rockers and any youth that might look, dress, behave like them as ‘delinquents’ or ‘deviants’, police dealt with excessive force, and the judges imparted justice with harsh punishments. Legislature was pushed for passing harsher laws (Cohen 2002: 21 - 40).

Cohen can be seen as drawing from Gramsci and elucidating upon the crisis situation in the class rule. “Crisis of authority”, according to Gramsci, appears when the ruling class has lost its consensus. It is no longer leading but is exercising coercive force alone. This happens when masses are detached from traditional ideologies, they no longer believe what they used

to believe earlier. In this situation, panic or great fear helps to unify the forces of repression. This is when moral panic comes in (Gramsci 1971:276).

The first decade of the 21st century India is arguably such a period where globalisation has begun to show visible impact, wherein, the social upheavals, economic adjustments and political alternations within the Indian scenario are becoming evident. Cohen asserts that moral panic is a process through which the status quo can be held onto. Folk devils can be created, their significance magnified, and the danger from them to society portrayed through mass media. In the damage control and the sorting out of the folk devils that follows, state in its punitive avatar can use excessive force and re-establish dominance (Cohen 2002: 26-28).

In the case study of the issue of and the ban on dancing in the bars, three prominent aspects can be studied as the key factors: globalisation as the moment of moral panic, the bargirls as the suitable 'folk devils', and the political actors in Mumbai and Maharashtra as the 'social control agents', who would benefit from the moral panic situation.

1.4.1 GLOBALISATION, THE MOMENT OF PANIC

The process of globalisation in India has been a process of manifold churning. While I consider the literature on the processes of economic globalisation and their effects on capital and labour, it is the globalisation on ground – the creation of new classes, spaces, identities and norms – that I focus on in my thesis. It is this globalisation; unscripted, sporadic and chaotic in which the dance bars flourished and were later banned. Therefore, the concept of globalisation is relevant to the present study in two ways: first, the process of liberalisation and privatisation leading to reorientation to the composition of the economy and resultant

upheaval in the economic lives of people. Second, the rising economic inequality and deprivation pushes many communities to search for a respectable identity. This, in turn, is taking the form of cultural revivalism fuelled by the ever visible symbols of westernisation. As Sassen says, the global city is the strategic site, which responds to and shapes globalisation (Sassen1998: XX, XXI). Though Sassen omits Mumbai from her list of global cities, in our case Mumbai can be seen as the location of execution of varied processes of economic globalisation. Within this scenario the rise and proliferation of the market of dance bars, in Mumbai and the adjacent region, can be seen as a case of the execution of globalisation.

Globalisation encouraged the birth of new economic and social classes which made up the customers and labour of the dance bars. Katyal (2011) reflects on two different classes that have emerged during globalisation. The first class, taken from Dasgupta (2009), is the 'new rich' with its illicit version of post-liberalisation commerce. It comprises of dominant economic groups with their hands in black-money and local government contracts. It includes private businessmen, migrant entrepreneurs, real-estate agents, retailers, builders and general wheeler-dealers that have managed to surround the little islands of those with their foreign degrees, cosmopolitan habits, fluency in English and liberal-progressive veneers. The new rich occupy the same entertainment, education and public spaces as the old rich and, transforming them, make it impossible to define the exact contours of the upper class or middle class.

Rajgopal (2007) speaks of two publics in his split public; the Anglophone and the vernacular, who compete for dominance of the Indian public sphere. It is this vernacular class that has

taken the centre stage during the times of globalisation that creates the demand for dance bars. As Katyal states, cultural globalisation is not about the progressive shedding of the 'unmodern', nor the leaving behind of the vernacular or the religious in favour of an anglicized cosmopolitan and the secular. Instead it is about the return of the vernacular, more precisely, the return of the vernacular as the urban, as the reigning feeling of the city. The dominance of this class is seen in the growing use of Hindi/Marathi in the exclusive English channels, a Bollywoodisation of elite discotheques, 24/7 broadcasts of a Hindu-heavy spiritualism and of astrology as news. It comes full with religious consumerism, brash discounting of democratic protocol and the confidence of being politically connected and culturally embedded (Katyal 2011). My research recognises this class, who is the obiter dicta of the main script of globalisation, to be the main consumer of the market of dance bars.

The second class that Katyal wants to make visible is the group which comprises of slum-dwellers, squatters, low paid irregular workers in urban markets, domestic servants and migrant semi-skilled and unskilled labour that is a large population of the city. It has an odd relation with the governing state and is informally embedded within the media networks of the city. Ravi Sundaram's *Pirate Modernity* (2010) sees this group as living in those moments where the legal and civic structures of the city are disrupted by a large mass-based pirate economies – by siphoning off electricity, by squatting in unauthorised colonies, by cultivating local political favours, by consuming cheap imported electronics, assembling them, and by pirating sources of entertainment and television connections (Katyal 2011: 17). The supply side of the dance bars market is filled by this class; a class that is not just poor and victimised, but surviving, fighting and even prospering with whatever means available. Bargirls are one such sub-group of this class that has been able to rise high. Though they try to keep away

from the public gaze, keep their identity hidden, their better higher economic gains than their peers make them visible.

Mazarrella (2010: 3-5) argues that the dance bars were both a symptom of this globalising moment and an intolerable irritant to its ruling ideology. According to him, the dance bars, with Bollywood imagery, manifest a post-liberalisation brand of Indian consumerist erotica. But dance bars jostled uncomfortably against the blend of cultural essentialism and global aspirations, encapsulated in the slogan ‘India Shining’ – the brand message that the Bharatiya Janata Party (BJP) used in the general elections of 2004 – which “handily encapsulated a widespread fantasy of the ruling elites: an India in which the placeless global imagery of immaculate office towers, freeways, and shopping malls somehow also nourished the flourishing of a picture-postcard ‘village’ India, populated by wizened but always smiling peasants in colourful turbans” (Mazarrella 2010: 5).

Market provides unprecedented possibilities of consumption. But there is differential moral ethic placed on the type of consumption. The consumption must not be only of foreign goods. As the influx of Western goods and services change the topography of cities making old habitats seem alien to its older residents, there is a greater value placed on consumption of a distinct ‘Indian’ flavour. In a sense, what we consume then is our own past including the orthodoxy and traditional normativity. Therefore, one notices the primacy of religion and rituals, and visible symbols of *sarees*, *jewelry*, *sindur*, *manglasutra*. Since the carriers of these symbols are women, one argues that the global imagery of Western capitalism and the Indian past is reconciled by evoking the ideal Indian womanhood. This ideal Indian woman is

essentially Hindu, middle class, married or marriageable, and a good woman. Bargirls who form the category of women outside of this then seem to pose a threat to the national identity.

Nations and societies negotiate their own multiple processes of globalization – economic, political, and social – in their own unique ways. India is trying to grapple with her own scripts of globalisation which are messy, startling, and unique. This moment of globalisation that produces the above divergent classes and so delivers the dance bars, sets out a moral panic situation.

The newly emerging classes carry the caste question within. Globalisation hardly amounts to a progressive erasing of the caste paradigm; while caste remains intricately and certainly linked with access to education and occupation in contemporary India, it is the most pertinent signifier of class. Madheswaran and Attewell (2007: 4146 and 4153) use the data from the National Sample Survey to examine the wage gap between the higher castes and the scheduled castes/tribes in the regular salaried urban labour market and estimate that wage gaps have increased in the post-liberalisation era. They find that discrimination causes 15 per cent lower wages for the lowest castes, i.e., the SC/STs, as compared to equally qualified others. SC/ST workers are discriminated against, both in the public and private sectors, but the discrimination effect is much larger in the private sector. Discrimination accounts for a large part of the gross earnings difference between the two social groups in the regular salaried urban labour market, with occupational discrimination with unequal access to jobs being considerably more important than wage discrimination and unequal pay in the same job. Jodhka and Newman (2007) explain how discrimination in recruitment in the formal sector is done through a hidden language of caste with terms such as meritocracy and work

ethic. In recruitment of new employers, the concept of ‘merit’ is used against the reservation for backward castes, but the new entrants must have a ‘good family background’ which is essentially caste based.

○ MUMBAI AND MAHARASHTRA DURING GLOBALISATION

What were the political and economic factors in Mumbai and Maharashtra when the dance bars emerged and were later banned? Can we discern the specific situation conducive to dance bars or to their ban?

Bombay, renamed Mumbai in 1997, is a mega city with a population count at 18.3 million in 2005, and encompasses a wide social, cultural, political, economic and productive diversities with its numerous languages, religions, castes (Masselos 2007: 168). Mumbai has nurtured modern India’s literary and artistic articulation and is home to the world’s largest film industry. The ever shifting kaleidoscope offers freedom for experimentation and innovation. Hence, a constant flux of individuals ready to take their chances with new jobs, new enterprises, new ways of thought and expression (Thorner 1995: xii). No wonder dance bars emerged and flourished in this city, and then spread into the state.

As per Sassen, the global cities function as highly concentrated command points in the organisation of the world economy, as key locations for finance and specialized service firms replacing manufacturing as the major economic sector, as sites of productions including production of innovations, as markets for products and innovations produced (Sassen 1991: 3-4). Bombay shares some of these characteristics of the cities like New York, London and

Tokyo; it functions as a gateway to the global economy for the country. Economic actors approach Bombay as a point of entry for potential markets and new economic sites. In this way, Bombay has been called a 'global city region; a sub-national unit of interaction with a transnational outreach' (Segbers 2007: 9).

Originally a group of seven islands on the Konkan coastline and inhabited only by fisher folk and Agri, i.e., Bombay was captured by the Portuguese in 1534 after Vasco-de-Gama discovered new sea routes to Bombay. In 1661, the island was gifted to Charles II of England, as part of Catherine de Braganza dowry (Hoskote 2007: 259). In the phase of industrial growth and the transfer of power from the Company to the British Crown in the 1850s, the British Industrial Revolution transformed India from the exporter of hand woven textiles to the exporter of raw cotton and market for mill made cloth. While the rest of the country was being impoverished, Bombay not only thrived on the massive cotton trade but also saw the launch of mills and the rise of an indigenous capitalist class (Kosambi 1995: 3-6). Whereas, in the early nineteenth century, the city attracted capital from outside, in the mid-twentieth century, Bombay's profits began to be invested in the rest of India. Without losing its external link, Bombay turned towards its own hinterland, to become the symbol of India's modern national development (Patel 1995: xiii).

Hoskote insists that though Bombay is a city poised to play its role as a global megalopolis, it must not be overlooked that 'as a postcolonial metropolis, it occupies an unstable and ambiguous position between the global and local' (Hoskote 2007: 258). Acutely so in the current times, when new cultural images and discourses are challenging traditional national cultures (Segbers 2007: 5). In the case of the dance bars, one can see this challenge and

subversion of the moral codes emboldened by the market mechanisms, and the resultant response of the dominant society and State to it.

1.4.2 BARGIRLS, THE FOLK DEVILS

What was particular about the women dancing in the dance bars that made them appropriate folk devils, to be made visible by media, hunted by police, and legislated out by the state? Cohen points to the growing inequality and social exclusion, including under regulated market economies, privatisation of the public services, and welfare cutbacks in the UK as the causes of delinquency. Cohen argues that deviance is created by society, but not in the sense of social factors leading to deviance. He means that deviance is an outcome of labelling, wherein, deviance is not a quality of the act a person commits but rather a consequence of the application by others of rules and sanctions to an 'offender'. Social groups make rules and those who break the rules are labelled as deviants (Cohen 2002: xlii and 5).

On the set of globalization, the dance bar market proved to be an exceptional market where female labour is paid very well. It offered not just livelihood opportunities for poor women, but a chance to generate wealth. By deploying their caste capital, i.e., the hereditary skills of dancing, drama and use of sexuality, the traditional dancing women occupied and ruled the dance bar market. To this extent the bargirls may be viewed as a 'performing caste', continuing their obligatory caste occupations in a global capitalist market. However, while their relationship to the customer is defined through the market and they earn money, status and power through their occupation, the bargirls challenge, transform, and redefine the caste hierarchy by the use of 'caste capital'. This makes them dangerous and fit to become the folk devils or deviants of 21st century Mumbai, and Maharashtra.

The present academic literature analyses the arguments and inferences around obscenity, sex work, and citizenship. Mazzarella (2010) asserts that the obscenity and indecency question about the dance bars emanate as dance bars do not fit into either of the two; the ‘cosmopolitan’ or the ‘traditional’ in Indian public culture and legal discourse. The cultural location of the dance bars is such that they do not fit comfortably in any of the accepted zones – neither with the traditional Indian nor the aspirationally global, neither within the upscale nightclubs nor the vernacular popular entertainment, neither the high culture of ‘classical’ dance, nor the cosmopolitan profile of cabaret or ‘modern’ dance nor, yet, in the recognisably popular-vernacular-traditional idioms of tamasha and lavani. In this space that dance bars belong to, obscenity is a threat.

Ara Wilson states that the linked processes of globalisation, modernisation and transnational capitalism affect people’s everyday lives in myriad ways, changing “citizen’s identities, subjectivities, communities and relationships.

“It transforms the way in which people support themselves and their families, it alters the class composition of the city and country, and generates a powerful consumer culture that informs all manner of identities” (Wilson 2004: 8).

What better example of this than the presence and dominance of the young women of dancing communities from North India in the elite bars in Mumbai? As seen through surveys and interviews, women working in the dance bars belong to such lowest levels of the opportunity scale. More than 40 percent of the bargirls are illiterate and less than 18 percent have reached beyond class 8th. The set of occupational skills and education of the bargirls is comparable to the lowest paid manual labour in the city (SNDT report: 9 -11). Yet, an

average bargirl in Mumbai earned at least Rs 10,000 (Around €125) per month before the ban, which is almost triple the average earnings of a domestic maid servant (SNDT report: 9).

The reason being, the bargirls offer dance and music that has shot up in market value and has given them an edge over other manual workers. This transformation is produced by the precise moment in the capitalist market where this particular kind of labour in sexual entertainment and hospitality has risen in demand and value. So, though continuing the caste patriarchy, as pointed out earlier, the bargirls are able to challenge and reshape it. The very skill that made them play their role in perpetuation of the caste and gender hierarchy has, arguably, set them free. Their skill set, what I term as caste capital, rose in value during globalisation due to the willingness of customers to pay for sexualised entertainment. While the dancing women negotiate their dancing, entertainment skills, and sexuality through the market they are not confined to their caste position. They can earn more money than what their social positioning would have allowed them or what society expected of them. They embody all that is wrong with the globalising India – unfettered sexuality, women high on money and power, lower caste women in middle class localities. This makes them visible and dangerous.

A glance at the employment opportunities for women in India, especially during the globalisation times, would put out the position of Mumbai bargirls into a clear perspective. The two decades, since the 1980s, that witnessed the structural adjustments, opening of markets, and privatisation in India are the same two decades that saw the emergence and growth of dance bars.

Status of women in India, as seen by the development indicators, is quite low. India has the lowest sex ratios in the world – 914 females per 1000 males, as per the 2011 Census. Patriarchal norms ensure economic deprivation of women by denying them access to an independent livelihood and existence, including work, housing and resources. Basic economic institutions, such as banks, are reluctant to extend credit for women's independent work or let a mother open a bank account for her minor child (Shah et al. 1994: 42).

The economic and political organisation of the modern industrial societies with its sexual division of labour defines men as 'breadwinners' and women as 'housewives'. Maria Mies's study tells us how official statistics made the lace workers of Narsapur invisible by not recognising them as workers or even a household industry (Mies 1982: 110). Women form the 'reserve army of labour' – a section of working population which enters into and passes out of the labour force depending on the needs of industry and economy (Savara 1986: 6).

From the 1980s onwards, the post Fordist pattern of production is established in India and the world over. Post Fordism is based on decentralised small units of production, with subcontracting arrangements, and with flexible labour deployed over a variety of production tasks. The labour force is used only when required, so workers do not have a permanent status, are paid low wages, and deprived of statutory rights. This is the era of global feminisation of the labour force, wherein, women form a significantly higher proportion (Shah et al. 1994: 40).

The overall subordination of women in society contributes to women's vulnerability as workers. On the other hand, owing to the low wages, skills, and status of women's work, it

became a mark of status and respectability for male workers to withdraw the labour of their women when they could afford it, especially in the period of economic buoyancy. The flip side of this was lack of respectability for working women. The women that worked in the textile mills in Mumbai – often single, widowed, or deserted – were assumed to lack respectability and were exposed to slander (Chandawarkar 2004: 16, 17). This vulnerability of working women to stigmatisation continues even though Mumbai, due to its sheer size, population and anonymity, offers avenues of freedom from stringent familial and community control. Unlike the upper class and caste women, for whom access to higher education has opened the doors to professional careers and lucrative jobs, the lower caste and class women continue to seek employment for economic necessity. While white collar women have maintained their relative position to men, the manual working women have suffered a relative loss of income (Sassen 1991: 234).

Globalisation has radical and far reaching implications for the concept of labour. There is an increase in the high-end and low-end jobs, lesser proportion of jobs being in the middle income range (Sassen 1991: 221). Full time permanent employment is replaced by casual/informal and flexible work. Women have joined this new labour force in massive scales (Mitter 1994: 18). While it has increased the work participation of women and offered them opportunity to earn their own livelihood, women mostly remain at the lowest range of the occupational and income ladder (Sassen 1991: 234).

Daily wage rate for a female casual labourer in 2000 was Rs 38.20 (£0.48) for urban areas and 29.40 (£0.37) for rural area A female casual labourer finds work only 4.3 days per week. So as a casual labourer, a woman can earn Rs. 657/- (£8.19) in urban areas and Rs. 506/- (£6.30) in rural areas (Sahni and Shankar 2008:171).

A work and wage pattern channelled thus that women of the lower strata find it harder to earn a livelihood through gainful employment, and would be nudged towards sexual occupations, which are ironically much better paid than any other kind of work at the same level of skills and education. As per Kempadoo (1998: 17) the engagement in the booming sex industries fills the gap created by globalisation. The ‘feminisation of International labour migration’ – wherein women migrate as autonomous, economic agents trying to seize overseas economic opportunities (Kapur 2004) – is a phenomenon that aptly describes the movement of dancing women into the Indian metropolises and abroad. When women of the lower strata try to take their fate in their own hands instead of being mute victims and with disregard to sexual norms, they call attention of the media and state machinery to themselves.

1.4.3 CRISIS NEEDED BY THE STATE ACTORS

The last aspect of the moral panic situation would be the ‘social control agents’ (Cohen 2002: 89- 130); the state and non-state actors who created, supported, expanded the issue of dance bars. Cohen asserts that social control has a broad scope as it includes informal mechanisms such as public opinion as well as the highly formalized institutions of the state. While the pristine reaction to the phenomenon like the Mods and Rockers or the dance bars, diffuses in a disorganized manner to more individuals and groups, it produces a generalized belief

system – mythologies, stigmas, stereotypes – but also tries to produce new methods of control (Cohen 2002: 122).

Cohen includes police, courts and informal action groups into the category of control agents, and examines how these set out institutional norms, procedures, programmes to deal with the deviants. How they help, rehabilitate, punish or manipulate those who are termed as deviants (Cohen 2002: 89-90). For example, the police might move the issue from the local to a regional level, may get an enquiry initiated, or a ‘state of emergency’ declared. They may deem a group ‘vicious, destructive, repudiating its cherished values’, and so justify dealing with it punitively. Police then would be able to adopt practices involving suspension of principles of neutral enforcement of justice or respect for individual liberty (Cohen 2002: 91 and 99, 100). Courts would have to clamp down hard on offenders to deter others. While dispensing punishments, they would have to consider the effects of the actions of the deviants on the overall region (Cohen 2002: 114, 115). The belief in insufficiency of existing laws would stem and legislation would be pushed for more stringent laws (Cohen 2002: 129).

Cohen’s social control agents can be seen as an expansion of the Gramscian conceptualization of the State and law. For Gramsci, the State is an educator to create a new level or type of civilization. It tends to eliminate some customs, disseminate others, and law is its instrument. Since economic forces are the base, the State is at work reorganizing and developing apparatus of economic production and creating a new structure. But the superstructure is not left to develop spontaneously. The state is, in this field, an instrument of rationalisation (Gramsci in Hoare and Smith 1971: 242).

Economic forces, during the LPG (Liberalisation, Privatisation, Globalisation) phase have led to new economic structure in India. While facilitating liberalisation of the economy, easing the capital flow, and privatisation of many services, it has encouraged a new social and political structure. For example, consumption is the new Indian Mantra now (Fernandes 2000: 614, 615). The Indian state has played its role in encouraging the social model based on consumption and exploitation. For example, the labour laws have seen unprecedented changes in favour of the management. The Maharashtra government, on the one hand, encouraged the dance bar market since its inception, regulated it, and earned taxes from it through the official circuits. The State functionaries such as bureaucrats, police and politicians earned bribes from the dance bars from the unofficial circuits. Barline was a very lucrative business in the city of Mumbai and the highways leading to it, and the state actors were not shy of obtaining benefits from it. Then suddenly, a year or two before the ban, the dance bars became visible through the media and few zealous State actors. The State agencies now started showing figures – police issued news bytes about the law and order issues and bureaucracy of the proliferation of illegal bars – which indicated that dance bars have become an issue in the State of Maharashtra.

“The State acts according to a plan,” Gramsci states, “it urges, incites, solicits and ‘punishes’ . It generates moral implications for criminal actions or omissions rather than merely judging it dangerous” (Gramsci 1971: 247) While the dance bars were shown to be dangerous in terms of access to and of criminals, for the most part the questions related to law and order came garbed in morality. Rather, ‘immorality’ became the worst crime of the bar dancers as it seemed that they were being punished for their alleged immorality, though they were charged with various legal irregularities.

“The law is the oppressive, negative aspect of the entire positive civilizing activity undertaken by the State. Conception of law incorporates ‘prize giving’ activities; praiseworthy activities are rewarded just as criminal actions are punished (and punished in original ways, bringing in public opinion as a form of sanction)” (Gramsci 1971: 247). Gramsci could not be more correct than in the case of the dance bars where public opinion, as shown and expressed by the media, played a vital role in punishing the bargirls, while it was the State control agents that played the public opinion.

Viewed in this context, the dance bar case allows us to analyse Cohen’s social control culture and Gramsci’s idea of the State in a different light. The State can be seen as a schizophrenic institution that initiates, supports the dance bars for two decades, levies taxes and fixes regulatory mechanisms. But, then turns around to brand it as devil and ban it completely. Law has been a positive and then a negative force in the tenure of dance bars.

In lieu of a conclusion of this chapter, propose that the main contribution of this thesis is as follows: firstly, this thesis argues that the proliferation of the dance bars and the influx of erotic labour of bargirls were connected to the concept of Caste Capital, which can be defined as the set of skills an individual or a caste group possesses or develops while performing their caste based hereditary occupation. By the use of their hereditary skills of dancing, drama, and, also, the use of sexuality, the traditional dancing women occupied and ruled the dance bar market. To this extent the bargirls may be viewed as a ‘performing caste’ in a global capitalist market. However, while their relationships to the customer were defined through the market and they earned money, status and power through their occupation, the bargirls

challenged, transformed and redefined the caste hierarchy by the use of the very same caste capital.

Secondly, this thesis evaluates the legal ban on dancing as a means to curtail the rising visibility and power of the bargirls. Within the framework of caste based occupational and class structure, bargirls were perceived to earn far more money than they should. Civil society actors created hegemonic discourses that branded the bargirls as a cause of social unrest. The state acted upon this negative symbolisation. The prohibitive force of the state of Maharashtra that is witnessed in the legal ban on dancing in the bars can be explained as Caste Governance of our times.

1.5 THESIS OUTLINE

The thesis is divided into eight chapters. The introductory chapter offers a research context and rationale for research. The story of the legal ban on dancing in the bars of Mumbai and Maharashtra is narrated along with the review of literature that has been analysed. Here, I have explained the background in which the case of dance bars is to be studied, including the transformations during globalisation that led to the surfacing of divergent new classes and new market concepts such as the dance bars. I view class through a caste framework; observe class in India as inherently connected to caste and, thus, caste appears as the relevant economic and political marker during globalisation.

Chapter 2 will introduce the key themes that the thesis contributes to and places them in the historical perspective through the review of the relevant literature. These themes are:

- How does caste in India affect other institutions such as class, through access to education and occupation, and political structure? How does Bramhanical patriarchy control women's sexuality?
- How are the ideological tools within culture and nationalism connected to the caste normativity about women's sexuality?
- How is the history of the dancing women and traditional entertaining communities in India relevant to the contemporary dance bars market?

Chapter 3 elucidates and analyses the methodology of the thesis. With the review of relevant methodological literature, this chapter looks at the dilemmas that I faced as a feminist researcher while interacting with and interviewing women with diverse positionalities and identities. It discusses the interview situations with minor bargirls, customers, politicians and strategies of data collection without compromising the ethics of research. It points out the problems and constraints in the data and considers how the research can move forward to overcome these.

Chapter 4 uses the interviews and perspectives of bargirls, customers, bar owners and bar staff to examine the dance bar market. The demand for the dance bars arose with the rise in liquidity and cash flows in the hands of a new rich class during globalisation. The chapter examines what the dance bar market offered for the consumption of this new rich customer; from the Bollywood type entertainment to adventure, drama, fantasy, intimacy and the chance to experience a new exciting identity. The dance bar market provided new employment opportunities for women by drawing on their traditional dancing skills, caring practices, and sexuality. I explore the links between the market of the dance bars and the

caste positionality of the bargirls to understand the relevance of ‘caste capital’ to the entry and success in the barline.

Chapter 5 analyses the actions and perspectives of the main political actors of the ban. It discusses the connection of the caste positionality of individuals and groups to their ideological position. The discussion is based on interviews with politicians, NGOs, lawyers, policemen, bar owners, and feminists, and examines whether the political actors of the ban are driving the politics of upper caste dominance in Maharashtra. The chapter elucidates the role of the media in creating the ‘problem of dance bars’ through stories and documentation of news items in Marathi newspapers. The chapter views the process of resistance to the ban by the collective struggle and unionisation of the bargirls as also the feminist dilemmas of choosing between economic rights and the identity and dignity issues. While feminists opposed the ban on the basis of right to livelihood for women, they had to face criticism from Dalit feminists who considered dancing for a male audience a particular predicament of the lower caste women and, thus, a continuation of the caste patriarchies.

Chapter 6 examines the legal aspects of the ban. It analyses the process through which the public discourse about the dance bars and bar dancing got translated into legislation. Primary sources such as the legislative debates, the bill proposing a ban, the petitions in the Mumbai High Court and the judgement of the court are considered to see how the legislative and legal processes operate to control the power of the bargirls. The chapter examines how the conceptual tools of a value system accepted by society, such as nationalism, culture, dignity of women, could be manoeuvred to subvert the constitutional guarantees of equality, right to occupation and livelihood. The varied petitions in the court – including those of the Bargirls

Union, feminist groups in Mumbai, the bar owners, the NGOs working with prostitutes or with HIV/Aids patients – present points of law supporting a continued right to dancing in the bars. The decree of the court offers no respite to the disfranchised workers, despite earning them a victory in principle.

Chapter 7 analyses the consequences of the ban, particularly from the point of view of women and uses the interviews with women to see how they theorise about what happened to them. The chapter sees the dance bar as it exists now, and how it affects the women. It views the changes such as loss of economic power, freedom and status, shifting home, and the move to sex work. It observes the economic activities after the ban, the strategies of survival and coping mechanisms while dealing with poverty and emotional upheaval.

Chapter 8 concludes the thesis by considering whether the hypothesis is proven. It looks at how both the dancing women in Mumbai dance bars and the dominant sections of the state of Maharashtra are ‘performing caste’.

2. LITERATURE REVIEW

This chapter provides the foundation to my research by enumerating, through relevant academic literature, the key themes that inform my analysis of the legal ban on bar dancing in Mumbai and Maharashtra. The first theme discusses caste as central to the discussion on the ban on dancing. It could be argued that caste is the ‘base’ of Indian society and forms the basis of class, politics and sexuality. This framework not only assists in understanding the options and choices of bargirls, who belong to the lower end of the caste and class hierarchy, but also helps contextualise the ban on dancing as a prohibition on the rise of the lower caste temptress.

The next two themes emanate from the differential models that the caste framework generates, for upper caste and lower caste women. The roles of ‘good woman’ and ‘bad woman’ are assigned in society according to the caste positionality of women. One theme analyses the central role of good women in the philosophy of Indian culture and nationalism. Here, I assess how Bramhanical patriarchy persists in India within the ideological ethos of culture and nationalism, where women’s bodies and sexual behaviour become pivotal to the ideas of nationhood and cultural integrity. This cultural nationalism is based on a Hindu, upper caste, and middle class identity and normativity, and has an effect of marginalising not only women but also the non-Hindu or Hindu lower caste worldview.

The last theme takes a historical overview of the dancing women – the institutionalised bad women – in Indian society. The market of erotic dancing in India flourished with the devadasis in the Hindu temples of South India and tawaifs in the Mughal Empire in North

India. Dancing women, and their castes and communities, maintained the classical Indian music and dance, but lost their occupation and status to the anti-nautch movement that tried to cleanse the arts of their ‘polluting influences’. The historical dancing women makes a backdrop while viewing bargirls, the dancing women in India today.

2.1 THE CASTE FRAMEWORK

As introduced through Jotirao Phule’s writings in the previous chapter, caste theorisation frames this thesis. The theme of interaction between caste, class and gender is central to my thesis as I map the journey of the bargirls – the lower caste and class women – into the riches of the Dance Bars and back to impoverishment after the ban. In this section, I consider how caste underlines class through access to education and occupation and how it determines the political formations and dominance.

2.1.1. WHAT IS THE CASTE SYSTEM?

Caste in English includes Varna and Jati. The Varna system in Hinduism claims a divine origin. From the Purusha Sukta of Rig Veda explains that four orders of society originated from the Creator. Bramhan came from the head, Kshatriya from the arms, Vaishya from the stomach and *Shudra* from the feet. In the cultural body image, the head, arms, stomach and feet are placed in a descending order. This is a symbolic representation of rank and function of the four Varnas; Bramhan holds knowledge, performs rituals and enjoys the highest position. Kshatriya rules with defence, war and government. Vaishya manages trade, commerce and agriculture while *Shudra* serves others with labour and crafts and ranks the

lowest (Dube 1990: 50, 51). There are many Jati in each Varna and they form the day to day functional community unit.

To anthropologists, Varna, which literally means colour, possibly came as division of society between the Aryans, the conquerors, and the dasas, meaning the enslaved conquered population (Shah 1990: 11). Varna signifies layers of society; they are not functional units of social structure and refer broadly to the ascribed status of various Jatis. Each Varna accommodates many Jatis which form endogamous units and have a hereditary occupations. Considerations of purity and pollution determine the interactions between different units.

Bramhana, Kshatriya and Vaishya are considered twice born, as they get a ritual birth after initiation rites. The fourth level, i.e., *Shudras*, includes artisans and occupationally specialised Jatis that pursue clean or non-polluting work. Outside of this Varna hierarchy, there is a fifth level that accommodates those who must pursue polluting jobs. They are Antyaja, i.e., born outside or at the bottom. These Jatis, such as Mahar, Chambhar, Mang were known as untouchables. Post independent India legally prohibited untouchability, but the practices continued in both disguised and undisguised forms in most parts of the country. These scheduled castes, called Harijans, i.e., people of God by Gandhi and described by themselves as Dalit, i.e., oppressed or downtrodden, form roughly 16 per cent of India's population (Dube 1990: 48, 49, 54). Phule includes Jatis from the fourth and the fifth Varna in his term *ShudraAtiShudra* (literally meaning *Shudra* and very *Shudra*).

2.1.2. CASTE AND EDUCATION

In India, education was and continues to be a highly contested area having serious implications for caste and gender struggles. The ban on education of the lower castes and women of all castes has been instrumental in maintaining the immobility and this ban has been perpetuated with violence in order to maintain caste hierarchies. Stories of Shambuka (a *Shudra* who dared to practice austerities like the Brahmanas and was killed by Lord Rama) and Eklavya (the tribal boy who learnt archery like the Kshatriyas and was made to cut off his right thumb), who met with severe punishments for transgressing the knowledge hegemony of the upper castes, are testimony of the violence used to ensure subordination (Chakravarti 2003: 18-21).

Phule understood the power of knowledge in progress of human society and as a catalyst to revolution. He asked, “Why are the Vedas kept hidden from women and *Shudras*? It is because they would understand how the non-Aryan population was enslaved with brute force and was turned into the lowest castes”. He asserted, “If Vedas were read by all, they would find the discrepancies in the logic and also see the myths as fabrications and rituals as nonsense” (Bagade 2006: 327). Here, Phule condemned the policy of the institutional ban on the education of lower castes and women. Slavery¹⁴ was possible as long as slaves accept their condition as god-given rather than man-made. Education would open the doors for knowledge and critical thinking, which could challenge the hegemony of the upper castes. In the sonnets in his, *Cunning of the Bramhins*, Phule describes how *Shudras* are harassed and exploited through the life cycle rituals - birth, death, marriage, harvest- by the Bramhans (Phule 1991: 102- 105). Phule states that the ignorance of the peasants along with the cunning

¹⁴ Phule wrote a book named “Gulamgiri” meaning slavery

of the Bramhana makes it possible to loot and ruin the peasant. To smash the prison of rituals and ignorance, the peasantry must be educated.

The process of transition from feudalism to capitalism and democracy in India was not a smooth process for the caste system. It was contested and the reincarnation of traditional hegemonies had to be violently and systematically re-established. Dalit children could not enrol into the British state run schools due to the upper castes insistence that untouchable children should not be allowed to sit in the classrooms with upper caste children (Pandit 1996: 51). Dalit autobiographies offer testimonies of the fact even after schools were open for all, Dalit students had to face harsh treatment from upper caste teachers and the administration.¹⁵ The cases of suicides by Dalit students across universities in the recent years reiterate the fact that the institutions of higher education continue to exercise caste discrimination.¹⁶ The measures to counter this through positive discrimination are met with organised and violent reactions. The reservation of seats in higher education for Dalit and OBC, has been arguably the most strongly opposed socio-political issue in the post-1980s India. This attitude of keeping the masses away from education is reflected in the developmental policies of independent India, where focus on primary education has been minimal. With 50 percent literacy rate, today every other adult in the country is illiterate. Dreze and Sen comment, “The failure to achieve a breakthrough with basic education in sharp contrast with good record of higher education and scientific research is one of the most

¹⁵ The autobiographies of Dalit writers narrate incidences: Mukta Sarvagod (2008) sat at the end of the class away from other children despite being a first ranker in the class; Urmila Pawar (2003) was asked to prepare the school floor with cow dung; Shantabai Dani (1990) had to sit outside of the dining hall to take her meals, where food was thrown on her plate from a distance.

¹⁶ There have been over 18 suicides by Dalit students studying in reputed institutions of higher education across India since 2007. News accessed from <http://www.thehindu.com/news/national/article1999594.ece> on 10 August 2011.

deplorable aspects of India's contemporary development experience" (Dreze and Sen 1995:32). This denial of education to the majority of Indian society reflects in their ability to access the labour market and the new economic opportunities, affecting the class formations therein.

2.1.3. INTERACTION OF CASTE AND CLASS

Statistical data shows that the higher castes have much better chances of being in the higher class through ownership of economic resources and possession of professional skills. For example, a survey of villages in Tamil Nadu shows that the 59 per cent of the Mudaliyar (a higher caste) and 4 per cent of the Palli (untouchable caste) are rich peasants or landlords. No Mudaliyar is engaged as an agricultural labourer while 42 per cent Palli households earn their wages through agricultural labour (Shah 1990: 12).

The ritual higher position meant better control over land and resources of the higher castes. Poverty of the lower castes was caused not only by less access to the sources of production but also their traditional and mandatory engagement with ritually unclean occupations. Uma Chakravarty offers an explanation to the relationship between caste and class and the relationship between ideology and production relations: the monopoly over knowledge in the hands of the Bramhanas and the barring of the knowledge to the lower castes. It was the labour castes who developed and preserved the knowledge of agriculture, crafts, arts and skills that were essential for the human survival and reproduction. But this knowledge was deemed inferior, even polluting, compared to the intellectual and ritual activity of the upper

castes. Over the centuries, upper caste men – as women of all castes were banned from acquiring knowledge – maintained a monopoly over knowledge (Chakravarti 2003:17).

In the classic model, there was no freedom of occupational mobility and the economic activities of agriculture, arts and crafts were carried out by specific caste groups, by sons learning from and following their fathers' occupation. This system gave little chance for betterment and led to technological stagnation, apart from rationalising appropriation of labour of the toiling castes by the non-working castes.¹⁷As Dr Ambedkar puts it: “Caste system is not merely division of labour. It is also a division of labourers, into unnatural water tight compartments” (Quoted in Shah 1990: 92).

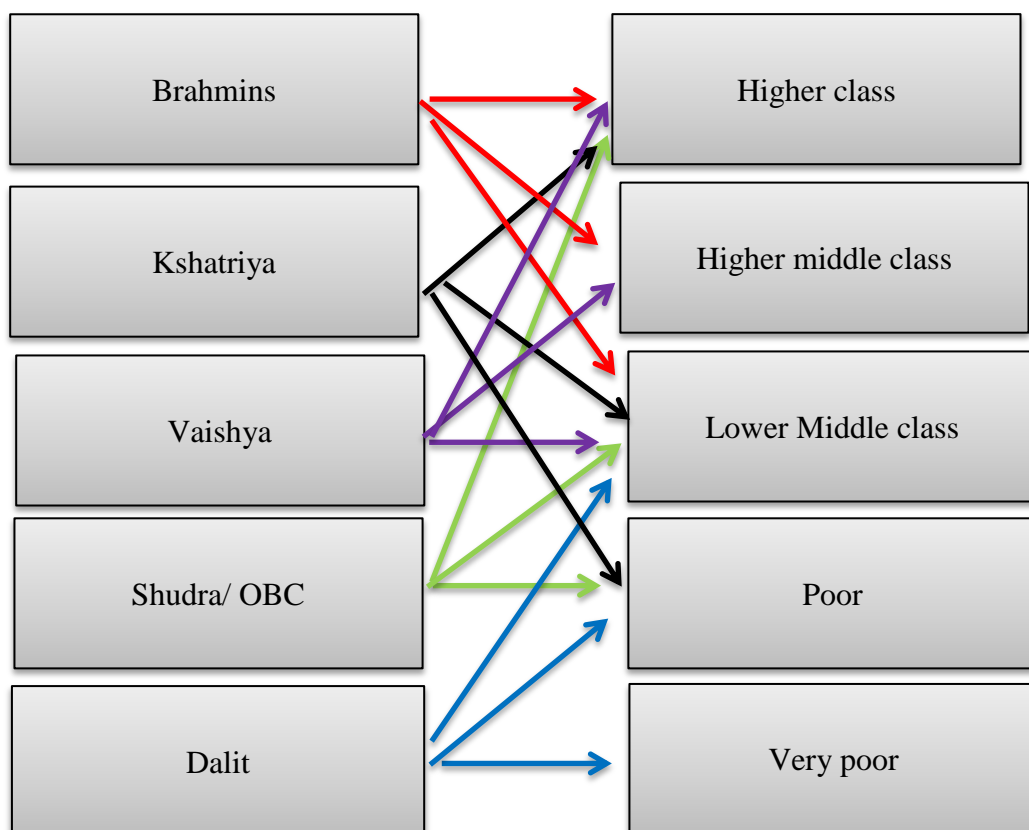
With the growth of Industrial capitalism in India, this hierarchical structure created a stratified labour market, wherein, individual workers entered the labour market along with and according to their caste group, e.g., the labour force of the mills in Bombay was composed of middle caste groups in Maharashtra and had almost no workers from the untouchable castes (Menon and Adarkar 2004). Ambedkar blames the caste system for the occupational stagnancy in the country. Since labour is hereditary – not based on natural aptitudes or the market direction – it becomes static, incapable of adapting to changing times. Market is not static and wants efficiency; by not permitting readjustment of occupations caste system becomes a direct cause of unemployment in the country (Quoted in Shah 1990: 93)

¹⁷ The highest castes of Brahmin (Priest) and *Kshatriya* (Warrior) were non working groups that lived on the surplus produced by the labour of the lower castes. KanchaIlaiah says that The Karma theory – you have the right to work but not to the fruits – in Bhagwat Gita establishes the ideology which says that Hindu masses must work but not aspire to enjoy the fruits of that work. Where ought those fruits to go? The Hindu caste system has a network of institutions to siphon off the fruits into the communities who treat the work as mean and dirty. Ilaiah, Kancha. (2002) *Why I am not a Hindu: A Sudra Critique of Hindutva Philosophy, Culture and Political Economy*, Samya, Calcutta, pp. 28,29.

Nalini Pandit explains how caste of the medieval times interacts with class in the modern times. With the British Raj, new opportunities arose, but they were not accessible to everyone. According to their existing social positioning, different caste groups were bound to specific occupations that they possessed a habit of or the skills for. Those used to education and administration opted for English education and entered government employment. Those with the practice of trade and commerce opened businesses and ruled the new market. Within the capitalistic framework of competition, the social groups with the ownership of tools of production, or possession of education or status managed to succeed better (Pandit 1996: 46). I refer to this existing traditional social and cultural capital of communities, including traits, skills and strengths as 'caste capital'.

Yet, caste and class share a contested and multifaceted relationship. Growing complexity of economic life leads to division and gradation of intellectual labour. The lower ranks of this, e.g., teachers and clerks form the lower middle class. Since the higher castes with their aversion to manual work choose these lower paid intellectual jobs rather than the higher paid skilled labour or business, many Brahmin families belong to the lower middle class. This class is also populated by the skilled and technical workers from the artisan castes. Many from these Other Backward Castes (OBC) are in small business and manufacturing, and enjoy middle to higher class status (Pandit 1996: 49, 50). Pandit (1996: 52) insists that no caste forms a homogenous class in modern times; each caste is now divided into various economic classes and experiences difference of income, lifestyle, and worldview. It is true that the higher caste individuals would be hardly found doing landless labour or amongst the

very poor, and Dalit or tribal are very few amongst the very rich. The middle class, however, encompasses people from most caste groups.



This graph is a graphical presentation of a very simplistic nature. It shows the general trends of caste to class connections. The Brahmins, though ritually the highest caste, does not necessarily form the bulk of the highest class. As mentioned by Pandit above they form the

professional higher middle class and the clerical lower middle class. The Kshatriya in many states of India form the political ruling class, but also are peasants with small landholdings at the mercy of the vagaries of monsoon. The OBC category includes a large proportion of the population and ranges from artisans, skilled workers to farmers and peasants. In the past two decades rising political awareness along with traditional landholdings and numerical strength has made possible winning political formations of some of these castes. Thus Maratha in Maharashtra, Reddi and Kamma in Andhra Pradesh, Yadav in Bihar have seized political power in their respective states. Vaishyas remain the dominant traders and many of India's biggest business empires are ruled by them. E.g. 28 out of 46 billionaires in India in 2012 were from the trading castes. Some came from Brahmin and other higher castes (from 'office to factory') and few from OBC communities (from 'field to factory'). There was not a single Dalit billionaire. (Ganghi and Walton 2012: 12) The lowest castes would generally become the lowest class. While poverty has reduced for all classes, the poverty reduction gap remains the same overall, meaning the progress of the upper castes is the same or more than the lower classes. (Iverson 2012)

Indians carry dual identity and loyalty pertaining to their caste and class affiliations. The class relations in India are different than in Europe; post-industrial European class may have been made up of divergent feudal classes, but they mixed into the new class structure well, and soon cooperation and organisation was built to protect the class interests. In India, even though individuals belong to different occupation or a new class, the caste loyalty did not diminish. The dual existence of caste and class is seen in group formations; wherein, class marks the economic relations and caste the social, cultural interactions. Individuals owe their

allegiance to their caste groups as they interact within the Jati for lifecycle events such as birth, marriage, and death (Pandit 1996: 49, 50).

The caste system influences political formation. Dr. Ambedkar states that the Hindu social order leaves no room for individual merit and has no consideration for individual justice. The individual has a privilege and it is not because it is due to him personally, it goes with the class. Similarly, if an individual is suffering from a wrong, it is not because of his conduct that he deserves it. The disability is imposed upon the class (Ambedkar 1990: 83, 84). Thus, social and political identity of an individual is determined by his caste, which gives birth to 'caste consciousness' (Shah 1990: 26) significant for the democratic politics in India. Pandit asserts that, within a democracy, those groups with political awareness and numerical strength gain political power. But those groups without the backing of money, power or numerical strength get trapped into the cycles of poverty, helplessness and ignorance (Pandit 1996: 46). In his work on the political development in Maharashtra, Jayant Lele (1981) demonstrates how, in a formally democratic nation like India, elites base their power on the control of material assets such as land, industrial and mercantile capital, and cultural assets, such as membership of a dominant caste, and then use this control to exercise political power. Through the exercise of that power, they accumulate further material assets and greater political influence. In the current era of 'identity politics', the lower-middle castes have managed to form vital political formations, even win elections, and come to power in many parts of the country.

How is the connection between caste and occupation relevant to the study of the ban on dancing? As Leela Dube finds, women's work contributes substantially to the occupational

continuity of a caste group and women are necessary parts of the traditional caste based occupations. The study of scavenger women from Delhi revealed that while men are increasingly leaving the ritually ‘defiling’ occupation of their caste, women were confined by tradition (Dube 1997: 1-27). From my data, I found that though belonging to these communities is not a necessary condition for becoming a bargirl – as many poor women from other communities also seek work in the bars – it could be a sufficient condition to be poor, and be a Nat or Bedia or Deredar. While a poor woman might consider becoming a bargirl as a last resort, the woman from a Bhatu community may view it as an occupational choice. Thus, caste and dance bar labour is interlinked. On the one hand, the labour supply in the dance bar follows the logic of pursuing one’s own hereditary occupation in the changing economic and political atmosphere, and gaining success on the basis of one’s caste capital. On the other hand, the labour supply comes from women from poor backgrounds striving for economic survival. On both these counts, the caste framework is significant.

2.1.5. CASTE IN ISLAMIC COMMUNITIES IN INDIA

This sub-section discusses whether the caste framework is useful while analysing data gathered from Muslim women. Is the Islamic society in India a caste based society and does it have relevance to class, education and occupation?

I used the report published by Government of India in 2006 on the “Social, Economic and the Educational Status of the Muslim Community in India”. Following the name of the Chairperson of the committee, Justice Sachar, this document is known as the Sachar Report and is the first substantial national level examination of the situation of Muslim communities

in India. Data is limited as, after the 1931 census, India has not recorded caste and community statistics. It is only after much contestation in the parliament that the 2011 Census would have caste-based data.

As the report quotes, “It is important to underline that Muslims in India are not a monolith,” and this is what our analyses across various indicators of human development also suggests. While Hindu OBCs (Other Backward Classes) continue to be relatively deprived in terms of the all-India data, the Muslim community as a whole is lagging behind the Hindu OBCs. However, overall, the condition of Muslim OBCs is worse than those of the general Muslims. The abysmally low representation of Muslim OBCs suggests that the benefits of entitlements meant for the backward classes are yet to reach them (Sachar Report 2006: 213). For example, the Muslim community is lagging behind the Hindu OBCs, who have got benefits of reservations (Sachar Report 2006: 213). This is because in all the discussions about the Backward Classes the point of reference is largely the Hindu social structure (Sachar Report 2006: 191).

Muslim society in India is divided into four major groups: (i) the Ashrafs, who trace their origins to Arabia, Persia, Turkistan or Afghanistan, and the upper caste Hindus who converted to Islam, (ii) the Ajlafs, the middle caste converts whose occupations are ritually clean, and (iii) the Arzals, converts from the erstwhile untouchable castes. As is evident from this study, caste does exist in the Muslim community in India, and it also corresponds with the caste groups in Hindu society. In fact, many groups such as the Rajputs, Kayasthas, Koeris, Koris, Kumhars, Kurmis, Malis, and Mochis are common among both Hindus and Muslims. The OBCs among the Muslims constitute two broad categories. The Halalkhors,

Helas, Lalbegis or Bhangis (Scavengers), Dhobis (Washermen), Nais or Hajjams (Barbers), Chiks (Butchers), Mehtars (Sweepers), Chamars (Tanners), Faqirs (Beggars), etc., belonging to the Arzals are the ‘untouchable converts’ to Islam. The Momins or Julahas (weavers), Darzi or Idiris (tailors), Rayeens or Kunjaras (vegetable sellers) are Ajlafis or converts from ‘clean’ occupational castes (Sachar Report 2006: 193). Thus, the categorisation ‘Muslim OBCs’ includes the last two caste groups that are equivalent to the Hindu OBCs and Hindu SCs/STs (scheduled castes and scheduled tribes) which are at the bottom of the ritual hierarchy and encounter severe social disabilities. This shows that the structure of Muslim society in India replicates the Hindu caste hierarchy. The artisan castes are dispersed across the religious communities and the same occupations are practiced by a caste group belonging to both the religions, for example, Machhimars (fisherfolk) include Hindu Koli and Muslim Daldi, or tailors include Hindu Shimpi and Muslim Darzi. So the term OBC would be a caste cluster that incorporates diverse communities across religion and regions in India.

The Sachar Report provides details of education and employment that indicates the social and economic disabilities that Muslim lower castes suffer. Almost half of the children aged 6-12 years are not attending school. The difference in non-attendance level between Hindu OBCs and Muslim OBCs (49%, compared to 56%) is significant (Sachar Report 2006: 206). The lower educational attainment is reflected in the low status in the labour market. In the formal sector, the Hindu-OBCs (11.3%) are much ahead of Muslim-General (7%) and Muslim-OBCs (3.5%) (Sachar Report 2006: 208). The inferior employment situation of the Muslim-OBCs is reflected in the fact that a much smaller proportion of workers (20.4%) among them— are engaged in regular wage/salaried jobs, especially in urban areas, compared to Muslim-General (31.2%) and Hindu-OBCs (36.4%) (Sachar Report 2006: 208). The bulk of

women workers in all groups work in their own dwellings. The proportion of women workers that work in their own dwelling is also higher among Muslims, especially Muslim OBCs (Sachar Report 2006: 209). This last fact corresponds particularly with the bargirls' situation, many of whom have come to the bars after trying home based work and low income. The data in the Sachar Report provides evidence to the effect that the position in the caste hierarchy is significant for class positionality of Muslims in India.

2.1.6. CASTE AND PATRIARCHY

Caste and patriarchy in India cannot be envisaged as separate concepts, as they are essentially interwoven systems. Bramhanical patriarchy is conceptualised as caste hierarchy and gender oppression feeding on and strengthening each other (Chakravati 1993:579). While discussing Dalit politics in modern India, Anupama Rao states, "Caste is the effect of sexual regulation. Sexual relationships within and between caste communities are a nodal point through which caste supremacy is reproduced and challenged. Sexual desire and violence across caste is outside to the regulatory order of caste and kinship" (Rao 2009: 235).

Honour and respectability of the caste depends upon the women, and it is protected by guarding women's bodies. The upper caste women are the object of moral panic in this scheme as the purity of the caste depends upon them.

The sexual and marital practices differed greatly in the pyramidal caste structure. The loss of a husband did not incite the same kind of panic and fear amongst the lower castes, where widow remarriage was permissible. So while the Brahmin widow was physically alive but

socially dead, the Jat widow in Haryana was forced to undergo a levirate marriage (Chakravarti 2003: 82-83). In Maharashtra, widow remarriage was common amongst the middle to lower castes, e.g., carpenters, masons, gardeners, etc.¹⁸ These ‘permissible’ practices of the lower castes are closely related to their status as labouring, agricultural or artisan castes that depend upon the familial labour for a continued existence. So widow remarriage, rather than the recognition of the sexual needs of the woman, is an arrangement to utilise her productive and reproductive labour that is claimed by her family and community (Chowdhari 1996, Chakravarti 2003: 83).

Sexuality of women is at the core of the ‘masculinity’ of the caste. Lavani in the post colonial cinema explicitly referred to the dancer as a lavangee mirchi (literally red chilli, too hot to handle), as bird, lightning, garden of youth, etc., with a focus on native, wild and rustic sexuality that was to be tamed. This was used to titillate the cinema audience. Her taming by the upper caste hero highlights not only the dichotomy of the passive/pure wife and the wild/impure dancer, but also reiterates the inability of the lower caste men to control the sexuality of their women, thereby, continuing to legitimise the hegemony of the dominant castes (Rege 1996:32). As Susie Tharu (1996) puts it, the ‘manhood’ of the caste is defined by the degree of control that men exercise over women and the degree of passivity of the women of the caste. By the same argument, demonstrating the control, by humiliating women of another caste, is a certain way of reducing manhood of those castes. The structure of relations in the caste society castrates the lower caste men through the expropriation of their women.

¹⁸The story of Rakhambai in 1894 makes clear that in the caste of carpenters, widow remarriage was common. Rakhambai was supported by her doctor stepfather in her fight against the court case for restitution of conjugal rights by her estranged husband. She also inherited considerable property from her biological father, which was one reason why her husband wanted her back fervently (Chandra 1998).

Rao asserts that sexual violence is caste violence, because it operates as the prerogative of upper caste men. As she puts it:

“The logic of caste endogamy prohibits all men from viewing all women as potential sexual partners, but also gives upper caste men the right to enjoy Dalit and lower caste women. The knowledge of this is a public secret, normalised as privilege by the upper castes and experienced as a shameful secret by its victims” (Rao 2009: 235).

The legal system had internalised this knowledge and made the path for justice thorny for the victims and their families. For example, the colonial courts assumed that a high caste woman would consider rape as worse than death, especially if her rapist was a lower caste man. Since the lower caste woman had no virtue, she needs no stringent protection of law¹⁹(Chakravarti 1997:124). In independent India, this sentiment was reiterated by the judges of the Rajasthan High Court in Bhavari Devi case when they asserted: ‘An upper caste man could not have defiled himself by raping a lower caste woman’ (Rao 2009: 359).

Annihilation of caste, according to Ambedkar, depends upon inter-caste marriages, especially between untouchables and caste Hindus.²⁰As Rao analyses it, in the past few decades, Dalit politicisation and desire for upward mobility has been sometimes recast as a desire for sexual access to upper caste women. However, just the hint of such transgressive desire from Dalit

¹⁹“Take the case of a high caste female, who would sacrifice her life to her honour, contaminated by the embrace of a man of low caste. On the other hand...a woman without character or any pretensions of purity, who is wont to be of easy access. In the latter, if the woman from any motive refuses to comply to solicitations of a man, and is forced by him, the offender ought to be punished. But surely the injury is infinitely less than in the former.” A British official reporting in his journal quoted in Chakravarti (1997:124)

²⁰Dr Ambedkar himself married a Brahmin woman after his first wife died.

men²¹ has proven to be catastrophic for entire families and communities. The brutal violence against Dalit men accused of desiring upper caste woman illuminates the double jeopardy of sexual violence as caste violence (Rao 2009: 235, 236). Dalit women, on the other hand, have been not only objects of aggressive desire/pleasure but casualties of political violence meant to ‘teach a lesson’ to Dalits. There are numerous instances of Dalit women raped or paraded naked for overstepping their boundaries, either by demanding justice against upper caste hegemony or by daring to rise economically.²² The legal system has failed to offer justice in these incidents despite the pressure from Dalit political parties and activists. The law tends to individualise the case of atrocity, which then has to face the lengthy procedures and loopholes as a singular criminal case rather than being treated as a case of political violence in the backdrop of historical oppression of Dalits.²³ And, so, caste is accommodated into the political and legal systems in modern India.

Through my research on the bar dancers in Mumbai, I wish to make a contribution to the body of literature on caste and gender, with special reference to globalisation. Economic globalisation, with its ever increasing demand for sexual entertainment, opened up a space for high economic gains. This space came to be occupied by women of the traditional dancing

²¹In the Manu Smriti, the strictest punishment is reserved for upper caste women who dare to form *pratiloma* (opposite of natural order) unions with lower caste men (Chakravarti 2003:69).

²²In 1967 four Dalit women were paraded naked in full view of the village in Sirasgaon, Maharashtra. One of them had objected to a Maratha landlord making sexual overtures and her brother-in-law had hinted to the landlord’s wife that he could desire her. Bhavari devi, a grassroots worker in a Government programme, was gang-raped in front of her husband for reporting a child marriage. The police had refused to register this case arguing that she was too old and unattractive to be raped by anyone. (Rao 2009:359). In 2006, Khairlanjee, in Maharashtra, saw brutal rape, mutilation and murder of a mother and her teenage daughter, along with two sons as the mother had challenged a land grab by upper caste farmers. The daughter was a bright student in school and her brothers were doing well in jobs (Rao 2009: 237-239).

²³ The Khairlanjee massacre in 2006 in Maharashtra was not recognised as a caste atrocity by courts. The accused of sexualmutilation and murder of a family were acquitted by the High Court in 2010. News at <http://www.merineews.com/article/khairlanji-verdict-what-next/15826522.shtml> on 10 August 2011.

communities with their caste capital of dance, music and performance. This situation can be seen as a furtherance of the caste patriarchy but it can also be seen as loosening the caste hierarchy by using the caste capital. The interviews of bar dancers explaining the ‘freedom’ experienced because of the bars could be the testimony that these women had come to occupy a space of high economic gains and shifted the gender, caste, and class borders by performing their caste occupation in the global market. This transformative space was then barred with legislative intervention. I consider the question whether the ban could be seen as the ‘caste governance’ of our times; I use Chakravarti’s concept that the caste system is a state maintained legal order and apply it to the ban. I also develop Tambe’s work to draw parallels between the temple economy and the dance bar economy.

2.2. CULTURE, NATIONALISM AND WOMEN

As explained earlier, this sub-section throws light on the historical and contemporary construction of the Indian womanhood, as a bearer of Indian national culture. The main justification of the legal ban was protection of the Indian culture; dancing before men was considered tarnishing to the dignity and honour of women and against Indian culture. I argue that the pivotal role of gender in culture and nationalism stems from Bramhanical patriarchy. The ideal of sexually pure women and restrictions on women’s sexual behaviour by family and community are vital for keeping the caste group uncontaminated. The review of literature on culture and nationalism shows not only the perpetuation of patriarchy but also the upper caste middle class – and the women thereof – as perpetuators of a hegemonic and gendered cultural discourse.

Colonialism gave birth to nationalism in India. Chatterjee offers an understanding of gendered colonial nationalism wherein women and home were construed as the sacred space outside the influence and contamination of colonialism. According to Chatterjee, the nineteenth century nationalist discourse looked at the world in its two senses: the material world and the spiritual world. The material world was conquered by the West with its science, technology, economic organisation and statecraft on the strength of which they had subjugated the non-western people. But the East was superior in the spiritual world. “What was necessary was to cultivate the material techniques of modern civilisation while retaining and strengthening the distinctive spiritual essence of the national culture.” (Chatterjee 1989: 237, 238) The distinctive spiritual essence was the purity of women.

This dichotomy between the two worlds can be seen as the inner/outer distinction between the separation of social space into home and the world. The world is the external, the realm of the material. The home represents the inner spiritual self, the true identity. It is unaffected by the profane activities of the material world- and woman is its representation. At the advent of nationalism, outside world was the space of oppression, daily humiliation where the norms of the colonisers were perforce accepted. But the home was the space of sanctuary; undominated and sovereign. This inner core must be protected, from the contamination and influence of the West. In the world, imitation and adaptation of western norms was a necessity; at home, they were tantamount to annihilation of one’s very identity (Chatterjee 1989: 239).

In this schema, the woman’s body was the ultimate site of purity, virtue and last refuge for the freedom of the country. The male body is contaminated through western education, offices and urbanisation. It is remade in an emasculated form by colonialism coupled with

loss of traditional sport and martial activities (Sarkar 2003: 43). The female body is still unmarked and pure. Now, if women too imbibe western education and change their nature and religion, then the nation's defeat would be complete – as the subjection would extend from outside to the innermost core (Sarkar 2003: 265). Here, the women's chastity has a political value, a foundation on which a great Hindu nation could be built. The absolute and unconditional chastity of the Hindu wife was lauded as the sacred jewel of India, one which radiates through the civilised world despite centuries of political subjugation. The capacity of a Hindu widow to immolate herself with a smile – as Sati was described – was the powerful demonstration of the highest virtue of the Hindu woman and the pride of the nation; something that differentiates the colonised, subjugated people from the rest of the world and reassures them of the greatness of their own civilisation (Sarkar 2003: 41, 265).²⁴

Thus, women had to be kept insulated in the innermost corners of the home where western modernity would not touch them. Yet, in principle, the nationalists seemed to overcome this issue by making modernity consistent with the nationalist project and creation of woman analogous with it (Chatterjee 1989: 239, 240). In practice, a new educated middle-class Bengali woman emerged during the rise of nationalism, posed as being categorically different

²⁴ This analysis of 20th century nationalism throws light on the fierce traditionalism regarding the clothing and behaviour of women in contemporary India. A most frequently evoked theme in the debates around the ban on dancing was of the young generation forgetting the Indian culture under the corrupting influence of TV, discos, clubs visibly marked by the young women converting to western clothing. Men's clothing never receives such attention. In fact, western clothes- trousers and shirts or t-shirts - are widely accepted as the normal clothing for men. In weddings and formal occasions this peculiar tradition-modernity continuum becomes apparent with women donning *sarees* and men wearing western suits. Hansen (1999:233) makes an interesting observation; The entire problematic of consumption of western products –food, dress, gadgets, music- is linked to contamination, exposure and corruption of the body, especially the female body. Foreign food and fast food erode the Hindu family and observance of procedures of cooking food; western styles of dress- skirts, jeans, t-shirts, swim suits- expose the female body to the indecent gaze of the male, including the particularly obscene gaze of Muslim and lower caste male; western music and films incite indecent emotions and patterns of intermingling of the sexes.

than the Western women, as well as Bengali women of the previous generations and women from the lower classes. In her newly acquired freedom, the evidence of superior national culture was rooted. Education ceased to be viewed as a danger that would make women forget their role (Girls education rose dramatically; from 2500 pupils in 1863 to 80,000 girls going to school in 1890). In fact, education was to inculcate into women the virtues and new social forms of disciplining. Real knowledge meant that an “educated woman can do housework thoughtfully and systematically in a way unknown to an ignorant and uneducated woman” (Chatterjee 1989: 245, 247).

Modernity took on a specific caste/ class dimension here, wherein, the modern upper caste, middle-class woman was constructed as the bearer of a modern Indian ethos. This led to marginalization of the cultural experiences of the lower caste women. Sumantha Banarjee (1999) narrates how women’s popular cultures in urban Calcutta got eroded as synonymous to the creation of the *bhadramahila*; daughters and wives of *bhadralok* – the respectable Bengali middle-class woman. Till the late nineteenth century, women poets and singers performed in the public forums as well as the secluded female forums in the elite and middle class households. With their economic self-reliance, independent lifestyle, and non-conformity to the morals of the middle class society, these lower caste-class performers could express derisive defiance of the patriarchal norms and bolder assertion of their own desires. With the deepening of colonial-native ties, English educated Bengali men started looking for the Victorian model of a refined, educated, feminine and respectable women. The newly educated women entered the literary circles with gusto with their prim, prude language and expression and total acceptance of the gender hierarchy that was imparted to them through their special ‘gentle and tender education’.

The dominant characteristics of femininity in the new woman in the colonial era were the 'spiritual' qualities of self-sacrifice, benevolence, devotion, religiosity, etc. This did not impede the chances of women moving out of the confines of the home. In fact, it facilitated it. The confines were displaced from the boundaries of a physical space to the culturally visible markers of femininity and spirituality. Now women could go to school, travel in public transport, watch public entertainment programmes, and in time even take up employment outside the home as long as they remained within the cultural boundaries set up for them (Chatterjee 1989: 247-249).

The Colonial modernity set the parameters for the all the subsequent periods of modernity, it was gendered and with class, caste and religious dimensions. This was how the nation itself was imagined. Hansen says that the British ruled India by a 'double discourse'— differencing between the elite and masses. The elite could be educated and could appreciate the benefits of education and act rationally, whereas, the masses were irrational, given to passions and religious frenzy (Hansen 1999: 32). The middle-class Hindu, upper caste early nationalist discourse typified this. The ideas of "freedom, equality and cultural refinement went hand in hand with a set of dichotomies which systematically excluded from the new life of the nation the vast masses of people, whom the dominant elite would represent and lead, but they could never be culturally integrated with their leaders" (Chatterjee 1989: 251).

The post-independence era continued with this contested modernity. As Sunder Rajan (1999: 7, 8) observes: ...modernity came to be 'balanced' or 'sufficiently measured out' for women, at the same time it is supposed to produce aggression and reactive orthodoxy in men, angst which are invariably directed as violence against women. As explored through Rajgopal's

study, Indian advertisements have created a 'retail Hindu identity' – by means of commodified images – as a cultural façade of Hindu society liberalising without challenging the illiberal caste order. In keeping with the new middle-class aspirations, values and lifestyles, the advertisements present a changed patriarchy; the image of a subordinate daughter-in-law is suspended. Yet the patriarchal nuclear family is emphasised, obligations towards it gain salience over those to the extended family or community. The class element is clear in the way consumer messages for the lower middle and working classes highlight utility, while the "aesthetics remain the province of the betters, the middle and upper classes. It is for them that the finer particulars of appearance, psychological satisfaction and self-actualisation are important (Rajgopal 1999: 79, 91 -93).

This difference between women of different classes in the media and public imagination consolidates the power of the middle class in India. The women of the middle class, who were earlier outside the circle of power, are now included into it, leaving the men and women of the lower class outside the purview of the national culture. Middle-class women, stripped off their transgressive possibilities, can share the economic political hegemony possessed by their men. We may reflect on Uma Chakravati's (2003) question about the complicity of upper-caste women with the structures of caste patriarchy that oppress them. According to her, it is because women, as part of their caste and community groups, gain from the exploitation of the lower strata just as they loose on account of their gender. They can be subordinated and also gain a degree of power. Especially, the upper caste women have access to economic resources and social power through their men-folk. Compliance to the codes of patriarchy within family and community brings material and symbolic gains. Deviance brings expulsion (Chakravarti 2003:144). One can take this analysis further to say that since the

caste, class system seems to have modified to incorporate the women of the upper strata into the power structure; they have little to gain from opposing the structures. Growing numbers of educated, financially independent women could be looked upon as the cluster that would strengthen feminist agendas and struggles. Yet the fact that they have attained the relative freedom and independence, due to their social and familial background, makes it difficult for these women to question the repercussion of the social structure.²⁵ At the time of the ban on dancing in Mumbai and Maharashtra, in 2005, the dominant political culture in India encompassed the two major changes: economic liberalisation and growth of the consumer economy, and the rise and acceptance of the Hindu right wing in the political and cultural sphere. I will discuss both of these changes and their relation to each other.

Fernandes (2000; 2006) offers a review of the current cultural politics in India and the role of the New Middle Class within it. She argues that till the 1970s, the accumulation of wealth was suffering from a 'Gandhian hangover'; vulgar exhibition of wealth was considered contradictory to Indian values, so even the wealthy were not exhibitionist or into consumer culture. But in the twenty-first century urban India, consumerism has become an Indian value (Fernandes 2000: 614, 615). Rajgopal finds that consumerism defines the middle-class in the era of globalisation. The economic imagery has moved from Nehruvian cooperativism – All Indians are my brothers and sisters – to seeking fulfilment through consumption; 'from Be Indian, Buy Indian, it is To Buy is Indian' (Rajgopal 1999:73). Within this, Hindu

²⁵As per Hansen, this set up was disrupted when individuals from the lower castes and classes consolidated their community affiliations and backgrounds, and emerged as political players in the electoral democracy in India. There began the middle class dislike of politics as a dirty game (Introduction, Hansen 1999). Rajgopal calls it a 'crisis of legitimation of political authority' caused by the empowerment of the previously excluded groups growing and unanswerable demands on the state (Rajgopal 1999: 93).

Nationalism offers its own variety of patriotic consumption and patriotic capitalism – ‘no-potato chips, yes-computer chips’ (Hansen 1999).

Fernandes and Heller (2006: 501-509) discuss the new middle-class politics in terms of market liberalism and socio political illiberalism. Privatisation of education, withdrawal of the food distribution system and shrinking of the welfare state are simultaneous processes as the distancing of the middle-class from the ‘messy world’ of politics. The upper-caste middle-class has ferociously rallied against the ‘reservations for the lower-castes in education’ at the same time as debasing the new lower class/caste politicians as dirty, dishonest, corrupt, criminal and vulgar. This intersection between middle-class politics and the particular form of political illiberalism can be seen in the concrete practices of the Hindutva movement. As the authors put it:

“The Sangh Parivar has played a critical role in systematizing, packaging, and diffusing the new identity and the boundaries of exclusion. The standardization and centralization of the many “small traditions” of a plural Hinduism into a sanctioned, authorized narrative of a single Great Tradition of Hinduism has been the work of the VHP...This is portrayed as threatened, and indeed polluted, by the encroachment of Muslims and untouchables on the public domain. Hindutva becomes then not only an act of unification, but also one of purification in response to the plebianisation of culture, space, and politics of the second upsurge” (Fernandes and Heller 2006: 508).

Radhakrishnan (2008: 7) notes that previously Indianness and Westernness were opposed to each other, but a discourse of Global Indianness has made them compatible; a sense of Indianness sets the moral and personal boundaries for the material successes available to the

West. The Indian middle class is noted to exhibit the combination of values that Hindu nationalism purports, so religious nationalism becomes reconciled with the liberalisation of the public culture and rising levels of consumption, especially goods with a foreign character. The preoccupation with an authentic culture makes the affluent Indian Americans both liberal in acquisition of consumer goods and conservative in the matters of religion and family. While this affluent transnational Indian middle class is at the centre of a new nation building project, the global Indian women offer the icon of the nation. They match the global beauty standards, show intelligence and proficiency in English, and preserve a distinct Indian aura by displaying overt respect for 'Indian' values and norms (Radhakrishnan 2008: 10, 11).

The global Indian woman is compelled to define the true core of Indianness in terms of a heterosexual, patriarchal nuclear family and be the 'wife, who is the protector of the middle class domestic realm' (Radhakrishnan 2008: 12). As Kapur puts it, the new Hindu woman is active in politics and/or in labour market, at the same time she is a strong mother and wife, a repository of the culture and traditions of the great Hindu Nation. She preserves the national integrity and honour, and keeps it outside the corrupt influence of westernisation (Kapur 2007: 238-240).

The nationalist projects, using Mrinalini Sinha's (2004: 193, 197) terms, often entail a transition from a 'private patriarchy' to 'public patriarchy'; control over women shifting from the family to the larger community and state, yet it opens up a space for political action for women. The Gandhian movement brought women to the forefront of the freedom struggle as natural carriers of satyagraha. Political action and public office was then seen as a duty to the nation, not an individual political right. In a similar vein, the Hindu right has been able to

attract hoards of ordinary women, who are otherwise absent in the political space, in the name of Lord Ram and the Hindu religion.²⁶ Through their women's wings, the physical training in the shakha (lit. branch) and participation in the local politics the Hindu right has created opportunity for activist roles and empowerment for their cadres (Sarkar 1995:210).

From the Bombay riots in 1992, there was a 'feminisation of violence', wherein, Shiv Sena mobilised women to block the arrest of its leaders, prevent the fire engines, and even to loot shops and attack Muslim women (Banerjee 1995:216). In January 1993, Shiv Sena women were seen preventing the police from rescuing Muslim boys and youth whom fanatical Hindu mobs were about to set aflame²⁷ (Sethalwad 1995: 234). In what Sarkar calls a bitterly ironic inversion of women's former invisibility, the Hindu Right has been able to make a large number of women extremely active and visible in the domain of public violence; in rallies and campaigns, in actual episodes of violent attacks against Muslims, and complicit in the gang rapes and tearing open of wombs of Muslim women (Sarkar 1995:190).

Women within the Hindu right are supposed to invoke Shakti, the unconquerable female militant energy. This in turn is connected with the strong, protectorate called Mother India, whose power comes from voluntary abstinence and purity. Hinduisation of the project of nation building has been historically crucial to desexualise the image of the nation, especially its women. Vital was the authentic, pure and non-sexual national entity, as also cleansing of

²⁶The Kar Seva (literally the service with your own hands) for the contested Ram temple on the site of the Babri mosque was wrapped in the benign devotion for Lord Ram rather than serving a political agenda. The visibility of women coincides with the ascetics in the movement for building a temple for Ram on his birthplace in Ayodhya, Uttar Pradesh (Sarkar 1995:209).

²⁷'Abdullya' a poem by Dalwai, Husain (1993) depicts a scene in the Hindu-Muslim riots where a group of militant Hindu women burn Abdullya, an eleven year old Muslim boy. The poem was presented in the Muslim Marathi Literary Conference, Maharashtra.

the nation from the rape or forced entry that years of colonial rule might signify (Mitra 2006: 74). In this rationale, women are expected to be asexual beings devoid of sexual desire or urges – the ideal woman is shy, demure and pure; yet her distinctiveness as sexual being is not erased. In fact, in mounting communal violence, the female sexuality gets more pronounced and becomes a burden on women – not only as a personal threat to safety and bodily integrity, but also as a possible shame it can bring to family, community and the nation.²⁸ Butalia's remarks are pertinent in this context.

Women carry the responsibility – most often on their bodies – of acting as symbols of both ethnic and national communities. They embody the pure nation, the pure community; the violation of their bodies, as if by tacit agreement between the warring factions, becomes one with the violation of the nation. The nation itself remains the responsibility and creation of men, even if imagined as maternal (Butalia 2004: 204).

Women become one with the nation, they personify the nation. The country or the nation state, on the other hand, is carved out in the image of a woman. A vulnerable sexuality binds them together. The Hindu right uses the overtly sexual idiom in keeping with their political philosophy that justifies rape as a political weapon.²⁹ So, influx of the foreign goods is

²⁸During the partition of India, many communities and families killed their own women to avoid the possibility of the abduction and rape of women by Muslims. Women were coerced into becoming martyrs and take their own lives for the sake of purity of religion, lest they got impregnated by the men of the other religion (Butalia : 207, 208).

²⁹Savarkar, an ideologue of RSS has presented a case for rape of Muslim women - and condemned the cultured and humane treatment offered to the captured women by Shivaji, a Hindu king in Maharashtra - so that Muslims realise the horrors of their own brutalities. For a detailed analysis of the ideology of rape as a weapon and its connection with the mass rapes of Muslim women in 1993 riots, see Agarwal, Purshottam. (1995). "Surat, Savarkar and Draupadi: legitimising rape as a political weapon", in Sarkar, Tanika. And Butalia, Urvashi. (eds) *Women and the Hindu Right*, Kali for women, New Delhi.

viewed as “our motherland, bereft of moral fibre and vulnerable to the rape of western capital and consumerism” (Hansen: 12). This enslaved mother calls upon her sons to protect her and restore her honour (Sinha 2004:191). The Nation is cartographically presented to its subject-citizens not as 'empty social space', but as 'Mother India',³⁰ the Indian nation imagined as a woman, a mother, a goddess.

In conclusion to this section, I would like to come back to the idea of public culture that Hansen enumerates; as the public space in which a society and its constituent individuals and communities imagine, represent and recognise themselves through political discourse, commercial and cultural expressions, and representations of state and civic organisations. He views Hindu Nationalism as a ‘conservative revolution’ premised upon and reacting against the democratic transformation of the political field and the public culture in post-colonial India. He questions the role and position of the so called liberal middle class in India – that formed the backbone of nationalist movement and the independent nation state – asking whether their political culture was ever liberal or democratic. The political elite created a condescending notion of uplift of masses through education and enfranchisement. The public culture was full of high idealism and radical rhetoric, but enduring social structures such as caste hierarchies, family structures, and upper caste norms of public behaviour were rarely challenged (Hansen 1999: 4-7).

The horror stories of unparalleled sexual violence against Muslim women in the Gujarat carnage 2002 are described in “Genocide: Gujarat 2002” a special issue of *Communalism Combat*, 2002. For the analysis of it, see Tanika Sarkar (2002), ‘Semiotics of terror: Muslim women and children in Hindu Rashtra’, *Economic and Political Weekly*,

³⁰Bankim Chandra’s celebrated hymn to the motherland, *Vande mataram* (salutation to the mother) is the signature poem of the Mother India phenomenon. In his novel, *Anandmath*, he projected this concept in its fully developed form, creating mode and devotion to the country as a mother goddess. The Hindu Nationalist have always preferred and used it rather than the official anthem – *Jana Gana Mana* – written by Tagore, and the BJP government made it compulsory for the schools in Delhi after it came to power in 1993 (Sarkar 2003, Ramswamy 2001).

Caste, class, religion, and gender have come together in different ways in different historical contexts to produce different conceptions of Indian womanhood; Indian woman, New Indian woman, Global Indian woman. This prototype Indian woman not only creates new patriarchies accommodating the changing times but is also used as a divergence from her contemporary 'other'. One can surmise that the goal of 'nationalistic resolution of the women's question' as Chatterjee puts it, is complete now in the women who have in fact gone out of home and got material success without disturbing the boundaries of the traditional patriarchal family and the normative sexual behaviour. The global Indian middle class embodies modernity and tradition with the material success of the West and the core Indian family values. The young professionals go out and conquer the vistas of IT industry abroad or they work in multinationals in India and are deep into consumer culture. Yet this material success has the moral boundaries which are gendered in nature. The new Indian career woman carries the image of India with her success,³¹ yet her priority is her family rather than her ambitions. She is free, educated and modern, yet pure, controlled in sexual behaviour and accepting of marriage within caste and class. Women are thus the carriers of the positive representation of global India to the world that says, 'we meet you, we compete with you, but we remain different from you. We are global, and yet Indian'.

Are the bargirls a smear on this sketch of class based and gendered global India? Lower caste, class and sexually transgressive, bargirls may form the opposite of the positive image of Indian woman and, thus, the Indian nation itself. With their presence in middle class

³¹Nabar calls this 'success'— a popular magazine myth making about successful Indian women. She compares it to Bell Hook's critique of cultural imperialism reproduced in feminist tendency that equates individual success with change, even if the masses of women remain unaffected (Nabar 1995: 33).

localities they do not remain hidden away in like the red light areas marked out for prostitution. With their flamboyant presence in the city's flashy night life, they possibly become the visible markers of challenge to the articulation of India in the twenty-first century? Following from the introduction, what kind of 'irritants' to globalisation do the bargirls present? Are they a site for resistance, empowerment, or further oppression?

2.3. THE MARKET OF EROTIC DANCING IN INDIA

This section views the market in erotic dancing in India to situate the bar dancers in a historical perspective. In India, the space for pleasure and sexuality was also occupied by music and dance, so the figure of the dancing woman is distinct here. For Bramhanical patriarchy, the Devdasi or the kolhati dancer is the outside of the caste ladder. The Lucknow courtesan comes from the distinctive South Asian Islamic culture, wherein, the castes such as Kanjar and Mirasi are hereditary dancers and musicians.

This section explores the interconnected relationship between dance, music, sex and money in the Indian cultural heritage. For this purpose, firstly, I view how the market in erotic labour, dance, music and sex functioned, and then changed. Secondly, I try to discern the significance of caste for the identity and enfranchisement of the dancing women. Finally, I note the regulation of dancing women, especially the anti-nautch movement of the 20th century, to put the ban on bar dancing into perspective.

The spaces for reproductive sexuality and sexuality for pleasure have been distinguished in different ways, and notions of good and bad women exist globally; with the dichotomy of the virgin and the whore – domestic, familiar, safe, feminine, legitimate, and reproductive, vs.

exotic, dangerous, masculine, illegitimate (Arnold 1977, Nelson 1987). In India, in this space of the erotica outside of the familial realm, art was nurtured. India tended to link artistic and cultural involvement with sexual activity. Since the wife was supposed to only learn the domestic chores, and girls from good homes were forbidden from literacy or art, cultivated woman was the public woman (Srinivasan 2006:175). Here, I will use the terms dancing women or courtesans, though the English word Courtesan fails to capture the diversity of this community in South Asia, which runs the gamut from highly trained and refined court musicians/dancers/poets to street performers who entertain at weddings, festivals (Maciszewski 2006: 334).

Moti Chandra presents a study of ancient Indian literature in which Ganika (courtesan in Sanskrit) are mentioned; starting from Vedic period, a thousand years BC to the Gupta and the Maurya empires of the 3rd and 4th century AD, and Jain and Buddhist literature. Jatakas, i.e., the stories in Buddhist literature have many interesting narrations about courtesans; of their wisdom, wealth and cunning, about them falling in love with robbers, or leaving their profession for love. The flourishing condition of the courtesans can be ascribed to the growth of luxury due to the accumulation of capital. The Ganika would charge a high price and make the city prosperous (Chandra 1973: 13 to 26). Thus, money and the market were closely connected with the Ganika. With these came the state regulation. The Mouryan empire legally recognised the position of the courtesan and Kautilya's Arthashastra,³² the famous book of law of this period, laid down laws to protect courtesans, their clients, and the contract between them (Chandra 1973: 25, 26).

³²*Artha* in Sanskrit means money and *Shashtra* means science. Arthashastra is economics. Kautilya's book is known to be the first secular work on polity, economy and law in ancient India

Kamasutra, the famous treatise of desire/love/sex/pleasure attributed a full chapter to Ganikas. It describes the tricks deployed by a Ganika to get money out of her lovers. (Vatsayana translated by Donier and Kakkar 2002: 141-142). These tricks of the Ganika are repeated by dancing women historically and can be viewed as strategies of sexual transgressors. In a much cited and unique ethnographic piece, Oldenberg visits modern day tawaifs in Lucknow city and insists that their lifestyle itself is a resistance to patriarchy; they live together in all-female residences, without getting emotionally attached, they strip men off their money, they own property including factories, workshops, and they resist the normativity of being a weak, dependant woman in a male-dominated society (Oldenberg 1990). Ratna Kapur speaks of the Hindi film Chameli in a similar manner where Chameli, a sex worker, turns a middle-class liberal man into an audience for her fictitious life stories and fractures the class, gender, occupational hierarchy (Kapur 2005: 1-2). Elsewhere, I have noted the importance of storytelling as a rich data source for feminist research (Dalwai 2009: 322).

Doris Srinivasan analyses the power of the sexualised female as vested in the courtesans in India, considered both auspicious and dangerous by society. For example, the Puranas, the ancient religious manuscripts, state that the 'earth dug away from the house door of a prostitute has absorbed her beneficent potency'.³³ Myth, rite, and traditional lore recognise that sexual intercourse activates fertility and procreation. The courtesan's carnal life, therefore, promotes her own empowerment (Srinivasan 2006: 166 -168).

³³This traditional lore is portrayed in the Hindi film, Devdas (2002); where the housewife aspiring to hold a Durga puja at her home, goes to the courtesan's house to ask for the mud from her door.

While Ganika was the secular public woman in the Hindu and Buddhist societies, Devadasi – literally the ‘female servant of God’ – was her religious counterpart that served the Hindu temples of South India. As per Prasad, Devadasi has been the integral part of the temple structure in India and can be traced back to 4th to 5th century AD, when temples became an essential part of medieval society and economy. The temple emerged as the owner of vast landed property and employer of large number of religious and non religious functionaries. The origin of the ritual dancing in the temple can be located within the brahminisation of the tribal practices and religion in the Tamil country. While the mother goddess, Aiyai, became the consort of Siva, the North Indian male deity, the tribal dancing ritual occupied a vital position in the regular service of Bramhanical Gods and Goddesses (Prasad 1991: 29- 32).

In this scheme, dance could be seen as rooted in spirituality and ritual. Mitra says that dance was nurtured as a metaphor for Lord Shiva’s perpetuation of the cosmos. The dancers were looked at as the human surrogate of the mother Goddess. They occupied an indispensable status as without their presence and participation, the religious rites in temples could not be performed (Mitra 2006:71). She laments the loss of status for the Devadasi during the British Raj when the Christian colonial morals reduced Devadasis to ‘a band of prostitutes who sing and dance alluringly before God’s image, rolling eyes that make an honest worshipper blush’ (Mitra 2006: 73).

It is possible to recognise the privileges for Devadasis, even when one doubts the existence of the pure and old form of the Devadasi tradition. The Devdasi was referred to as Nityasumangali, meaning ‘ever auspicious’, owing to her marriage to immortal God. This status is different to the Hindu wife who is considered auspicious while her husband lives, and inauspicious upon his death (Srinivasan 2006:172). The relief of the escape from

widowhood in a society with harsh treatment of widows coupled with child marriages and high mortality cannot be overstated. Devadasis were also literate – many of them highly learned – the faculty denied to the wives of any caste. All of them had absolute right to the properties bequeathed to them by the temple in return for their services, and the property passed from mother to daughter (Sriram 2007: X). In many ways, Devadasis enjoyed a unique status and independence in Indian society.

It is stated that by the late nineteenth century, the temple patronage had dwindled and economic necessity started pushing Devadasis into commercial sexual trade. They were known to be milking their patrons for money and bringing sorrow to their wives and children. Addiction to tobacco and alcohol was common, and disease due to unhealthy living conditions. Yet Devadasis were also the custodians of art. The talented singers and dancers were invited to perform in public and their presence in weddings and festivals was considered a mark of status for the hosts (Sriram 2007: xxi, xxii). Sriram offers a realistic scrutiny of the life and times of Bangalore Nagarathamma, a famous singer and dancer in the court of Maharaja of Mysore. She led a life of fame, wealth and rigors of art as a classical singer. In a strategic move, she refused invitations for dance performances despite her extensive training in dance as the anti-nautch movement was gaining momentum, wherein, Devadasi and their dance came under attack (Sriram 2007).

Some authors criticise the Devadasi tradition as being an instrument of caste and gender oppression of Bramhanical Hinduism. According to Kannabiran and Kannabiran (2003), young girls were married to the Deity and had to survive by dancing before the God or becoming mistresses of rich men or by prostitution. The sexual labour of the lower caste

women was thus appropriated through the temple economy, which was controlled by the Brahmin priesthood and landed gentry. Even before the advent of the British, the accounts of foreign visitors describe Devadasis as serving the Brahmana priests, amusing and serving the travellers, and prostituting themselves to feed the temple economy (Prasad 1991:114 –119). The Devadasi tradition continued to decline and in post independent India came to be linked with penury and commercial sex work. Tarachand's study of prostitution, in 1992, found stories of sexual abuse of lower-caste girls, and them being sent into the sexual market. The gains of prostitution have encouraged the poor families to push their daughters into it, via the temple. To avoid ill-fame to the family, girls get into prostitution after gaining religious sanction. The author says that for new stock, the brothel-keepers in Pune and Bombay go to the villages from where the Devadasis hail. (Tarachand 1992: 110 -117)

Devdasi tradition is most exploitative for the Dalit Devadasis, i.e., Jogtins, who had neither entitlements from the temple nor any artistic skills. Anagha Tambe (2009) interrogates the Devadasi practice as 'religious prostitution' that makes women available for multiple non-conjugal sexual exchanges, often forcibly, or seemingly voluntarily. Through an analysis of Marathi literature, she shows how the upper-caste village order encourages the practice of dedication of Dalit girls, on the one hand, and deters upper caste men from forming a *zulwa* or an open sustained relation with the Jogtin, as that would involve her claiming legitimacy for her child, and then maintenance or share in property.

Can parallels be drawn between the temple economy and the dance bar economy? Apparently, the temple serves as the religious figurehead and its wealth, therefore, comes from the devotees and donations, while the dance bars make their profit from the sale of

commodities. Yet, women feed both the economies by their sexual and erotic labour, wherein, the large portion of the profit goes to the men – upper caste/class – who manage the establishment. The temple could be seen as a feudal structure and dance bar has a Capitalist make-up. Even so, temples continue to thrive in the globalising capitalist phase of India,³⁴ while dance bars tend to borrow the royal charms within a market orientated composition and carry on with the paternalistic relations within management and labour.

While Bharatnatyam of South India was preserved by the Devadasis, Kathak in North India was developed by the tawaifs. New musical forms of dadra, Thumri, ghazal, all suffused with amorous influences, developed during the Mughal period. The fusion of the Hindu and Muslim culture in North India created the new dance form – Kathak. The Persian dancing girls, brought in by the Mughals, introduced their spectacular footwork, which was absorbed by the traditional scores of Hindu dancers. Thus, Kathak moved from being a temple art to a popular court art (Nevile 1996: 35, 66-68).

Oldenberg mentions that in their golden era, under the Nawab of Avadh, the Tawaifs of Lucknow were recognised as preservers and performers of the high culture of the court, and the young sons of nobility were sent to the best known salons for instruction of etiquette, art of conversation, polite manners and the appreciation of Urdu literature. They actively shaped the developments in Hindustani music and Kathak dance styles. Their style of entertainment

³⁴The examples of flourishing temple economies are plenty in contemporary India. Tirupati in Andhra Pradesh, Sai baba in Maharashtra, Siddhi Vinayak in Mumbai are a few names of temples that raise millions of rupees every year in donations from devotees.

was imitated in other court cities and had a profound influence on the Hindi films.³⁵ With the East India Company rule, they were classed under the occupational category of the ‘dancing and singing girls’ and were in the highest tax brackets, with the largest individual incomes of any in the city – as found in the civic tax ledgers of 1858-77. They held considerable properties including houses, orchards, manufacturing and retail establishments, which were confiscated by the British after the rebellion in 1857. The British administration turned its fury on the elite of Lucknow, where courtesans formed the female elite group (Oldenberg 1990: 262- 266).

Qureshi analyses the *tawaif* saloons for their music production from a Marxist perspective. From the 19th to the mid-20th century, the *kotha* (literally villa) or the urban saloon replaced the courtly performances and emerged as the first venue for Hindustani art music. Elite saloons maintained decorum and screened attendance to retain the character of elite gatherings. The increasing shift of feudal patronage to the locale of the saloon was paralleled by the rise of mercantile wealth. The saloons afforded an unprecedented scope for female agency in a patriarchal society, standing in stark contrast with the subsequent turn towards public performance controlled by male managers (Qureshi 2006: 316, 318). Today, this set up continues side by side of the growing control of the male contractors, managers and pimps, who tend to focus on getting highest rewards as quickly as possible from commercial sexual exploitation of young girls. Brown chronicles lives of the dancing girls of Lahore and

³⁵Even today, the courtesans of Lucknow are part of the Indian cultural imagination through literature and films, one such example being the Hindi movie ‘Umrao Jan’ made in 1981. Adapted from the Urdu fiction ‘Umrao Jan Ada’ penned by Ruswa, who was born in Lucknow around 1857, the story depicts the life of a famous *tawaif* and her times. The courtesans began their training in childhood with grounding in classical Persian and Arabic, reading the standard works and developing a taste in poetry. Umrao Jan knew verses of the masters by heart, she also composed poetry, for which connoisseurs held her in high regard. (Mathews: viii- xii)

describes how the traditional performers competing with this trend have to struggle to keep their business afloat and yet rooted in entertainment and art (Brown 2005).

2.3.1. CASTES OF DANCING WOMEN

Caste seems to be an important facet of the dancing woman identity as any occupation in India was owned by a certain community. As seen above, Devdasis rarely came from the upper castes. Similarly, the courtesan community was dominated by a few caste groups. To cite a few examples, *Ain-e-Akbari* – the account of life and times of Emperor Akbar – describes many types of professional dancers such as Nut, Nutwah, Kanjari (Neville 1996: 35) which are recognised as caste groups today. The Sachar Report lists Mirasi caste of Muslim singers in Uttar Pradesh and the Census of India, 1901, mentions Bedia as a lowest caste amongst Muslims in Bihar and North Bengal (Sachar Report 2006: 193).

The academic and other literature offer evidence that these traditional entertaining communities share social disabilities with Dalit and the tribal peoples. While men are lost to drinking and gambling, women start sexual occupations at a young age. Though each story speaks of the individual family experience, an anthology of biographies and autobiographies seems to repeat a common story. The legendary artists have professional success, fame and money, on the one hand, and personal tragedy with greedy family members and failed love stories, on the other. For example, Mehrotra (2006) depicts the rise of Gulab bai as the queen of Nautanki theatre – a Hindi dance musical or folk theatre performed in the open air – along with the tragic love stories of talented female artists in the family. Hansa Wadkar (2011) narrates her career in Marathi cinema and exploitation by her family. Kishore Shantabai Kale (1994) takes the name of his Kolhati mother as he does not know who his father is. Gauhar

Jaan became the first Indian singer to be tape recorded but went through massive personal ravages (Sampath 2010). The historical view of these caste groups reveal that the traditional entertainers did not belong to the village caste order, as they were mostly nomadic people who lived on the periphery of the settled agricultural society and the caste hierarchy. Many of these were hunting gathering tribes who lived in the forest. Some maintained amicable relations with the rulers and could be called upon as fighters with the medieval armies, e.g., Berad and Ramoshi in Maharashtra or Bedia in Rajasthan. With the British Raj, the old monarchies crumbled and nationalisation of the forests as the state property made the forest dwellers criminals. Living off the forest produce became poaching and was punishable by law. While the colonial order established the private property system in India, people living on forest commons became notified as criminals and hunted by the police and military (Gasti 2009, Agrawal 2004). This is when women from some of these communities, e.g., Bedia in North India, became dancers, entertainers and concubines of rich men in order to survive.

However, even this structure was not static, as the position of the dancing women and their entitlements altered over time with changes in the market trends, and in the attitudes of society and the state. Anuja Agrawal (2008) presents a detailed ethnography of a Bedia hamlet in the highway near Bharatpur in Rajasthan, which is dependent on the familial sex trade. The Bedia community in question does not marry their daughters/sisters who are involved in prostitution and provide for the extended family unit. The sex work yields much more money than what men in these families might get by manual labour or other jobs that they are qualified for. A sex worker earns, on a good day, what a social worker earns in a month (Agrawal 2008: 126 and 131). The scale of this discrepancy makes sex work a rational economic choice, rather than manual work by men and women of the family. This

strengthens the normative system that feeds on the obligation of daughters and sisters to enter sex work. It also encourages the indolence of the men in the family by offering prestige to it and low status to working, e.g., by mocking men who try to find other means of survival (Agrawal 2008: 126 to 137).

One might wonder how the bars in Mumbai could be relevant for the village level sex work based family economy? Agrawal finds that many young women of the hamlet have left for Mumbai in the past decade or so. First the brothels of Mumbai and then the bars have proven to be lucrative opportunities for the present generation of Bedia women who have learnt to be mobile in search of better income. They send money home on a monthly basis on which their extended families not only live but manage to build homes and buy land (Agrawal 2008: 126-128). The expected returns from sex work are radically high since the entry of Bedia women into the bars of Mumbai. The income expectations often exceed the possibilities of legitimate income from even the most prestigious and highly skilled occupations and the government sector. A school teacher, a collage lecturer, Class I officer in the state employment seldom earns what a Bedia woman expects to earn in a single night in a Mumbai bar (Agrawal 2008: 132).

The Bedia community is part of the Bhatu caste cluster that includes diverse nomadic groups such as Bedia, Nat, Rajnat, and Sansi (Agrawal 2008, Interview with Varsha Kale). Historical and ethnographic works have found these communities are mainly spread over the 'Hindi belt', i.e., Rajasthan, Agra, Uttar Pradesh but sporadically even in other parts of the country. They intermarry and have caste panchayats, where arbitration of disputes takes place. Many of these groups are the de-notified tribes after independence and were known as criminal

tribes in the British rule. They are referred to as traditional dancing and sex work communities in reference to the dance bars debate and are argued to be the majority, upto 75 percent, among Mumbai's bargirls (for example, in the writings by Flavia Agnes 2005, SNTD reports). They keep their culture hidden and speak a language common to them all but strictly guarded against outsiders. Many of these communities live by entertaining – such as street acrobatics and theatre, sex work, and dancing. The Kolhati caste in Maharashtra carries the name Bhatu as well and show similar characteristics, and constituted a travelling or nomadic balutdar in the jajmani system prevailing in western India (Rege 1996: 33). Traditionally, Kolhati women have been the Lavani dancers in Maharashtra (Korgaonkar 2010, 2010a, 2010b).

As Brown says, many of India's entertainers – the singers, dancers, minstrels and bards – were from the lower-castes and often associated with prostitution. While born in these castes and destined to be entertainers, the women did not prostitute themselves indiscriminately. Their families were often retained by the aristocracy and sex was only part of the service they provided to their patrons (Brown 2005: 27 to 29). Fouzia Said studies the life of Kanjar women in the Shahi Mohalla, the famous red-light district in Pakistan that provides dance, music and sexual services. But the taboo on these women and the occupation, the persecution by the state along with the loss of elite patronage for the art of music and dance has led to the severe deterioration of this tradition. While many of Pakistan's film famous film beauties hail from the Shahi mohalla, most others are reduced to selling sex rather than their art (Said 2007).

2.3.2. ANTI-NAUTCH AND DETERIORATION OF DANCING TRADITIONS

This transition from the erotic entertainment to sex work can be attributed to the change in political and economic conditions as well as concerted efforts of the upper caste/middle class mainstream society towards curbing the power of the dancing women. The anti-nauch movement in the late 19th century has left a severe impact. The British administration made no difference between a prostitute in Europe and the nauch girl, as they knew her, in India. It became official policy to select healthy and beautiful 'specimen' from among the kotha women and arbitrarily relocate them in the cantonment for the convenience of the European soldiers. This dehumanised the profession and stripped it of its cultural function. It made sex cheap and easy for the men and exposed the women to venereal infection from the soldiers (Oldenberg 1990: 262- 266). The end of the nineteenth century saw the extension of the activities of the missionaries that condemned Indian social practices, and nauch girls were under special attack for being immoral and arousing anti-Christian feelings. The new English educated bourgeois class of Indians followed suit in viewing erotica as repulsive and immoral (Nevile 1996: 161-168).

After dance was banished, the nationalist musical reformers endeavoured to replace 'bad courtesan' with 'good wives', especially on the radio, so that respectable middle-class women could perform there (Qureshi 2006: 316, 318, 319). After independence, the All India Radio banned professional women singers on the ground that 'their private life was a public scandal'. The national government became the guardian of purity and asked the traditional performers to prove their respectability (Nevile 1996: 170). When art and sex was thus decoupled, erotic dances of Devdasis were transformed into Bharat Natyam (literally dance of India) and girls from upper caste families started to learn and perform the dance. The new

trend was set, the keeper of lineage and keeper of culture became the one and same (Srinivasan 2006: 176-178), and the traditional keepers of culture had no space anymore.

This has resulted in marginalisation of the traditional entertaining communities. They are reduced to selling sex than presenting art. Living in slums and red light districts, they service a clientele that is more interested in sex than songs and the songs that sell come from films rather than the rich musical traditions of these women (Maciszewski 2006: 333). Fauzia Said sits through the music training sessions in the Shahi Mohalla where the traditional male musicians belonging to Mirasi caste teach the Kanjar girls nuances of classical music and dancing. She realises that training in Classical music and dance is an expensive and time consuming affair, whereas, upon reaching puberty they can just start the 'business' and start earning money for their families (Said 2007: 154-156). As Morcom states, the hereditary female entertainers have necessarily been 'other' to the women of mainstream society. Their cultural capital of dance and music is fundamentally linked to the capital of an erotic and, at least theoretically, available body. Through logic of deduction, if they are unable to use their cultural capital, they would tend to capitalise more and more on the erotic body. In other words, they would dance less and focus more on selling sex only, becoming more sex workers than courtesan-type performers. Morcom sees the same processes taking place in the 21st century with the women dancing in the bars. Both of these – the anti-nautch movement and the ban on dancing in the bars – have the effect of the socio-economic impoverishment of these communities through loss of livelihood and increasing stigmatisation and involvement in sex work (Morcom 2008).

This section maps the history of the dancing women in India from a materialist perspective in order to understand the market and money, art and tradition, power and resistance of the

dancing woman to situate the bar dancers. While we examine the similarities, parallels and differences in the figure of the dancing woman then and now, the study of the anti-nautch movement helps to place the legal ban on bar dancing.

2.4. CONCLUSION

This chapter discusses the key themes used in my thesis through the review of relevant academic literature. I have also used Marathi autobiographical literature to elucidate some points better. I review caste as a primordial structure in India, superimposing itself on class, politics and sexuality. I offer evidence of the linkages between caste positionality of individuals or social groups, and their access to education and occupation in modern India, so as to put in perspective the life chances and economic choices of women working in the dance bars. Caste, as a division of labourers, in ancient India became class in capitalism in India and created a stratified labour market, through differential access to and utilisation of resources (Omvedt 1995:49 and Pandit 1996: 46). The dance bar market follows this trend where ‘caste capital’ – existing traditional social and cultural capital of communities including traits, skills and strengths – of bargirls helps them access a new occupation in a globalising market. With the review of Sacchar Commission Report, I argue that caste is a crucial socio-economic determinant for Muslims in India as well.

I analyse how the Bramhanical patriarchy exercises differential control over the sexuality of women on the basis of their place in the caste ladder (Rege 1996, Chakravarti 1993, 1996 and 2003) and how it is relevant to the case study of the dance bars. Here, I argue that good women and bad women are predetermined categories according to their caste positionality:

higher caste women are trapped in the asexual pure womanhood and the lower caste women are exploited through sexual servitude.

The review of the connection between nationalism, culture and gender offers an understanding of how women's bodies and sexualities are central to the project of nation building (Butalia 2004, Sinha 2004). I map the trajectory of the ideal womanhood through the phases of the new Indian woman of Chatterjee (1989), modern Indian woman of Rajgopal(1999), and global Indian woman of Radhakrishnan (2008), and explain how the hegemonic cultural discourses tend to marginalise the non-Hindu, lower caste-class worldview by presenting the norms and patterns of the dominant castes as the culture of India (Hansen 1999).

The last section charts the trail of the bad woman that existed to entertain upper caste men. I view the dancing women, their communities and their alternative lifestyle to understand the caste capital that they bring to the market of erotic dancing (Agrawal 2008, Said 2007). In a material perspective, I examine the relation of dancing women with money, art, and sex, and the regulation of market of dance by the State of the corresponding times. The historical trajectory analyses how dancing women operated in different venues and markets; the Buddhist city states, the Hindu temples, the Islamic royal courts, the colonial nautch shows and army entertainment to the dance bars in the globalised mega cities (Oldenberg 1996, Nevile 1990; Qureshi 2006). One can find similarities between the anti-natuch movement which banished the traditional entertainers from the classical musical sphere (Srinivasan 2006; Maciszewski 2006) and the ban on dancing in Mumbai that prohibited the bar dancers from the popular cultural sphere (Morcom 2008). Through different actors, different places,

and different times I have ventured to appreciate the figure of the dancing woman in today's dance bars.

3. METHODOLOGY

3.1 INTRODUCTION

This chapter focuses on the methodology used for my research. My work on the legal ban is based on six months of fieldwork in Mumbai. My primary data includes interviews with various parties to the ban, and the legislative and legal documents. My research relies, primarily, on the analysis of the interviews of bargirls, owners, staff, politicians and, secondarily, on content analysis of parliamentary debates, petitions to the High court and the judgement given by the court. I used Gramsci's prison notebooks and Phule translated, quoted and examined by O'hanlon, Deshpande, Bagade. I have also quoted Phule directly from his original prose and poetry and relied on my own translations of his writing in the 19th century Marathi language. I have drawn from the vast anthology of Dalit autobiographies and literature available in Marathi to gather insights into the lived realities of caste oppression.

This chapter will deliberate on my research methodology; the modes of obtaining data to answer my research questions and methods of analysing it. While doing research with people from disadvantaged socio-economic backgrounds – for example, bargirls in my study – researchers are likely to face ethical dilemmas pertaining to power relations with their research subjects; firstly, during the data collection in the field and, secondly, in the presentation of that data in research writing. As feminist research assigns immense value to critical and ethical research methodology, and to the issues such as the appropriation of the 'other' and fair representation of the voices of women, a feminist researcher must be very conscious of these issues. In this chapter, I will view the interactions with my informants to discern how I dealt with issues of

positionality of the researcher and power relations between the informant and researcher in my own fieldwork. I will discuss the process of data collection – interviews, participant observation, group discussion – in the light of research ethics and validity. The last part of this chapter is on analysis of the data and how theorisation or conclusions are drawn.

3.2 FEMINIST METHODOLOGIES AND THE APROPRIATION OF THE ‘OTHER’

This section concentrates on the methods and ways to avoid the appropriation of the ‘other’ in feminist research and in feminist politics. As a feminist researcher, I would stress upon keeping women central to my research, to include their voices, struggles, and life stories in my study as a way to counteract their exclusion by traditional scholarship. Yet this inclusion may lead to the appropriation of the ‘other’, (Cossman and Kapur 1991: 99). As Patai (1991:139) puts it, “merely engaging in the discourse of feminism does not exclude feminists from exploiting their subjects when routine research practices are embedded in a situation of material inequality”. Harding and Norberg (2005), in their special issue on ‘New Feminist Approaches to Social Science Methodologies’, point out how power relations arise during the research process. Firstly, the researcher and the researched bring varying degrees and types of social power (class, race, gender, ethnicity, urban or rural backgrounds, etc.) to the research situation. Second, research processes themselves produce power differences in terms of who defines the research project, whose concepts, questions, and hypotheses are the focus of the research, whose theories and methods of producing knowledge are favoured. Third, the relations between the researcher and the researched during interviews, observations, and other data collection processes can be hierarchical. Finally, writing up and representing the research could be a site for creating and exercising power differences (Wolf 1996; Harding and Norberg 2005). The later sections of this

chapter detail different stages of my research process and the ways in which hierarchy between the researcher and the researched is addressed.

The danger of the appropriation of 'other' exists in feminist politics if a few women take on the prerogative of speaking for all women. My thesis analyses the possibility of feminist appropriation of 'women's issues' through the discussion of the strife within the Mumbai feminists on caste lines. As Bell Hooks (1984: 14) insists, "Feminist analysis that focuses exclusively on gender does not provide a solid foundation to construct feminist theory. They reflect the dominant tendency in patriarchal minds to mystify women's reality by insisting that gender is the sole determinant of women's fate." While discussing lacuna in White feminism, Mohanty (1988: 65) insists that however oppressed by their men, women in Western Europe had benefitted from the colonialism and slavery that had further marginalised women of colour. Similarly, upper caste women have been complicit in the deprivation and oppression of Dalit women, and the inability to understand Dalit women's point of view is a serious lacuna in mainstream feminism in India. This lacuna carries in to research when Dalit women are studied as the 'other' – as passive victims needing rescue and rehabilitation – and the middle class, upper caste position is taken for granted as the 'natural'. Opie calls this the 'missionary approach', wherein, the researcher takes for granted her own ideological position and considers it as true, rather than apprehended as ideological (Opie 1992). The effect is not only of academic marginalisation of Dalit women but also restricting of feminist theorization. As Audre Lorde (1984: 69) puts it, "When patriarchy dismisses us, it encourages our murderers. When radical lesbian feminist theory dismisses us, it encourages its own demise." The risk of this demise is faced by Indian feminists when they fall short of the capacity to incorporate the concerns of Dalit, OBC or Muslim women.

3.2.1. POSITIONALITY, LOCATIONALITY AND IDENTITY OF THE RESEARCHER

I find the approach of ‘politics and epistemology’ of location, a useful concept for my research and positionality in the field. Positionality is relational, not fixed – ‘a moving context that constitutes reality and the place from which our values are constructed and interpreted’ (Wolf 1996:14). The knowledge that we create reflects our locationality (historical, national, generational) and positionality (race, gender, class, sexuality), and where we are, always affects our viewpoint (Wolf 1996:14). As a researcher, I carry complex locationality and positionality to the field and to my writing. Being a PhD student at a UK university posits me at a higher ground in the global channels of ‘production of knowledge’ (Sanders 2006: 451) with similar advantages of first world researchers. Being an Indian makes me an ‘insider’ to the languages and culture of my informants and gives me acceptance not easily offered to a foreigner. But I am an outsider to the culture of bargirls and come from a different class, caste, and educational background than many of my informants such as bargirls or the bar staff. One had to work with the burden of power relations inherent in the interaction with and representation of these informants, as for most practical purposes, I was an upper middle class/caste, educated, urban, heterosexual woman and accrued the benefits of this during the fieldwork as in any other times in my life in India. The problems of this insider/outsider status will come up in relevant sections in the chapters.

In addition to being an Indian and a Mumbaikar (a Bombay resident), I had a few traits in my favour. I come from a Hindu-Muslim mixed family background which allowed me to take on a Hindu or Muslim persona as necessary, which afforded me familiarity of norms and terminology while talking to Muslim women or Hindu middle caste managers. The heritage of the Socialist, Labour and Dalit movements within the family as also my own experience, of working in Mumbai and in rural Maharashtra, as a Human Rights and Feminist lawyer helped me clue in

quickly into a variety of situations. My connections with a political family were no less important for access to officials, political figures, and official documents, since I received help from the librarian of the Maharashtra Assembly library and could circumvent bureaucratic drudgery. All this eased my data collection experience, though I cannot claim that my positionality would automatically generate better quality data.³⁶

3.3. EXTENDED CASE STUDY

Burawoy (1998: 3-10) introduces the concept of extended case study method to study social phenomena. Through this micro level case, a researcher can draw macro analysis about a concept. Burawoy himself studied the Mine workers in Zambia in 1968 in search of the policies and strategies of transnational corporations toward the postcolonial regime and theorised about the process of decolonisation, where despite massive efforts at Zambianization the old racial hierarchy sustains. Thus, he reconstructs and reconfigures indigenous narratives into a class analysis of postcolonialism. Through the case of ban on bar dancing in Mumbai, I am studying the state intervention into the market through the politics of caste and gender in a globalising India. In my work I use extended case method; with my case study of the legal ban, I examine interaction between the law, the caste system, and the globalising market, as this interface produces and responds to the legal intervention.

3.4 FIELDWORK AND DATA COLLECTION

My thesis is based on fieldwork in Mumbai between September 2008 and February 2009. The first year in Keele University passed reading relevant academic material, writing the first year

³⁶ Wolf (1996) points out that different type of information is gathered by researchers in different positions, e.g., informants are comfortable sharing some kind of views with outsider researchers and are prone to discussing some other matters with insider researchers.

Progression report, preparation for the field work and data collection, and getting the Ethical Committee validation for my interview questions. At this time, I had primarily focused on stake holders such as bargirls,³⁷ customers, bar owners and male bar staff, and other parties to the debate and the court case such as NGOs and lawyers. When in Mumbai, I thought of the ban on dancing as a political and a social ban more than a legal ban. A study of the democratic process of the Motion in the Maharashtra legislature, the political and social processes, including the debates in media and on public platforms, protest rallies, and lobbying was required for an analyse of the legal ban. To understand these processes, I visited the Maharashtra Assembly library and photocopied the minutes of proceedings in the Vidhan Sabha and Vidhan Parishad, the two houses of Maharashtra Legislative Assembly, as also the Motion that opened the debate in the Vidhan sabha. I sought interviews with many political personae who were involved in this debate. In this sense, the fieldwork had the component of “studying up”—studying the powerful, their institutions, policies, and practices, instead of focusing only on those whom the powerful govern. By doing this, one can identify the ‘conceptual practices of power and how they shape daily social relations’ (Harding and Norberg 2005; see also Nader 1972).

3.4.1 ENTRY INTO THE FIELD

Since Mumbai city was the site of my research and data collection, I literally went home to do my fieldwork. Yet, it was not the home I knew but that which I was about to study. The nightly world of dance bars, the bargirls’ homes in the slums and squalor were far removed from the middle class Bombay that I generally go home to.³⁸ It was convenient to stay home with my

³⁷The term bargirl encompasses women working in the bars as dancers, waitresses, singers, etc., and applies to the wide range of bars that exist in Mumbai, from the top end dance bars to pick up points, silent bars where sex work is common.

³⁸Jayati Lal says that while the ‘native’ subject increasingly inhabits the privileged world of first world anthropologists, many third world scholars returning home feel increasingly dislocated from ‘home’. Her own fieldwork in her hometown Delhi questions the idea of the ‘authentic insider’ as

parents, avoid housework and find a safe shelter to go into the ‘field’ from. In this sense I did not live inside the field, i.e., with the bargirls in their locality, but visited their bars and homes to speak to them. To begin my research, I gathered all the legal material such as the court cases, judgements, etc. This was fairly easy as I had worked with some of the lawyers that had filed petitions in this case. I conducted interviews with these lawyers. I visited the library of the Legislative houses in Mumbai and photocopied the debates in the houses of local parliament, and slowly started calling people for interviews. Then I contacted Varsha Kale, the president of the Bhartiya Dance Bar Union, and requested her help with my research. She was my first opening into the mysterious world of the Mumbai dance bars. I went to stay with her and every night we visited bars on the highways to Mumbai, on her little motorbike. She was well known in the bar-line and was received respectfully. I could observe the atmosphere around the bars and the curious stares we received from bystanders, *panwalas*,³⁹ and others trying to decipher why these women (who clearly must be police or journalists!) are here. Interviews with the bar managers, conductors, and owners started at this stage.⁴⁰

Yet the main chunk of interviews with bargirls took place only after I got entry into an NGO – the Sanmitra Trust⁴¹ – working specifically with bargirls in Malavani area in the Northern suburbs of Mumbai. The area was predominantly Muslim and populated by bargirls from all religious backgrounds. The trust ran a project called Astha; the main work revolved around the provision of health facilities and intervention into HIV and Sexually Transmitted Diseases. The

the garment factories, near sweatshops, she visited were far removed from her own milieu in Delhi (Lal 1996).

³⁹*pan* is beetal leaf with condiments that is eaten after a meal. A *panwala* is the vendor who sells *pan*, cigarettes, even condoms outside restaurants and bars

⁴⁰I am immensely grateful to Varsha Kale, the President of Bhartiya Bargirls Union, for her support and help. It was only because she accompanied me to numerous bars for many nights that I could start my research with the bars.

⁴¹ I owe the later part of my fieldwork, where I conducted most of my interviews with bargirls, to Dr. Prabha Desai, Dr. Ashish Bhosale and the workers of the Astha project run by Sanmitra Trust.

outreach workers of the NGO were all retired or semi-retired bargirls or sex workers, and connected to a large number of bargirls in the locality through their Clinic and outreach activity.

In the last two months of my fieldwork, I became a temporary part of this organisation, especially the outreach office and conducted participant observation, focused group discussions and full length interviews. At first, I went to the office and observed the medical camps and office visits. The office, which was also a Clinique, was headed by a dedicated doctor, who was interested in my work and provided willing help. Soon, I was friends enough with the outreach workers for them to invite me on their daily 'rounds' of the clusters. They introduced me to many bargirls⁴² in a day. Then I would go and visit a few that I found interesting and, if they were willing, speak to them in detail. Some chats were taped and some were not, when informants were uncomfortable with it. The outreach workers told me many stories while walking around. I made notes and recorded these as well. All these conversations and daily observations in the area form the main bulk of my data.

In order to avoid misplaced expectations and disappointment, I tried to keep my activist and researcher identities separate. I was careful to present myself as a researcher who is in the field to understand an issue, rather than an activist who may be in the field to mobilise for the issue. Like much of other social science or feminist research, my work had a larger aim to contribute to the policy making, to engender change in laws, but I could not expect or promise any immediate results.

3.4.2 NEGOTIATION OF RISK

⁴² In the NGO language the bargirls were referred to as KP, meaning Key Population. But this acronym was used as a name and so the bargirls were KP didi(KP sister) in the conversations of the outreach workers. I found this amusing but a useful way of addressing the population I was working with.

Researchers have noted the risks that need to be negotiated while studying a hidden occupation (Sanders 2006: 460, 461). My very first visit to the bars in Bombay had the excitement of a police raid added to the fascination of seeing the inside of a dance bar. I had requested two of my family friends to take me along to their regular bar and was sitting with them when the alarm rang. All the girls hurried out of the room. The stewards rushed me too. I was confused with the sudden chaos and dashed after the girls out of the main lounge. They all went down the stairs to the dressing room below. There they sat putting make up on their faces and helping each other to wear their sarees. Everyone smiled at me. I was asked where I was from and whether I can help someone to pin up her saree. I felt foolish for not possessing what looked like a basic female skill and so losing the opportunity of female bonding over wrapping of sarees. I asked the reason for coming down to hide and I was told that police have come for a raid, and no girl apart from the singers can be present in the room. I was told that police obviously do not know that the girls are under the main hall, or else they would be arrested. After some time we went back up. When the alarm rang again I refused to go down and decided to see what happens. This made all the male staff members very uncomfortable. The stewards told me that the police will catch any woman apart from a singer. I insisted that I will tell the police that I am a lawyer (Field diary: 12 Jan 2008).

The police never came into the bar, so my confidence was never put to a test. My confidence that I will not be arrested was based on my class positionality and my distance from the bargirls rather than any personal skills. Later, I was told by my family friend that he went down to have a 'chat' with the police and requested them to not come into the bar until we leave. This and other kinds of 'managing' of things on your behalf by friends and family is an inherent part of the complex reciprocal network of kin, caste, class in India, resonated in many non western societies and noted by many ethnographers (Altorki 1988; Morsy 1988; Ansari-Gupta 2002).

This can keep the researcher out of trouble or harm. Yet the protection of kinsmen is noted to be overbearing, even counterproductive to research, especially in case of female researchers (El-Solh 1988:105).

After this experience, my own father was outraged at the possibility of my unpleasant encounter with the police, which in his opinion included being taken to the police station with the bargirls and being mistreated, even manhandled. He insisted that I should not just visit the dance bars, but go through the official channels and get permission from the police Commissioner of Mumbai, after which I would have no trouble with the police. I asked him how come me being arrested by the police along with the bargirls is especially dangerous to me? Does he think of the police behaviour to the bargirls as a normal occurrence but if it happened to his own daughter, it is a horror? My wrath towards my father was also towards a politician, who due to his belonging to the ruling party, I felt, was complicit in the ban, however remotely. Though I knew my father did not condone the police behaviour – in fact he was vocal in the media against the unfettered power of the Bombay police – that night's incident had made me too agitated to consider it. I never visited a dance bar as a customer again. When I started my full-fledged fieldwork, I went to bars with informants and contacts, and met up with the dancers, managers or owners in their offices or green rooms.

3.4.3 PERSONALITY/POSITIONALITY OF THE RESEARCHER AND RECIPROCITY WITH THE INFORMANTS

Being a woman in the field caused few problems. Possibly, meeting bargirls, chatting and spending time with them was made easier by my being a woman. Further, I could enter 'mutually inquisitive' relationships with them, where they knew about my personal life, my gora (white) boyfriend and my life in England. Interviews can be an empowering process if rather

than turning the interviewee into an object of research, the interviews turned into conversations in which the researcher responds to the participants' statements and the participant can ask questions of the researcher (Abu-Rabia-Queder 2007: 304, 306), but female researchers in the field cannot always manage the balance of maintaining a 'respectable' persona and mutuality of information flow.⁴³ Since the bargirls were themselves the sexual 'other' in India, I did not have to hide or distort the story of my life to be accepted by my informants and, I believe, got much more freedom for expression of the self within the intimate communication zone with the bargirls.

Interviews with public personae, officers, customers fitted the formal interview pattern. In India, a highly educated woman coming from a higher caste/class background is considered respectable to begin with. It is assumed that she is from a 'good family' without her family being present or in the picture. So my experience of going 'home' for fieldwork differs from the stories of many other female native researchers, some of whom have to prove respectability through the family association and kin ties (Abu-Lughod 1988; Altoktr11988) which tend to have repercussions for research.⁴⁴ All I had to do was to present an upper class/caste/ educated persona with appropriate attire⁴⁵ and mannerisms, and that was enough to prove respectability. I was treated with courtesy even by politicians in power. For example, the local politician in Panvel sent his driver and Jeep to drop me at the station after an interview that could not have been very pleasant for him, with me contradicting and questioning him. I received similar

⁴³ Female researchers studying the non western cultures describe the lies, half truths that they have to present in order to be accepted and have respectability. For instance, saying that they are married (Wolf 1996) or that they live with parents when they actually live alone (Abu-Lughod 1988) .

⁴⁴Lila Abu-Lughod's father, an Arab-American anthropologist accompanied and introduced her to her Bedouin host family, and she conducted her fieldwork from the position of a 'dutiful daughter' (Abu-Lughod 1988).

⁴⁵ I felt it necessary to dress 'properly'; in salwar Kurtas, good quality or new clothing to meet authorities, and more casual clothes while I was with the bargirls.

treatment from police officers or administrative personnel. That said, most politicians that I interviewed knew my father. Two women politicians had even worked alongside my mother in the women's movement. So I was just treated as 'our girl' and indulged in debates much more than an unknown researcher would be.

At times, my positionality and personality were mixed and confused with each other, leading to unease. In the NGO setting, I used to sit down on the floor mat with all the outreach workers and participate in their chats and discussions. This got me many friends, who asked me to accompany them into their clusters. Even the staff members, who were reluctant to talk or suspicious of me, noted this and agreed to grant me interviews in my second month there. In the tea party that I had arranged to mark the end of my fieldwork with the organisation, a senior worker told me, "You are the first to come and sit with us, eat with us, and behave naturally. People from your background normally cannot do this. You have won our hearts". I was humbled but uncomfortable. How I behaved was to be judged by my family or class background making me realise that while interacting with people belonging to different social strata than one's own, the personality and positionality become intertwined and it is difficult to discern one from the other.

3.4.4 OBSERVATIONS AND CONVERSATIONS IN THE FIELD

If a paradigmatic sociological interview takes place on neutral ground between the interviewer and the interviewee who will never meet again, then my interviews with bargirls were more like field conversations. I met and chatted with my informants in their homes while they were cooking, in the bars when they were getting dressed, in the health centre while they were waiting to see the doctor, or in the office while they were bantering and gossiping. These

conversations that started spontaneously and lasted a good few hours, in some cases, proved to be a valuable data source.

Women laughingly delved out intimate details without my probing, maybe to test me and enjoy my discomfort. During the second week of my visits to the NGO, the outreach workers took out a wooden penis and slapped it before me and asked me to put a condom on it. When I did it with relative ease, one said, "But you are not married. How come you know?" I laughed and replied, "Do you guys know this because you are married?" They laughed in return and tested me more, asking me to put the condom on by keeping it in my mouth. I did not know how to do this. So there were demonstrations of keeping a condom inside one cheek and putting it on without touching it by hand. This way the customers can be fooled, as they cannot see in the dark. I was told it is because some customers do not want to wear a condom, but women want to for their own safety. In oral sex they find it less abominable if there is condom in between. I reckoned this to be a highly educational exercise of my fieldwork.

A crash course in bargirl-customer interaction was offered to me by an outreach worker and her friend who we went to visit. They were very cheerful friendly women, and fun to listen to. They enacted a typical scene in the dance bar starting from the customer's entry into the dance bar. They asked me to enact the customer first, but I was a novice. So the two of them played out the interaction in which the woman made the man buy drinks for her and her friends, asked for tandoori chicken and showed him dreams of meeting her the next day. I was also told how he will keep calling and her phone will be switched off. This was enjoyable and obviously informative, especially because many bargirls had given me numbers and promised to meet me, but I could never catch them. It was a relief for me to realise that it was not a rebuff, that this was the pattern of survival in their world.

The schedule of the bargirls was always tight and there was very little time in which one could catch them at home. They worked till late at night, went to bed early morning, woke up by afternoon, and left for work by late afternoon. In the few hours that they were home, they did housework if there was no one else to do it, which included cooking and giving lunch boxes to children, washing clothes, cleaning the house, etc. So even when I got entry into the field, at last, it was highly difficult to get formal interviews.

The chats with Varsha Kale, who became a dear friend in the course of those months, shaped my early understanding of the attitudes and aspirations of bargirls as also how one might view the ban. As I stayed with her for days, the conversations would carry on while cooking, eating, and travelling. I mostly taped these and jotted down the details and points whenever I could not. Her husband Ankush Deshpande, a leftist activist and a few other comrades who were part of building of the Bargirls Union would join our conversations.

Field Notes proved useful in getting the perspective outside of the interviews as the settings and background of the interviews is clearer. Where we were standing, what we were eating, the expressions on people's faces, my impressions of situations is all vital to analysing an interview. Keeping a diary and daily notations are crucial for participant observation. Some of the excerpts of my research diary – observations, readings and incidents – are presented in the thesis.

Field conversations were of a varied kind. On our tours of the bars at night, we would stand outside the bar and chat with the owner in some cases. Tea and cold drinks would come out to the street but we would not go in. When I asked if we could go in, the answer was, “What will you see in there madam? We would have taken you in and shown you the splendour when the

dance bars were on!” I understood that they do not want me to see what is going on in there; it was not for genteel women to see! I slowly realised that the legal ban has closed down all the posh dance bars, but at the same time proliferated other establishments. The owners, who ran the glittery scene once, were now embarrassed by this shift.

In some places owners invited us in and took us to their offices or the Green rooms.⁴⁶ Once we were in a room with mirrors with around 30 women dressing up for the evening. The whole place was abuzz with activity and noise. Girls were changing, applying makeup, styling their hair, helping each other with sarees or eyeliners, or ordering the bell boy for food or drink. The managers and serving boys were coming and going. We spoke to many girls at that time and got a general idea of their incomes and lifestyles. Yet, with bargirls, we could not be sure that the information was reliable. Bargirls are known to yarn out many stories to their audience that ranges from customers, journalists, to activist and researchers, which gain them sympathy as well as money (Morcom 2008). It is likely that the bargirls would never tell their real name or background yet in the course of an evening one can know a lot about them. For instance, two girls together in this particular green room told us that they were sisters and were Rajputs.⁴⁷ We kept chatting, laughing and gossiping with the group. After two hours, when one of them was out, the other one, who was considerably drunk by then, whispered to us, ‘She is not really my sister’.⁴⁸ Gossip here was an effective tool of triangulation of the information received. In the sociological interview, there is no opportunity to triangulate the information offered by the informants as the researcher meets her informant for two hours for the interview in a private

⁴⁶ Green room is the space behind the stage in drama theatres where the artists, performers get ready for the show with costumes and make up. It doubles as a space where they eat, chat and smoke. All dance bars have such a room where the bargirls get ready for the night.

⁴⁷ Rajputs are a landowning and warrior higher caste in Rajasthan. Anuja Agrawal has shown how *Bedia*, a dancing and sex work community, uses the affiliations with their higher caste clients to claim a higher caste status (Agrawal 2004).

⁴⁸ This may connote the mentorship common among bargirls; the new girls coming into the bar-line depend upon the older ones for professional knowhow and protection. When they come into Bombay, they live with the more established ones and get introduced to the new bars as ‘my sister’. Plus, the Indian family networks are huge, close and complex, cousins twice removed are also referred to as brother or sister.

location, and may not meet them again nor speak of them with anyone else. The method of participant observation allows more scope to identify insights into the patterns of behaviour and codes of conduct of the informants, and provides entry into data that may not be open for collection.

Ratna Kapur speaks of Chameli, a sex worker, who turns a middle class liberal man into an audience for her fictitious life stories and fractures the class, gender, and occupational hierarchy (Kapur 2005: 1-2). I have argued in my reflections about my fieldwork elsewhere (Dalwai 2009) that finding the ‘truth’ need not be the focus of research. In the above example, it was not the ‘truth’ of the identity of the bargirls but patterns of survival that was an important find as the bargirls became vocal. Rather than looking for the truth, as an accurate account of events, I was looking for discourses and narratives of events. The varied and colourful stories provide a rich data source for research and affect the power relations between the researcher and the researched. The storytelling may be seen as “creative resistance” (Butler 1993: 8), which not only reverses the hierarchy between the researcher and subject into audience and storyteller, but also punctures the hierarchy between diverse audiences.

3.4.5 Interviews

I mainly conducted interviews with three categories of people. One, I would call public personas, second, the customers of the bars and the male staff members, and, third, the bargirls. There was a difference in approaching these kinds of people according to their availability and accessibility.

3.4.5.1 PUBLIC PERSONAS

Interviewing politicians, journalists, activists, NGO members, lawyers, police officers and even bar owners was a rather straight forward process. I would telephone people, identify myself as a researcher studying the ban and seek a time for interview. These were mostly structured interviews as I would go with a list of my questions and try to get answers for them, but obviously listen to any opinions they wanted to share with me 'off the record'. Most of these informants were 'public personas' quite used to the art of interviews and were quite articulate. They called me to their offices and were amenable to me taping the interview. There were times when I was told to switch the tape recorder off while they decided to share an 'off the record' opinions. I made notes of these and used them for my understanding of the subject but could not use the quotes. I spoke to five politicians, three lawyers, four police and administrative officers, five activists, two bar owners and one retired judge and each interview lasted from one to three hours.

3.4.5.2 CUSTOMERS

Conducting interviews with customers was a bit different. Five customer interviews feature here. Each one was a semi-structured interview between one to three hours long. The age group of interviewees was from 26 till 45. Their income ranged from 20 thousand to 150 thousand rupees per month. One participant was employed as creative director with an advertisement company; others mostly described themselves as being 'in business.' These included a dealer in stock exchange and a partner in a family run shop. All of this is collectively termed as 'business' in Hindi, Marathi or Gujarati, a word taken over from English and used to indicate professions, transactions, deals, and a whole ethos of commerce (Appadurai 2000: 631) in the context of Mumbai or even the larger India. The participants came from Gujarati (Gujarat is a state north of Maharashtra), Marwadi (a community from Rajasthan, a state in North India), Muslim, and Kerala (Kerala is a state in southern India) background with education ranging from 12th pass to

a business degree. Interviews were sought through friends and family in Mumbai and were conducted wherever the participants thought it convenient, from office, restaurant to sea promenade. They were in the languages that each man was comfortable with; one in English, three in Hindi, one in Marathi. Since I was looking at the bargirls' experience of prohibition and the political process behind the ban, I did not look for a larger number of interviews of customers. Yet, customers have offered valuable insights into the kind of space that is the dance bar, the role of money, sex, drama in it and the similarities between the dance bar and the musical cultural traditions of India. The five detailed interviews are a precious addition to the thesis as they offer angles and aspects of the attraction of the dance bar and why men frequent it, an area yet unexplored.

3.4.5.3 BARGIRLS

Bargirls were the most difficult to interview; they were difficult to meet and to sit down to an interview. Elsewhere, I have explained how bargirls tend to treat the customers, journalist, researchers with the same stories and elusive behaviour (Dalwai 2009). I would meet women in the bars or through their networks; they would offer me their numbers, ask me to call at a certain time and would not pick up the phone when I did. If I managed to catch them on the phone they would ask me to call again. They would postpone the meeting time many times and disappear. One person that I had contacted through a friend studying the network of Transvestites spoke to me on the phone many times, even called me to her dance programme. I attended this dance at a wedding in a lower middle class Christian community; the whole evening from the make up at a colleague's house to travelling in rickshaws to the remote suburb, to the suggestive moves of the dancers, and throwing money by the men all formed part of my data. But I could never get this person to meet me for an interview – she was busy with rehearsals or programmes, or was

travelling and was not in the city – and so I missed out on a unique life story of a transvestite dancer.

The majority of full length interviews took place in Malvani when I visited the NGO. These interviews mostly took place in the office, where we could lock ourselves into a cabin and use the tape recorder. They were typically one to two hours, many a times done in two sittings. They would start with the typical questions of where she was born, what education she had, who were her family members, etc., but mostly followed an unstructured pattern. Each story was different and once they started speaking of their lives, I would only interject to ask for clarifications or more details. The interviews were solicited by me, but many a times women volunteered to speak to me, especially the outreach workers. After the initial suspicion had passed and they had seen me interview women in the sector, they wanted to tell their story to me. It might have been a process of sharing the burden of life with someone else, the life that was extremely harsh and unjust in some cases. They wanted to tell someone who would listen and empathise. Story telling can help healing and sharing can be empowering (Abu-Rabia-Queder 2007). Though many of the life stories may be known within the close community – like workers within the office, friends working in a team in the bar,⁴⁹ speaking to the outsider embodies the classic ethnographic element of ‘stranger and a friend’ (Powdermaker 1966).

Not all interviews were pleasant experiences. Amongst the most difficult interviews in Malvani was with a young woman, who claimed to be 19 but could be 17. After being introduced as a researcher by the health workers of the NGO, I visited her house many times as I found her to be interesting; she was sullen, rude to her mother and everyone around. We chatted about clothes,

⁴⁹Many bargirls find employment together for the reasons of safety and access to work. They visit the bars and seek work together as also shift to new bars together. Many a times, they live in the same neighbourhood and travel back together from work late at night.

food, and men, in general. She made me type English SMSs to her current boyfriend and asked my advice about how to 'handle' him. Yet she refused an interview for one reason or the other and we were mostly surrounded by other women. One time she asked me to come next day when she would talk to me. I eagerly reached and realised that it could hardly be a 'formal interview' with her preparing to get dressed for work, and me plopped on her bed. She was throwing various garments on the bed and asking my opinion on them. Thus, we proceeded in the conversation. Just then her mother entered the room and saw my tape recorder. She asked what it was, and was furious upon finding that it was a tape recorder. She immediately asked me to leave her home saying I could not speak to her daughter. I tried to reason with her but she was adamant. So I apologised and left. I was told by my NGO associates that the mother herself had pushed the daughter into the barline, she took all her money and guarded the girl like a hawk. I felt outrage on behalf of the girl whose mother was using her. But I realised that I was trying to obtain an interview for my research by speaking to her. What was I offering the girl in return? I had no alternatives or remedy to offer. The researcher's limited – almost selfish role in the field became apparent to me at that point. I waited for an opportunity to visit the daughter alone. Finally when I did, not much came out of the interview apart from scanty information. I asked her how she had come to the decision of joining the bar work and what part of it does she like. She gave an offhand answer that she just gathered courage and went 'there'. She was not happy about the line of questioning, so I started a more general conversation again. I reckon this experience would be a representative one considering the hidden and tabooed nature of the occupation. Yet in the area of the NGO, since I got my access to my informants and interviewees mostly through the NGO, I was fortunate to have many women open up to me and trust me enough to share their life stories.

TABLE 3.1: CHARACTERISTICS OR DETAILS OF BARGIRLS

Sr. No	Pseudo name	Mother Tongue and State	Social Religious Group (SRGs) Identity	Age
1	Illa Thakur	Hindi	Bhatu	17
2	Tina	Hindi/Bengal	Rajput- Bhatu	20
3	Babli	Hindi/Bengal	Rajput- Bhatu	22
4	Komal	Hindi	Hindu	28
5	Mehru	Hindi	Muslim	24
6	Dolly	Hindi/ Mumbai	Christian	38
7	Gulabi	Hindi/ Rajasthan	Rajnat	40
8	Nargis	Hindi/ Mumbai	Hindu/ Muslim (not sure)	40
9	Nootan	Hindi	Buddhist (Mahar)	40
10	Kanak	Hindi/ Mumbai	Bedia	41
11	Ranu	Hindi	Muslim	N.A.
12	Sajida apa	Marathi/ Maharashtra	Muslim/ Mahar	50
13	Seema	Marathi/ Mumbai	Muslim/ Koli	33
14	Savita	Marathi/ Maharashtra	Mahar	35
15	Asha	Bengali/ Calcutta	Muslim/ Sayyad	31
16	Calcutta di	Bengali/ Calcutta	Muslim	45

Source: Based on Field Survey 2008-09

The bargirls I interviewed came from a similar socio-economic stratum. The stories are varied; entry into the occupation from various perspectives and at different points in life, the original villages/regions/language has variety. Out of 16 bargirls I interviewed, five were from Bhatu communities such as Bedia and Rajnat, six were Muslim, one Christian and two Mahar, i.e., from a Scheduled Caste (SC) background.⁵⁰ Two Muslim women had been Hindus but had changed their religion upon marriage; one of them was Mahar, and the other was Koli meaning Fisherfolk, an OBC community. Despite the variety, most of the interviewees lived in the same area and so their current location was the same. It could be safely surmised that the data is fairly representative of the lower to middle socio-economic strata of women working in the bars in Mumbai.

Since many of my respondents were Muslim, questions about how they negotiated their religion with their sexual work, may come up. I never asked the question, 'Is it problematic to be doing this work as a Muslim woman? Do you worry that you are committing zina?' I wished to avoid a prejudice that Muslim women must face issues with religious identity or community more than Hindu or Christian women. So I did not gather data to comment on the relationship of bargirls with the spiritual or ritual side. Many interviewees tried to 'justify' their working in sexual occupations in terms of mainstream moral codes and tried to be 'good women', e.g., by stating that it was only severe compulsions that led them to this work, or it was the very last option. Yet they did not mention particular tensions with religion; that as a Muslim, Christian or Hindu woman they felt guilt for their work. The social side of religious communities can be discerned from their interaction with the local communities and neighbours where bargirls lived. During my field data collection I saw that these women live clustered together in safe zones so that they

⁵⁰*Mahar* is a Scheduled Caste (SC) active in the Dalit politics in Maharashtra that converted to Buddhism under the leadership of Dr Ambedkar. (more on *Mahar* and Dalit politics in Chapter 5).

could live without fear or moral censure. For this consideration, the Muslim community did not seem to be worse off than other communities. In fact, the area that I did my fieldwork was a Muslim majority area. It was populated by a large number of bargirls who had chosen to rent rooms there, though problems such as moral judgement and snide comments from neighbours were not absent.

3.4.5.4 OPPORTUNITY SAMPLING AND LACUNAE

Considering the secretive nature of the community studied and difficulties in access, Opportunity Sampling was chosen. Accordingly, interviews were conducted wherever I got access into the community and opportunity to chat with people in their homes, bars, or other workspace.

The lack in the data I feel is that I could not meet the star bar dancers portrayed in the media and spoken by the customers, police, or even bar owners. The women, who used to come in their own cars to dance, had properties in Lokhandwala complex – a posh residential area – in Andheri. Those had disappeared. Everyone spoke of them but no one knew where they were. The reasons could be manifold: many of the top dancers stopped coming to the bars, the main place where the researcher can meet them, after the ban on dancing came about. The atmosphere of the bar changed and from queens who ruled the stage, the dancers became just women who stand around the bar and accept tips from regulars. Suddenly, the income levels dropped drastically and many were pushed into poverty. Many of them left Mumbai, to go on contracts of a few months to Dubai, Muscat and other cities in the Middle-East where dancing continued. Some returned to their villages in Rajasthan and Madhya Pradesh where their families and communities live, and some retired on what is known as a ‘salary’ from a patron. These women

would stay at home and be paid maintenance by a man who will visit them at home and claim exclusive rights. With the ban, police attention and harassment grew and the whole community has now gone underground and lives in a very low profile manner. I was told by many bargirls how they lived with pride, walked on the road with arrogance, spent money on themselves with relish, but how, with the ban, their fate turned and now they must not call attention to themselves. So catching bargirls in their own homes was difficult as well. None of my contacts including the feminist groups, NGOs or the Union, could give me concrete contacts of dancers that I could speak with. So I heard a lot of names of women and stories about them but never could meet them.⁵¹ So the mystique continued.

3.5 ANALYSIS

3.5.1 TRANSCRIPTION AND CODING

Out of over 30 interviews on tape, I transcribed the interviews of bargirls and customers. As only a couple of interviews were in English, I had to translate them from Marathi or Hindi into English. I found it easier to do the transcription and translation simultaneously, rather than writing them down in Marathi/Hindi and then translating them. Though I am fluent in spoken Hindi and Marathi, I can type only in English. So typing in English directly was the fastest way to put my interviews on paper. Keeping in view the issues of privacy and confidentiality, I decided to transcribe the data myself. Further, I felt that the flavour of the interviews would be better retained if I handled the whole process myself as I knew what certain terms meant, when they were used in the interview, or what the pauses signified. I did not transcribe the other interviews, which were not life stories or personal experiences of the dance bars. I listened to them and made notes of the salient points, though ended up writing up larger parts of the taped

⁵¹I have used these stories as a data source, though it does not form my own interview data.

interviews than was strictly necessary. I manually coded all the transcribed interviews and arranged them under themes. I read them and listened to them again and again to discern the themes coming out of interviews. The bargirls' interviews speak of introduction to the bar, employment before, food/hunger, alcoholism, finances and savings, exploitation and humiliation, how to catch a customer, why the ban, what are the effects of the ban, to name a few issues.

3.6 CONCLUSION

In this chapter I have explained the steps, trials and triumphs of fieldwork for data collection on the legal ban on bar dancing in Mumbai. I am undertaking qualitative research of an extended case study of the ban and through this I analyse the regulation of sexuality through the market, state and community. I gathered primary data materials from official documents and newspaper clippings. I undertook participant observation and interviews of the people affected by and involved in the process of the ban. This chapter discusses the issues within the fieldwork and the ways to overcome the obstacles. It also highlights some of the issues of representation that feminism theorists have endeavoured to avoid and their relevance to my case study.

CHAPTER 4. THE DANCE BAR MARKET

4.1 INTRODUCTION

This chapter identifies different features of the dance bar market as understood by the participants in that market. The dance bars came into being during globalisation as a site of opportunity; for the customers to flaunt the new wealth associated with a globalised India, and for the bargirls to gain new employment opportunities by drawing on their traditional dancing skills, entertaining practices, and sexuality. The dance bars are symptomatic of a particular kind of globalisation in India, which sees emergence of two distinct classes (Katyal 2011: 16, 17). First class is the vernacular for the ‘new rich’ with black money, government contracts, political connections and religious consumerism. This class constitutes the bulk of customers of the dance bars. Second class comprises the low paid irregular workers, a class that is not just poor and victim, but is surviving, fighting and even prospering with whatever means available. Bargirls hail from this class. Both these classes fit uncomfortably into the dominant scripts of globalisation in India and they come together to create the dance bar market that can be seen as ‘intolerable irritant’ to the ruling ideology of globalisation (Mazarrella 2010: 5). Globalisation does not amount to a progressive erasing of the caste question; in fact, caste is the most pertinent signifier of class (Pandit 1996). As shown in studies, caste remains intricately and certainly linked with access to education and occupation in contemporary India (Madheswaran and Attewell 2007) and the language of caste is hidden in meritocracy and work ethic (Jodhka and Newman 2007). The dance bar market can be viewed as continuation of the old boundaries from some angles and escapism from traditional structures from the others. Through the interview

data, this chapter will ascertain how customers and bargirls perceive their participation in the dance bar market and their gains from it.

This new site draws on the song, dance, Bollywood imagery and a nostalgic appreciation of the old royal mannerisms of the North Indian tawaif culture. This market is open for consumption to the 'new' male customers who escape reality, feel like kings, and fulfil the need for affirmation that the seemingly charmless capitalist economy – while giving unprecedented cash – fails to provide. For this the dance bars draw on the power of musical performance in arousing feelings (Brown 2006: 62, 72) and the established idiom of the Hindi film songs (Dwyer 2006: 292) to attach the customers to the bargirls and to the bar. The interviews of customers elucidate the key aspects of the bar dance that attract them to the dance bars, e.g., the dance bars as fantasy, drama, adventure, addiction and competition.

Through the interviews of bargirls, the chapter examines the reasons why bargirls opt to work in bars, what constitutes bar work, how they learn the tricks of the trade and strategies to succeed. I discuss the patterns of income and expenditure of the bargirls. The last section examines the possible structural continuities and variations between the traditional dancing communities in India and the barline. While the 'caste capital' can be a useful concept to understand the access to the new employment opportunities in the dance bars, the dance bar market has facets such as its contractual nature and its spread in mainstream public locations that are distinct from the earlier dancing in temples or royal courts or courtesan parlours. The chapter views how the dance bar market impacts and moves the caste system forward into class.

4.2. THE DANCE BAR

This section will analyse the dance bar as a market; what is created, advertised and sold here. What makes the dance bars a flourishing industry in the globalising market? What is on offer in the dance bars that pulled the customers to the dance bars to spend money and keep visiting again and again?

The demand for the dance bars since the mid 1980s corresponds to the rise of the new rich class. This class of private businessmen, migrant entrepreneurs, real-estate agents, retailers, builders and general wheeler-dealers that carries a more illicit version of post-liberalisation commerce (Katyal 2011) can be seen as the backdrop to the rise of the dance bar market. Dance bars offer a sense of new identity, adventure, and aspirations of romance to the men of this class for a payment. Through the interviews of customers and bar managers, this section examines the elements of advertisements and customer satisfaction that the dance bars execute, and throws light on the nature of the dance bar market.

The commodity in the dance bars is created and enhanced by many actors – the bar owners, bar girls, bar staff such as stewards, servers, door keepers – each of whom adds value by performing a specific job in the market. The concept of the dance bar came up when enterprising bar owners introduced music, dance and alcohol in the same venue. One can begin understanding the market of dance bars by the money it claims and in what format. While it forms a part of the globalising market in India, the market of dance bars is of visible cash. As per Appadurai, “Bombay is a city of visible money –of cash – where wads, stacks, and piles of rupees are openly transacted. Money is still considered real in most circles, insofar as it is readily convertible to cash.

Liquidity is the dominant criterion of prosperity, for both corporations and individuals and it is difficult to escape the sensuous appeal of cash” (Appadurai 2000: 631, 633). As was observed in my field work, the dance bars are a market where this visible money is blatantly noticeable. It is changing hands, being stacked on the tables, ushered on to platters, thrown at the dance floor, poured on the heads of dancers and quite literally flying in the air. The following is an excerpt from my Research Diary:

“Patrons would give stacks of cash to the stewards, or give them a thousand rupee note for atish. The steward then would stand in front of the girls and throw the money into the air above their heads, in a characteristic fashion that would make it look like a shower of notes. This showering of money by spectators is associated with Tamasha, a sensual folk dance in the Maharashtra state. Here, ironically, the women just stand. They do not acknowledge the money showering over their heads and on to the floor. Chins turned upwards, they look regal. The attendants then sweep the notes with both hands, as they would shredded paper, stack them on big platters and carry them off. The girls never pick up any of it, or even look at it.” (Dalwai, field diary, 12th January 2008)

The sensuous appeal of cash reaches its full potential in the sensual atmosphere of the dance bar. The spectator is surrounded by the flow of currency notes which adds to the unreal quality of the ambiance. The regal stance and the ‘not bothered by money’ attitude displayed by the bargirls accentuates this atmosphere. At the same time, money is everything and rendered into nothing in this market. Precisely because cash is all around, it is to be ignored. One who manages to show an almost callous outlook to money enjoys victory over cash. The financial stakes in this market are quite high. A customer gives an estimate:

“Record in this country has been 4 and a half crore thrown in one day...out of that 90 lakh⁵² was by one person...any normal alcohol place in the city rakes in 50 thousand to one lakh fifty thousand in a day...I am talking about these small places...I would assume dance bars would take in up to 10 lakhs per day.” (Sunil, 13th February 2009)

Apart from stories of crores spent in a night, the interview data shows that a regular customer spent one quarter of his monthly income in the dance bars. The profits of the dance bar are made up from the sale of drinks – which are much dearer than a beer bar – and a share of the tips to the dancers. Dance bars generally keep 30 to 40 percent, while the dancers keep 60 to 70 percent. This is when the girl specifically is given the money. If the customer throws cash on the dance floor, it goes to the management, and all the girls on the floor get a share in it. Most bars work on the tips system now rather than the fixed salary paid to the dancers in the 1980s. The bars pay salaries to the male staff, but the servers and stewards prefer the employment in the dance bars as they earn much more in tips in the dance bars than in beer bars. After understanding the economics of the market of dance bars, let us now view the specialties that make them unique and attractive to its customers.

4.2.1. DANCE BARS AS ADVENTURE AND EXPLORATION

Dance bars offered a space for adventure, exploration, male female interaction in a safe private-public zone. The taboo on male female interaction in traditional Indian communities and families is constraining for young people. There is little opportunity of meeting women in a neutral easy

⁵² One Lakh is equal to hundred thousand rupees. A crore is equal to hundred lakhs. A pound equals between Rs. 72 to 78 according to the exchange rate.

environment and form relationships of friendship and intimacy. The youth from poor backgrounds may neither go to colleges which may offer the time and space for romance, nor work in the service sector in urban centres which are becoming increasingly mixed workspaces. As a young customer stated;

“...in our own locality and community we can't do this, na...we remain subdued there...If we go to pubs, there are all these high funda women...they look the same, only...but since they are higher class, they ignore us...here it is different...here you can dance with this one today, dance with that one tomorrow....actually in the pubs, much worse stuff is going on...” (Saleem, 25th February 2009)

A double frustration is expressed here from which dance bars can offer a respite. Firstly, the severe surveillance of the young people within the closely knit communities, arguably more stringent in poorer localities, is frustrating for the young men. As Shilpa Phadke points out, concerns over reputation and honour are much more pressing among the lower middle-class women, particularly those who live in localities where their arrivals and departures from their front doors are easily visible to neighbours. Women, particularly young women, are socialised into a fear not only of external violence, but also of community censure that will have a direct impact on their future marital prospects (Phadke 2005: 45). While the controlling gaze of society is omnipresent, especially for women, the young men have little scope of interaction with young women within their locality. Second, Bombay the metropolis offers a great amount of freedom and mobility to young women belonging to middle and upper classes. Many young upper class women are seen participating in the night life that the city boasts of through its numerous pubs, clubs and discos. Yet, they are beyond the reach of the expectant lower class young man. The informant here can buy his entry into the ‘posh’ pubs with his self-earned money, but not into the

charmed class circles. Bargirls, on the other hand, are welcoming of him. He is not put off by the fact that it is clearly for his money, as bargirls seem to want something that he can give. Furthermore, bargirls 'look the same' as the rich girls. They have the aura of beauty and glamour, despite being mostly uneducated and from poor backgrounds. They are smiling at him unlike the rich girls. They are his refuge from the pubs that offer him only mockery.

The upper class woman defying conventional gender norms with her smoking, drinking alcohol, flaunting bare skin and clinging onto men becomes the 'bad woman'. The dance bar market then seems to fracture the good woman/bad woman theme. The ideal of global Indian womanhood to "match the global beauty standards, show intelligence and proficiency in English and preserve a distinct Indian aura by displaying overt respect for 'Indian' values and norms" as discussed by Radhakrishnan (2008: 10, 11) or the responsibility of "preserving national integrity and honour, and keeping it outside the corrupt influence of westernisation" as noted by Kapur (2007: 240) is being transgressed by young female consumerists in Mumbai. The interviewee says that these rich girls 'look the same' and are doing things that may be 'much worse'. Elsewhere in the interview, he states that the bargirls are working there out of 'compulsions', they are in fact good women. The theme of bad women that Rege (1996) and Chakravarti (1996) elucidate gets reversed here, wherein, the customers of dance bars find that the bargirls – generally labelled as bad women – are in fact 'good women'; as they are making a sacrifice for their families, doing this work due to financial compulsions so that their aged parents can eat and younger siblings can go to school. They go to the bars because of majboori (compulsion). This is presented as the opposite of the upper class women who go to the pubs for enjoyment, not to fulfil an

obligation.⁵³ Here, the dance bars seems to be a market for adventure within the moral and legal boundaries. Since the young man looking for adventure mingles with the bar dancers, who in his opinion are ‘good women’, he is not seeking wild, untamed explorations. Similarly, dance bars run with the government’s permission and licenses could be visited by a law abiding individual without any guilt or fear.

4.2.2. DANCE BAR AS A SPACE OF MUSIC AND DANCE

Music and dance are an invariable part of the dance bars. They also form the cinematic fantasy that the ambience of dance bars aims to achieve. The presence of song and dance sequences is a distinctive characteristic of Hindi and other Indian commercial cinemas. The Hindi film songs hold a special place as a language of love in the Indian popular imagination. The film lyrics are noted to be one of the most popular forms of poetry in circulation in India and have a rich idiom of love (Dwyer 2006: 292). Songs allow things to be said that cannot be said elsewhere, often to admit love to the beloved, to reveal inner feelings and make the protagonist realise that he or she is in love, and forms the listeners’ own repertoire of expressions of love (Dwyer 2006: 292). Bars put this ‘already interpreted’ language to utmost use along with the set of visual codes of Hindi cinema that include setting, physical appearance, costumes and symbols (Dwyer 2006: 290, 291). This culture of musical consumption plays out in the dance bars, where customers pay the singers for singing their favourite songs and dancers to dance on them. As a bargirl narrated;

⁵³ This sentiment was violently acted upon by the ultra right wing brigades in Mangalore. Members of Sri Ram Sena physically attacked young women in Amnesia Lounge in January 2009 claiming that the women were ‘involving themselves in immoral activities, including consuming alcohol, dressing indecently, and mixing with youths of another faith’. <http://www.dreamydonkey.com/2009/01/activists-of-sri-rama-sena-entered.html> accessed on 13 December 2009.

“First day I went to the bar, a customer named a Marathi song for me to sing. I sang it. He liked it. He gave me five thousand rupees. I could sing Hindi, Marathi even Gujarati songs. People come there and want to hear some specific, old songs...the song may remind them of something...they pay a lot if you sing it well.” (Savita, 23rd January 2009)

According to Katherine Brown, in Indo-Persian treatises, music is said to have the power to arouse melancholy, longing, regret, grief and most profoundly the feeling of love and desire in the heart of a listener. Because of the association of the emotional power of music and the arousal of love – the musicians, the men and women who embody music – can simultaneously be seen as the embodiment of the erotic. Under these circumstances, music empowered the performer not only to arouse general feelings of love in the listener, but also to make him attach them specifically to the performer. This emotional power was raw, overwhelming, and music, just like love, was deemed to have the potential to rob a man of self control and virtue. It was believed to possess the same subversive erotic power as the beloved. Therefore, music formed the subject of condemnation by the most conservative streams of Islamic jurisprudence (Brown 2006: 62, 72). Bar dancers dressed in the dancer’s attire and makeup together with the lyrics and music of Hindi songs, with their ingrained ideas of love, loss and sacrifice, hold the power to move the men profoundly. This erotic involvement with their customers – sometimes more powerful than the sexual one – is the strongest Unique Selling Point of the dance bars. The dance bars not only recognise but base their foundation on this power of music and dance.

According to Shresthova (2008), costume choices, facial expressions, gestures, twirls and turns all set to film music identify a genre of 'Bollywood dance' and is popular with young generations in India as well as in the Indian Diaspora. The dance of bar dancers was the imitation of this dance form. Customers in their interviews compared the dance in the cinema to that in the dance bars and stated that unlike the 'reel' dances there are no 'cuts and retakes' when the dancers are on the stage of the dance bars. It was insisted that this 'real' dance was superior in energy, skill and strength that went on for hours.

A bar manager stated:

“The dance here, madam, if you watch...rongte khade ho jate hai (your hair stand on end)...”

He described the experience of watching the dance as something transcending, something sublime. This interviewee was a music teacher and singer and had worked in the film industry but had found it lacking. He stated that he came to the barline and witnessed true art. This art of dancing offered a significant value addition to the dance bars. The Manager further mentioned that “some customers come only for the dance and music, not for alcohol, not even for girls.” So it could be surmised that customers paid for the musical consumption and dance boosted the market of bars.

4.2.3. DANCE BAR AS A FANTASY AND DRAMA

The dance bar is qualitatively different from an alcohol bar and a brothel. It is a space that offers much more than a combination of wine and women. It offers fantasy. This subsection looks at

the facets that make the dance bar into a fantasy and how this particular idea of fantasy comes from the Hindi cinematic imagination.

The desire to step into a fantasy could be listed as the foremost reason to visit the dance bars. As one customer put it:

“[I]t is not about going and sleeping with these women...if they want they can go to the kamathipura⁵⁴ ...but that is transactional...for Indian men....they need the fantasy.”

(Sunil, 13th February 2009)

A young customer was taken to the dance bars by his friends in a festive mood. The first visit was intoxicating. The attraction was formed in the first instance, when he blew up all his cash there. Even when he left the space, the images there followed him. This intoxication stayed intact for many years and he remained a devoted customer until the last night of dancing.

“...I went for four years continuously until the ban came...started when I was less than 22...Even on the 14th August, the night before the ban, I was there....First time I went was when a friend’s sister was getting married...the celebrations were on till 1.30 at night...they were drinking ...after that, where to go? Then the boys who already were regulars took us to a dance bar. Girls were dancing there. I saw that for the first time. This kind of exposure I had never had before...I could not fathom anything...I had no consciousness of what was happening....Then one or two girls looked at me and smiled...I did not know that in the bar this also happens...I had money then...I called for change and standing right there just blew it all. This went on and on till 6 o’clock. After that I went home, but it all kept playing in my mind all day long...” (Saleem, 25th February 2009)

⁵⁴ Kamathipura, near Grant road station, is the famous red light area in Bombay.

The ambiance, music, lights and the women dressed up for the show give the impression of stepping into a fantasy land for the novice customer. The heady mix of allure, glamour, money, and drama that makes up the fantasy is primarily based on the model of Hindi cinema, popularly known as Bollywood. Every culture has its own set of fantasies propagated by folklore and mass media. In India, the Hindi film industry feeds and fires the dreams and fantasy of millions. Dance bars recreate the ambiance and images that men see on the screen and covet.

“The ambience of the bar was befitting a Hindi movie set, particularly the setting of cabaret songs of the 60s. Couches were spread in the space and in the middle, the girls who used to be dancers,⁵⁵ stood around in a group. They were from the age group of 16 years onwards maybe up to the late 20s, but most of them quite young. They were the most flamboyant looking creatures I have set eyes on in real life. Most of them were beautiful women to begin with. They were draped in flimsy chiffon sarees with elaborate and shiny beads, jari or pearl work and many of them wore the pallu pinned to the side to show off the back. The blouses were cleverly made to show the back to the advantage, the only part of their bodies that was on display. With elaborate make-up on faces, particularly on the eyes, they looked like dancers ready for a performance or young women dressed for a ‘Bollywood’ style wedding party” (Dalwai field diary, 12th January 2008).

When a customer enters this space of the dance bar, the atmosphere is set for a film. He may feel that he is entering his own version of a romantic film; with him as a hero looking for a

⁵⁵As the field notes are taken after the ban, the dance was not allowed in the bars. Though I was told that it is common to see dance performances still, when the police raids are less in frequency, I never got to see any. In many bars the bargirls still were dressed in their dancing attires.

heroine.⁵⁶The genre of Courtesan films as Dwyer (2006: 128) calls them, especially provide a template with the beautiful, tragic woman yearning for love, and the hero who offers her not only love, but marriage and respectability. By placing himself in this cinematic fantasy, the customer lays claim on the celebrated courtesan culture. The drama in the dance bar follows the model of courtesan culture, wherein, the customers, staff members, bar dancers and singers are all playing their own part in the remaking of the contemporary popular culture – the dance bar – into the parody of the high culture of North Indian musical consumption. The communication style, mannerisms and tone of addressing each other follow the model of this heritage. This courtesan culture that is enacted in the dance bars is picked up from the Hindi cinema, as the legacy of it is inherited through the genre of courtesan films that the figure of tawaif – Umrao jan, Pakeeza – is made quite popular and devoured by contemporary Indians. The kotha of the courtesan that acted as a venue of Hindustani musical production that offered scope to female agency (Qureshi 2006: 316, 318) was different than the dance bar market, wherein, the male bar owners are the entrepreneurs and bargirls provide the labour.

4.2.4. DANCE BAR AS A SPACE FOR NEW IDENTITY

Dance bars offer customers a chance of being something that one may not be in real life.

“Meek and weak men behave like big dons there, a shy guy may become a ladies’ man, a poor woman may turn out to be the belle of the night” (Sunil).

⁵⁶ Mehta describes that this is how the young gangsters of Mumbai’s varied gangs known as the ‘underworld’ view their interaction with the dance bars – like a filmy story. They find their heroines in the dance bars – beautiful women dancing before men to fulfil family responsibility. They pour money over them, woo them, take them to places and find their own sanctuary in them. It seems like a perfect match, as they are both outlaws, or without honour in mainstream society.

Many customers concede that they go to the dance bars to ‘feel like a king’. The decadence of the Kings and nobles is experienced in the dance bars by the commoners. An interviewer—himself a medical shop owner – said;

“It is a Nawab mentality...this has been going on since the times of raja, maharajas...they used to do ayyashi...today a man becomes a king for an hour when he goes to the bar...After two pegs a man becomes a king..Who is Dawood Ibrahim,⁵⁷ I am Dawood myself...But people who do not drink alcohol also spend money there...they drink with their eyes na...they do not need alcohol...” (Motabai, 15th September 2008)

What do the words like Nawab, i.e., the nobleman or aristocrat, and ayyashi, i.e., decadence mean when it comes to the customer of dance bars? It could be said that the customers are trying to place themselves within the tradition of royal entertainment of the Mughal era. Music played a significant role in the Nawab mentality. The mirza (aristocrat) of the late Mughal period was known for his patronage to music. The appreciation of music was the signifier of status as a nobleman (Brown 2006). This era of courtly entertainment was dominated by the figure of the tawaif. The experience in the dance bars mirrors this tradition, where the customer can be the Nawab visiting a tawaif. In this way, the musical traditions in India play a role in the dance bars, of recreating the feudal structure of consumption of music.

Earlier, the tawaifs and their arts were accessible only to the royalty and gentry. Now, the live music and dance has become available to common people through the dance bars. In this sense, the dance bar has led to plebianisation of the courtesan culture in the late 20th century. But the customers are not entering the dance bars as commoners. In fact, they come there to be Nawabs.

⁵⁷ A significant Mumbai don.

The job description of the male staff members coincides with the customers' desire to be a Nawab.

“The stewards job is to welcome them and look after them...we are wearing ties and coats etc.,...when they come in we say, hallo sir, good evening sir...” (Ratan shetty, steward)

“It starts from the minute the man parks his car or motorbike. Someone takes his key and shows him to the door. The darban (doorman) salutes him and opens the door with a flourish. The stewards are bowing before him and seating him onto the cushioned seats. The waiters are asking what his pleasure is for the evening. Many a times, with the regular customers, they know their favourite drink, so they just produce it. It all adds up to the surreal experience” (Varsha Kale, President, Bharatiya Bargirls Union).

The dance bar creates Kings and Nawabs, but by a contravention of these terms. Whereas, the words Nawab and aiyyashi have feudal roots and worldview, what is happening here is that those words, and the power that they bring, are being unhinged, detached from their earlier contexts. While the feudal structure was based on rank and birthright, the dance bar functions on cash. Cash uses a nostalgic mask of ‘Nawabiyat’ and ‘aiyyashi’. This is the way the disenchanted and the notionally respect-less market economy brings back respect into the market. These are the neo-Nawabs and the neo-aiyyash, whose power derives from a different and a new economy. This is why in the earlier quote, the words Nawab and aiyyashi are mentioned in the same breath as the name of India’s famous mafia don, Dawood Ibrahim. Here the royalty comes from varied backgrounds and money; power can surpass the earlier factors such as bloodline and hereditary

land ownership. The kingship in the dance bar is transient; it lasts while the night and the cash last. But it is delectable.

“What does the king get? ah...King gets...king gets...all the attention...in the sense, they make you feel that you are the emperor Shahjahan...you own the world...each of them will make eye contact with you...the waiters, bartenders are all there to make you feel like a king...I feel true kings were from India...We are an ancient country...where wealth was enjoyed along with conquest it is a land of kamasutra, it is not frowned upon to enjoy...the genetic material of the Indian, whose forefathers have seen this kind of thing...he maybe a mill worker, he maybe a peon, e.g., my peon in my office...it is like an equaliser, till you have the last 10 rupee note on the table, you are a king”...(Sunil, 13th February 2009)

The bar is a liminal space inside which the position of a man in the world matters less than the colour of his money. In this sense, the market can be said to be an equalising force, eliminating the differences of caste, class, colour of the skin, etc. As long as the last note is on the table, the customer is king.

4.2.5. BAR AS COMPETITION

As the novice gets sucked in to the glamour and drama of the dance bar, he needs to prove himself in that set up. Throwing of money has many aspects; feeling good about himself, showing joy at the music, trying to win a specific woman, competing with other men and gaining their respect.

“My income is 40 to 50 thousand per month...I spend around ten thousand there...yes, about a quarter....why throw money? ...well, first a man is getting the song of his choice, so he is happy...when he throws money, people look at him...his status increases...that has become a habit in there...he cannot stay without throwing money...” (Motabai, 15th September 2008)

Throwing money over the singer for a favourite song or over the dancer for a lively performance is a royal mode of showing joy in a benevolent manner. Hence, the spectacle of showering of currency notes makes the man look magnanimous in the dance bar, not only to the dancers but to the other men present. The men are all watching each other from the corner of their eye, while they have their eyes set on the women. Direct gaze between the men and women, and the indirect gaze between the men, complement each other. A battle of wits and fierce competition between customers benefits the dance bar market. A bar owner explained to me a typical scene in the dance bar:

“...the man comes and sits in the bar. He must order a drink. He is then served by the girls. The girls are smiling at him. He feels obliged to give money. How can he just sit there? He will feel like a fool. He feels compelled to give some money and feel important. It is the norm of the bar. Here, people come to give money and play the ego game of who gives more money. Now see, the men are sitting in front of each other, watching the girls and each other. A man gives money to a certain girl, some other man gives her money too. The first one feels how he dare give money to my girl! So he gives more. The other guy takes the hint and gives more too. The girl is enjoying herself. Both of them take the competition seriously and who benefits from this? The girl and us! Both

men will order more drinks and in the *thasan*⁵⁸ and tension, drink more. They will return the next day to see who wins. Benefit is ours.” (Anna Shetty, Bar owner, Panvel).

The setup of the dance bars – where all men are facing the stage in the middle and are looking at the girls and each other – is geared for this kind of direct tussle. The competition between men here takes the form of throwing money, rather than any other macho activity. The physical scuffles and show of muscle are rare as the dominant norm of the interface within the dance bar is extremely civil. Hostility is covert, especially as a show of temper and hostility would be a weakness in a space trying to emulate the *khandani* (royal) *tehjeeb* (mannerisms). On the background of blaring music, a gaze, a look, a gesture and a glare work as potent communication tools. In the absence of other ways of showing strength, men are goaded into proving their worth through money. As the competition gets fierce, more money is thrown on the dancers, singers and alcohol. The stakes keep rising like an auction. As a customer puts it;

“...you start liking a girl...she is on the floor, and you are sitting there watching...then if she goes to anyone else, if he offers her money and beckons her close, you feel as if it is a huge betrayal...as if everything is ending...then you act in that madness...if he gives 10 Rs, you will give 20...if he gives a thousand, you will give two thousand...there are fights between customers over some girl...the girl will have to handle both men na, if there are five guys she will have to manage all five...she is come here for that...but the man does not understand this...he is restless if that girl stands and talks with someone when she goes to collect the money...others also chat with her saying, ‘you are looking

⁵⁸*Thasan* is a word from the colloquial vocabulary that is peculiar to Bombaiyya Hindi. It means hostility, competition, conflict..

nice today...see your aashek (admirer) sitting there is sulking since you have come to us'...(Sharmaji, 19th September 2008).

The narrator speaks of the restlessness as 'madness'. The dance bar market taps on this madness; the competition and jealousy. Despite knowing that one has come to play in the market, customers get submerged in the drama in the dance bar. The feelings of desire, pride and betrayal are real and intense, more so in the drunken state. Customers recount that the next morning many people feel foolish about the way they acted in the bar – may it be a tussle with someone, or throwing too much money without counting, borrowing from friends and so ending up in debt – but during the night, they find themselves beyond control.

“You need jigar...throwing money is not easy...now see, X earns more than us...but we spend more than him...it takes jigar...” (Motabai, 15th September 2008)

Jigar means guts or daring in Hindi. The informant relates the idea of jigar to how much money a man can throw in the dance bar. So throwing of money is connected with pride and manhood. Stories of 'real men' are narrated thus:

“There have been stories of customers who will keep 10 lakh rupees on the table...just keep it on the table...till the last drink...he will stay till 12 o'clock or something...then get up and say, play this song!...that song will be played and he will watch the dance...then he will down his drink with a bang...he will step out of the bar like a hero...then the stewards will remove all the money from his table and throw it all on all the girls on the floor...he does this five times, the sixth time he knows all the names of girls, Tina, Meena, Rinku, Pinku...he has proven that he is a lion...it is like, I am made of a different timber...remember me!” (Sunil, 13 February 2009).

Conversely, a man who visits the bars regularly, but spends responsibly, may feel inadequate.

“I used to earn almost 100 thousand rupees...I used to spend almost 20 thousand per month there, which was very little considering...I used to look at those people there throwing so much money and I used to feel, you know” ...(Sharmaji, 19th September 2008).

The pressure to throw money makes the dance bars an expensive hobby to pursue. How do men afford to spend this much money in the bars and keep going there?

“The salaried or trading class come into the dance bars, when they have the money...there is a cycle of money...for salary, it is once a month, for trade it may be once in ten days...estimate is from 10 to 50 thousand per month for an average regular guy in the dance bars...he is also clever, once he gets hooked onto it, he wants to stay on the game...it is just like alcohol and drugs...Then there is peer pressure...it gets complicated when we go to the dance bar together, at one time I don't have money and you lend me some money...so as long as I go and spend $\frac{1}{4}$ of my salary it is ok”... (Sunil, 13 February 2009).

This shows that most players tread cautiously while in the market of dance bars. They are aware of their own financial status and how much they can afford to spend. As per Sunil, the ‘wheel’ of the dance bars is run by these customers who visit regularly, spend enough but keep off the path of ruin.

4.2.6. BARS AS AN ADDICTION

There are some customers who cannot keep this control over their minds and purses, and may end up making huge financial losses. The market of dance bars offers addictive elements to its customers, with intensity of feelings and attachment. It is a market of intimacy, companionship and affection. Recent theories on sex work have shown that desire for emotional and physical intimacy leads men to become regulars of the same sex worker and develop a relationship that mirrors heterosexual male romantic scripts (Sanders 2008: 91). The dance bar market runs on this male romantic script, as a woman cannot be purchased here but must be won or earned. This tends to blur the boundaries between transactional sexual encounters and emotional/sexual involvement. The addiction may begin within the space of the bar. Customers describe the intense urge to go to the dance bar every evening, especially if they are single or with an unsatisfactory family life. As a customer stated;

“I am a bachelor, I stayed alone in my flat for some months...evening fell and I would feel, now what? Then go to the bars, eat, drink and have fun with friends...One day if you don't go, you feel something is wrong today...” (Sharmaji, age 45 years, 19th September 2008)

The dance bars offer a respite to a lonely man. In the absence of other social life, hobbies or entertainment, he can enjoy the camaraderie of his friends as well as a possibility of female companionship. Customers describe the pull to the dance bars like an addiction to cigarettes or alcohol. This attraction of the place may soon be merged with the attachment to a specific woman, in a particular bar.

“In the beginning people go for entertainment...then they get entangled there...the atmosphere is such, it is like an addiction...just like cigarettes and alcohol, the ladies bar becomes as addiction...to get out of that becomes difficult...especially if the family

background is bad, if things are not going well at home, then a man goes deeper into this...he gets involved...the girls emotionally blackmail him so much, you can't imagine! Then the man is as if hers only...he will not care for his wife and children at home at all sometimes...some, 10 to 15 percent, of people that go there get emotionally attached and blackmailed...and some get addicted...if they don't go there, don't hear the songs, etc., they will not be able to sleep...I started with going once or twice a month in 1996, then went up to thrice a week or ten times a month...then for a period of six months I used to go everyday in 2003...there comes that period, one has to struggle and get out of this period just like an addiction..." (Sharmaji, 19th September 2008).

Once a customer forms an attachment to a bargirl he is tied to that bar while the relationship goes through the typical cycles of 'dance bar romance'. What the customer gets from the dance bars depends upon his financial and emotional status. A customer who was a keen observer of the drama in the dance bars explained;

"There are two kinds of people who go there...one who see through it, still participate for the fun of it...and two, who don't really see it that way...they get attached, involved..." (Sunil, 13 February 2009)

While some customers manage to be patrons of dance bars without getting emotionally involved, the customers who are attached to a dancer in the bar experience very intense feelings.

"Once, at least, it will happen for a man who goes to the bar, that he gets attached with someone...then he feels that this is it...my end may come here only...this woman is everything to me...what I wanted in life...my goal...and my achievement...completely

emotionally entangled you are then....The woman I had a relationship with, I knew she had another man who was her mentor...I still went to her, I had relations with her....The way they speak on the phone also... ‘have you eaten, how are you feeling?’ ...first question is, ‘have you eaten?’... ‘When did you wake up? What happened today? How was business today?’ ...if she knows that I am in stock market...she will ask, ‘How was your stock market today? I saw today the market was high’...” (Sharmaji, 19th September 2008).

Here, a man is describing his experience with the woman he loved. Yet he is aware of the transactional nature of his relationship. Speaking of his experience after a few years, he states that he was being manipulated, and possibly knew it even at that time, but could not help himself. The woman is a seasoned player, she makes him feel special. By asking whether he is eaten, she shows her concern for his wellbeing in a domestic, wifely manner. He feels that someone cares for him. Even when he knows the woman has other patrons, he feels she loves him more, or what she has for him is true love, while she has to entertain other men as part of her occupation.

“Pyarwala⁵⁹ is not one na...there will be ten men...nobody knows who she loves...I feel she loves me, he feels she loves him... In this kind of a relationship, within a few months, she can get all that you have...if you don’t have control...in my six months I would have given around 2 lakh rupees to her...” (Sharmaji, 19th September 2008).

⁵⁹*Pyarwala* is a term for lover in the barline. Here the generic *wala* is attached to *pyar*, i.e., love and brings the word very close to *chai wala*, *paper wala*, *bhaji wala*, which are the guys selling tea, paper, vegetables, etc., or providing services like internet *wala*.

The ambiguity of her love underlines the commercial nature of this relationship and if a man loses his sense, he may end up a pauper. The allure may continue even when the relationship between the customer and the bargirl spills outside of the space of the dance bar and progresses to phone calls, drinking juice, eating dinner, going shopping and moves towards sexual intercourse. The interactions of friendship, attachment and sexual intimacy hardly evade the commercial sense. Conversely, it solidifies the commercial relationship under the garb of love and the man may end up giving away huge amounts of his wealth or assets. The market in intimacy seems to have no clear rules or price lists. It can be mystifying and deceptive for its customers. Customers must learn with experience and trade cleverly. Despite the loss of heart and property, the attraction of the spectacle in the dance bars hardly tends to dim for the spectator. The market of dance bars continued to thrive on this appeal till it was outlawed by the state.

4.3. THE BAR GIRLS

The supply side of the market of dance bars is looked after by many actors including bar owners, male staff members and the bar girls. Bar owners can be seen as the entrepreneurs in the market who envisage and craft the product, build the site of the bar with its surreal ambience, and employ bargirls for provision of music and dance. Yet bargirls make the dance bar; the dance bars are distinguished from other bars due to the presence of the dancing women. Bargirls provide the main commodities – dance, music, drama, desire – and form the primary labour in the dance bars.

4.3.1. “CHOOSING” BAR WORK

With the data from the interviews with bargirls, I ascertain why bargirls enter the market of dance bars and what keeps them there. This section focuses on what backgrounds the bargirls come from, what brings them to the market of dance bars, and whether they see the dance bar as their economic/occupational choice or a compulsion.

When asked whether women actually choose to work in the dance bars or if they are brought in and kept there by force, an informant replied;

“You cannot actually bring anyone with force and keep them in the bar line...they come as they want to earn a livelihood...someone comes with greed, as their parents are poor....but I can only come here when someone advises me that here you will get money... (Savita, 23 January 2009).

The informant states that the reasons for entering the barline are varied – poverty, greed, livelihood – but they can join the trade only on the advice or help of someone else. While she insists that force is not possible in the barline, she suggests that an element of middleman or middlewoman is present at the time of entry into the bars. This is because without the help of an insider, a newcomer would find it difficult to access the bars for work. The opinions on the possibility of force differ, partly depending on how the concept of force is understood. Dance bars are qualitatively different to brothels⁶⁰ – where a woman can be kept captive within a space with force and violence – and, consequently, cannot exercise physical force in the same way.

⁶⁰ The difference of dance bars from brothels can be compared to the move of labour from Feudalism to Capitalism. Instead of being bonded to the land and Lord, the labour is free to move and work in any factory of his choice. There will be exploitation and harsh working conditions, and the responsibility of finding employment falls on him. Unlike Brothels, dance bars do not keep their workers tied to the brothel. They can and do move from bar to bar, looking for employment and better pay.

Yet, economic force and deception can restrict the agency of women working in the bar. There are many reasons and situations with which women come to work in the dance bars, many of them akin to force. As an informant said, many times girls from villages are brought to the cities by telling them lies that they will be given domestic work or employment in a factory, and then they are brought to the bars. She insisted that if the girl does not want to work in the dance bar and is brought there under a false pretext, then it is force.

“Age can be anything, if they accept this work willingly, then they can be 15, 16, 20, 30 anything...but she should come with her own wish...but if she is old enough and hates this work, then it is bad...then they die also na... If a girl comes with her willingness at 15, it is fine...if a girl has come at 25 but she does not have heart to do it, then not fine...you have to choose it...I like it, this one here [pointing to another woman sitting in the room], she likes it...If she says to me, ‘Didi, you do this work, take me with you’...then my conscience is good, as she is asking me herself...but if I try to convince her, ‘come on, you will get money...what is the problem?’ and I convince her and take her, then it is not right” (Calcutta Di, 9th January 2009).

Here, the interviewee is referring to a range of situations as force; lies, paying advance to the family of the girls and making her work till the debt is paid off, convincing someone to work in the bars against her better judgment, women entering the barline for money but not with pleasure or willingness. She also fractures the assumptions about the danger for minor girls working in the bars by insisting that if an adult woman enters the dance bars under duress, she might find the compromise with her new life unbearable.

My interviews with three women elucidate the significance of choice and willingness. First woman was Calcutta Di who enjoyed the bar work immensely. She attributed her happiness to

her rational, conscious decision to join the barline upon the death of her husband. As a young widow with three young children and living with her parents in Calcutta, she weighed her options. She had heard about the bars in Mumbai where a woman can earn good money and still avoid sexual intercourse. She planned her entry and career with the help of a relative who played middle-woman in the dance bars. She told me;

“I came to Bombay to work in the barline...I had made enquiries and found that you could remain on the right path and still earn there...We had this neighbour in the village called Rita, she used to live in Bombay for many years...She had a place in the slum in Bandra...she kept nearly 40 girls...Chandani bar and many other bars had girls coming from her...and she used to live on that...so I told her I know you eat the earnings of girls...so I will not live with you...but I will go to Bombay for sure...I confirmed everything about the barline with her; whether it works or not, what kind of work it is...and made a deal with her...that I will stay with you till I move out into my own place, and pay you by 100 rupees per day...whatever I earn I will keep...then I came to Bandra”
(Calcutta Di, 9th January 2009).

This informant worked in the bars for ten years as a dancer but never did sex work. This way she managed to settle her children, buy property, care for her old parents, and still managed to secure utmost respect of her family and children. She is an exceptional case. She stated that she was quite satisfied with what she has been able to achieve in her life.

Second interviewee, Asha, a young Muslim woman from Calcutta, ran away from an abusive husband. Upon reaching Mumbai, she experienced hunger, worked as a domestic help, sex

worker and a bargirl. Asha narrated how she was disgusted by the bargirls when she came in contact with them.

“It was 10 years back that I reached Bombay. My friend got me here and helped me get work in the homes of bargirls. I would wash clothes, buy cigarettes and alcohol for them, and earn my keep. Yet it was very difficult to even get food....But when I started working, I said to my friend, ‘where have you got me to? These are whores! Gosh...They are playing cards, constantly clapping, smoking, drinking despite being women...chee chee (yuck yuck)...these are whores!’.... She told me to just shut up and do my work! What do we have to do with anything else?Then we moved to Malawani. Here everyone would look at me and say ‘wow, look at her hair, so lovely...how pretty she is...if you send her to the bar, (she) will earn very well!’ (Asha, 13 February 2009).

Her moral objections to bargirls evaporated when she saw that they fed their families and could send their children to school. When she was flattered for her looks and encouraged to enter the barline, she deemed it the most lucrative occupation possible for her. Now she is able to accept the horrors and painful incidents in her life: she manages to speak of the gangrape she endured on the first night of street sex work in the same way as she speaks of running away from her useless husband, or her miscarriage, or starvation. She is happy that she is a social worker with an NGO today and has respect of the community.

The third interview – with Shahnaz – was heartbreaking. Shahnaz was a daughter of a fisherwoman and married off very young. At age 12, her husband sold her to some hooligans to pay off his gambling debt. That gang rape changed the course of her life. She was blamed for

being a bad woman, sexually abused by her brother-in-law, taken away by her mother who put her to sex work. She married another man and had children with him but he became her pimp. Her efforts to leave sex work failed, even when she was working in the dance bars and she remained a victim of her family and the men in her life. Though she works as a social worker now and is educating her daughters in good schools, the feeling of victimhood defines her life, her sense of wellbeing and self-worth, her interaction with family, her dealings with men and her relationship with the world, in general.

Thus, from my interviews I find that a woman's own choice of working in the bar or her willingness to enter the market of dance bars may improve her chances of success. It is possible to surmise that women who have made the conscious choice of working in the bars are in a better position to accept their work and are more assured in their dealings with the world. A woman who plans her career in the dance bars or strives to enter the barline may have more control of her bar work, her family and financial life, even though she has no familial background in dancing. The last section of this chapter examines this willingness in terms of familial support and cultural capital connected with caste.

4.3.2. DANCE BAR AS AN ECONOMIC/ LIVELIHOOD CHOICE

The 'choice' of dance bar work should be viewed in the light of other choices or compulsions women faced at the time they entered the dance bar market. Many of my informants narrate the situation of starvation as the point at which they joined the bars.

“My neighbour, she saw when she came to my house...there was one quarter of a litre of milk and one litre of water in it...no utensils with food or anything...so she took me to her home...then after a few days I started saying please put me to work...she kept avoiding for some time...then I said, you feed me, but I have other expenses to meet also, na, how long will I lie here being dependant on you?...Then one day when she was drunk, she told me the whole story...saying ‘I do this, will you do it? This is why I was avoiding’...I said, ‘since my situation is like this, I must’” (Sajida apa, 19 February 2009).

Many women had tried other types of livelihood before coming to the dance bars.⁶¹ When caught up with emergencies, they made the best economic choice they could.

“When my husband was sick, myself and my daughter, who was 11 then, went to do domestic work. Together we cleaned 10 houses, got leftover food and Rs 300 per house. It was a good life, as we got food. But my husband would need 5000 rupees in the hospital every day. How to manage that? ” (Dolly, 7th January 2009).

The informant felt that as long as she and her children did not starve it was a ‘good life’, but she had to save her husband from dying. The husband, who had caused her immense suffering with his alcoholism and violence, was now in hospital and needed medical treatment. He had no savings, no family support, so the wife had to search for alternate ways of earning enough money to afford the hospital and medicines. That is when she urged someone to take her to the dance bar. Another informant said:

⁶¹Nivedita Menon mentions in her piece on domestic workers in Delhi that many women go to sex work after they have tried other labour such as domestic work, construction work and found the exploitation and indignity there unbearable (Tehlka, 18 June 2011).

“I did not think I would come into this...I did some other work...near Malad Bombay talkies they make tea filters, I worked there...did domestic work...made things at home...but it was not enough...1500 you will get in the company...the rent 800, light bill 400, cable bill 200...then children’s clothes, food, etc? So someone told me if you went here it will be enough...some friend used to go...so I told her and then went with her...my husband was not working, he was the drinking type...and in my 1500 I could not run the house, so had to find something...” (Nootan, 14 January 2009)

Economic choices for the poor women are very limited (as discussed in the Introduction, Chapter 1). In the patriarchal familial set up, the universal marriage system is supposed to provide financial security for women. So, apart from training in domestic skills, women are not offered many marketable skills. The obvious disadvantages in the job market for women with no education, skills, or experience makes it nearly impossible for women to start earning a decent livelihood. The kind of employment they can find – domestic work, piecemeal home production – is barely enough for survival. Possibility of providing for the education or medical expenditure is minimal, and so opportunity for intergenerational economic mobility is rare.

My interview data shows examples of women stumbling upon the dance bars in their scramble for survival after they were widowed, deserted, or left with an incapacitated husband. Faced with economic destitution, sexual occupations were a better economic ‘choice’.

“My husband left when my youngest daughter was 2 years old...now she is 24...education for all my four children...then if I worked with any company, how much

would I earn? 2000 rupees...then it used to be 25 rupees a day...and here I had four children...plus rent, bills...(Sajida apa, 19 February 2009).

“My husband left me when I was 20...I had a son...I kept him with a neighbour, gave her Rs 50 per day and one litre of milk for the baby and went to work in a bar in Malad...I had never worked before and did not know how to earn a living...(Ranu, 19 February 2009).

Thus, many women have come to offer their labour in the dance bar market in times of economic desperation. Many of my informants – including Nutan, Sajida and Asha, quoted above – were poor Muslim women. According to the findings of the Sachar Report 2006, Muslims in India have grown poorer compared to other communities and are just above Schedules Castes and Scheduled Tribes (SC/ ST). In urban areas, the incidence of poverty is highest amongst Muslims at 38.04 percent followed by SCs/STs at 36.4 percent. This is because Muslims have remained outside the mainstream in India and so have received little benefits of development in the past few decades. Employment of Muslims in the mainstream economy is low. Muslims constitute 16 percent of India’s population (Sachar Report 2006: 170) and in no state does the representation of Muslims in government departments match their population share (Sachar Report 2006: 171). Overall, Muslims constituted only 4.9% of candidates who appeared in the written examination of Civil Services in the years 2003 and 2004 (Sachar Report 2006:165, 166). The Muslim community has a representation of only 4.5% in the Indian Railways. Almost all (98.7%) of them are positioned at lower levels (Sachar Report 2006:167). OBCs, among Muslims, constitute 40.7% of the Muslim population, as per National Sample Survey (Sachar Report 2006: 203),

whose situation is even worse than the general Muslims, Hindu OBCs and SC/STs as evidenced in the literature review. Trapped in the conditions of dire poverty, devoid of education and other employable skills, this lower stratum of Muslim women may choose the bars as a viable market for their labour.

4.3.3. EXTENDING TRADITIONAL OCCUPATIONS

This section examines the possible structural continuity between the barline and the traditional dancing communities. I seek to discern the significance of caste and cultural capital, if any, in the bargirls' career. Furthermore, I analyse the relevance of religion within the structure of caste; so I look at the caste positions of my Muslim informants and discuss whether the framework of caste is relevant to Muslims in India.

The reports and literature on dance bars (SNDT reports, Varsha Kale, Agnes 2005) have asserted that the barline is occupied by a large number of women from traditional dancing and entertaining communities of North India, e.g., Bedia, Deredar, Kanjhar, Nat, Rajnat, collectively known as the Bhatu communities. My data corroborates this by the finding that women from these communities – whose families support them – do well in the barline. It can be claimed that the barline is closely connected with the Bhatu communities in terms of the normativity, that it draws culturally from them. Conversely, it can also be claimed that moral code and the family system in the traditional dancing communities have a symbiotic social relationship with the barline; firstly, women are trained and supported to work in sexual economies. Secondly, their relationships with their customers and with the world at large follow the social model of their communities. Bar work could be seen as a likely expansion or continuation of their traditional or

caste based occupation in the globalising urban centres. These communities possess the ‘caste capital’ for occupying the space and opportunities of sexual economies that have opened up by the globalising markets and so they excel in this space. I argue that these women are ‘performing their caste’ in a new setting, and marking the new occupation as their own realm.

Since dancing and related skills, such as entertainment and hospitality, are claimed as hereditary for some of the Bhatu communities and dancing is accepted as an occupation, many of these women claimed employment in the dance bars from the very beginning. A Bedia woman in her late-30s spoke of her career in the dance bars;

“I learnt some classical dance...not much...but I can manage dance well...I was around 15 when I started...this is more than 20 years back... the bars opened in Mumbai...orchestra...then dancing on cassettes (recorded music)...First there was Sonia Mahal...then in Kolaba there was another called Walking...that time there was no nonsense...we would dance with Ghongroo⁶² ...then there was Sunshine...like in Mujra,⁶³ there was alcohol here too... Arabs would come, even White people...but no touching...even after throwing that much money, they would not touch even with hand like this [She touched my hand lightly when she said this]... there was salary from 5000 to 30000...quite high for that time, as you can imagine...” (Kanak, 2 February 2009).

The Bedia women seem to have utilized their traditional skills to enter and occupy the new spaces of entertainment opened up in the globalising urban centres. The informant and her two sisters were all part of the barline. The reminiscences reveal the rise of a new lucrative

⁶² Indian classical dancers wear these anklets with bells on them when they perform. They signify a serious performance of dance that the informant is trying to attribute to her dance in the bars.

⁶³A dance and music performance by the Courtesans of the Mughal times, which continues till today in India and Pakistan.

occupation in the 1980s Bombay and the stages of its development from dancing with the orchestra and recorded music. The informant compares it to the Mujra, though, she has herself never been part of Mujra.

Another informant charted her heritage for me. She belonged to the Rajnat community.

“You know Apsaras in the court of Indra and the Gods? Those women who would entertain Gods with their music and dance? We are descendants of those...dance is in our blood...our body moves to any music without conscious thought...We love to dress up and entertain people with our art...for generations our communities have been doing it...we were courtesans for the kings and nobles, and held wealth and prestige...then with the demise of monarchy very bad days fell on our community and the profession...and the women were pushed into prostitution...but with the rise of dance bars...it was like a dream come true!” (Gulabi, 1 November 2008).

In her interview, she acknowledged that the previous generations had to survive by sex work during the bad phases of the community. In her opinion, the dance bars brought the good days back. The historical glory of being descendant of the celestial nymphs, Tawaifs and Ganikas was based on the monarchy and feudal power structures, which was lost in the process of modernisation of state and society (Agnes 2005: 12). The glory has come back with the capitalist market of dance bars, where those traditional skills can yield money and prestige once again. The dancing women have utilized their traditional skills to enter and occupy the new spaces of entertainment opened up in the globalising urban centres. In this case, the dance bars are not a choice under duress, but a preferred life option.

It is conceded that the women who have freshly come into the barline, without the family or community background of similar occupations, suffer more at the hands of lovers and pimps and are unable to control their finances as much. As a seasoned bargirl put it;

“...these Bengalis – came yesterday, finished eating today”.

She referred to the women from Calcutta, including the Bengal region in India and Bangladesh in the same category. This sentiment was repeated about the ‘naye naye’ (literally, new-new) signifying the new creed of bargirls; the women “...who have come to Bombay to escape severe poverty at home, they have just heard of the barline and come running to it but do not possess any knowhow” (Interview with Kanak). Many a times they keep their occupation secret from their families due to the taboo. They have joined quite recently and already used up what they earned as they neither know how to earn a lot, nor how to keep it. ‘The Bengalis’ were also accused of making the barline ‘cheap’ by accepting lower standards of pay and treatment, and bringing the standards down by their unsophisticated behaviour. In turn, the bargirls from Bengal or Maharashtra spoke of the Agrewali (women from Agra) signifying the seasoned lot of women in barline, dancing, sex work as cunning and conniving, ‘whose mothers were dhandewali (literally a woman who is in the business of selling sex) and daughters follow them’ (Conversations with the NGO workers and bargirls). These women enjoy the support of their families. As a social worker said,

“The family supports the young women. The mother holds the money and takes care of the daughter” (Prabhakar, male social worker, 2nd February 2009)

The sentiments were echoed by my informant who said;

“Even when we get dressed and leave, we know that there are others who will look after the home...” (Kanak, 2nd February 2009)

The support of the family proves to be useful in both an economic and emotional sense. Where a mother is involved, living with the daughter and managing the household affairs, the daughter is free to earn and free to live. But her earnings are under the control of the mother or family. This fact of involvement of mother or family is not a matter of luck for the individual woman, rather it is connected to the morality and normativity of the social systems of the traditional dancing communities (As drawn from Agrawal 2008, Mehrotra 2006)

Some sections of the Bhatu, especially the Bedias in Rajasthan or Kolhati in Maharashtra have been involved in sex work along with dancing and musical theatre (Kale 2000, Agrawal 2008). My interview data ascertains that the women who come into the barline from the traditional dancing background find it easier to negotiate their work and life in this occupation. Firstly, their families know of the work they do. This means that the burden of hiding their occupation from their family – of having to make up stories, carrying the dance clothes in a bag when they leave from home, and the emotional stress and guilt that some women have to endure – is absent in their case. Their families do not just tolerate their occupation, but support them wholeheartedly. This gives them the confidence to deal with the possible abuse that accompanies a tabooed occupation. As seen above, the family makes sure of the well being of the working daughter, kamanevali (earning woman, as called within the community). Not only herself but her children are also looked after by other women in the household. If she is working and living alone in the city, her children are, many a times, kept with her mother, sisters, or sisters-in-law in the house

in the village. The requirement of the woman living away from the family to earn a livelihood is an accepted norm of the community. The community is supportive in this, and, so, many young women from a village live together in one flat in Mumbai and mentor new girls into the barline (as I saw in my visits to the homes of bargirls).

Ethnographic studies have elucidated upon the family system and sexual morality of the Bhatu communities, which is contrary to the mainstream society. Agrawal (2008) observes two possible lifestyles for Bedia women. One is of marriage, another of joining business. There is a curious mixture of the female orientated system with the patriarchal system in the family structure. Marriages are arranged by the elders in the family, and married women generally follow the patriarchal family rules and restrictions. These married women hail from kindred communities, which may not be involved with sex work directly. They are expected to do housework and look after the children. On the other hand, the women who come into the business do not get married. Many a times a *nath*⁶⁴ ceremony is arranged to mark their entry into the business in their teens (Said 2007). Thereafter, they dance or enter sex work and earn wages for the family. These unmarried working women are the primary breadwinners for the family and enjoy relative freedom and status. They are free of domestic labour and childcare duties, and their children born out of wedlock or from unknown fathers are very much part of their families and community (Interviews with Kanak, Gulabi and Varsha Kale).

⁶⁴*Nath* in Marathi, Hindi means the nose ring. *Nath utarai* literally meaning the 'taking off the *nath*' connotes the first sexual intercourse of a virgin girl and is celebrated like a wedding night. In the communities with established tradition of dancing, sex work, a girl who is to enter a sexual occupation spends a night with a rich patron who pays a huge sum for the first encounter and may remain as a main patron.

4.4. BAR GIRL SKILLS

This section concentrates on the interviews of the bargirls and assesses the site of the dance bar as a work space. The perceptions of bargirls about the bars are manifold; they reveal the tales of varied aspects of working life as also experiences and emotions, including freedom, wealth, jealousy, exploitation and humiliation. The section will delve into the lessons of working in the bars, survival strategies, and learning the tricks of the trade, the connection between working in the bars and doing sex work.

4.4.1. WHAT CONSTITUTES BAR WORK?

The women's stories revealed that working in the bars meant a huge leap for them in personality, attitudes, and morals. It took tremendous effort learning of bar work which consisted of not only dancing or serving liquor, but also of becoming a 'temptress'. To create and keep the image of an alluring woman of the dance bar – the bargirl – one must learn to wear sexy clothes and makeup, drink alcohol, and play at intimacy with men, while keeping one's own heart intact. To survive being a bargirl, one must learn the language of the bars and management of the bar relationships.

“This girl took me with her for the first time...she sat me down and started the painting...while I was gaping at everyone in the dressing room, she painted me too...Got me dressed beautifully, in a small blouse and the ghagra [long skirt]...very beautiful dress....Then they gathered around me and said, arre so pretty! My cheeks were full na, and I had a good figure, so I used to look plump and short. They said, ‘Yaar (mate) she would earn so much. Where did you bring her from?’ So I regularly went with her for a few days. While going and coming, we would use rowdy language and curse...just like in

the bar na...but she got jealous as I was earning more money...then she refused to take me with her...again I was jobless (Asha, 13 February 2009).

Here, entry into the dance bar was dependant on having an established bar worker as a mentor. This mentor, who knows the workings of the bar, brings the new girl into the bar with herself, and introduces her to the managers. Then she helps ease the entry by lending her clothes, applying make-up on her face, giving her tips on behaviour and protecting her from abuse. The new, naive girl starts earning tips and settles into being a bargirl. She learns the language and speech from other bargirls; she swears and uses rowdy tones with other bargirls, stewards – the kind of language she would shirk from, for being unwomanly, before she entered the bar. At the same time, she learns to speak the sweet, demure language of entertaining customers. Conversations within the makeup rooms revealed that the Nepali or Bengali girls, who cannot speak Hindi, also tend to murmur a few lines like – Aap kaise hai? (How are you?) and aapka nam kya hai (what is your name)? Limited language skills suffice as the loud music makes any more conversation impossible. The girls have to manage the rapport with stewards and managers to continue working and earning in a bar, and maintain mutually obligatory relationships with co-workers. Bargirls create a safety net with their colleagues and friends to watch out for each other within the bar; they travel together, lend and borrow money, and look after each others' children. Many a times, new girls are brought into the bars by the older ones and introduced as 'sisters',⁶⁵ but these relationships may go sour quickly due to competition and jealousy.

⁶⁵Sister and brother are broadly used terms in India. Cousins – first/ second/ third – are called sisters/brothers, as is someone from one's own community in the village. So, if a *Bedia* woman from Rajasthan brings her neighbour to the dance bar, she would easily introduce her as a sister.

The main assets of the bargirl seem to be the looks and the figure of the woman – full cheeks and a plump body⁶⁶ – along with her presentation. Within the dance bar, the younger, prettier women would earn the most. The makeup changes the personality and almost has a Cinderella effect:

“...when you wear the makeup, you become someone else...when I go out with my daughter with my makeup on, people think we are sisters...the age difference of nineteen years is wiped out by the makeup...then in the bars the sexier you wear and look, the better’ (Dolly, 7th January 2009).

The dress evokes mixed feelings; on the one hand, since many poor women had never been able to afford pretty clothes, it satisfied the desire to wear nice clothes, wear makeup, and look pretty. The whole experience of dressing up and becoming beautiful was spoken of as blissful.

“I loved to go there in the evening. For half an hour I would put ice on my face. Then apply make up at leisure. Wear pretty clothes. Would take three with me and choose which one I fancy at the time” (Calcutta Di, 9 January 2009).

She described the clothes with relish – beautiful embroidered Salwar khamis and sequined Chania choli. She felt that every woman desires to do this, look nice and feel nice about oneself, and she herself absolutely loved this nakhra (womanly drama). The joy in the clothes, make up and dressing up that the women expressed, showed the angle of the dance bar market that is fun and enchanting for women as workers.

⁶⁶ The requirement of a plump body was reiterated in other interviews. When asked why men like fat rather than slim girls, I was told that if a woman is thin, men suspect that she may be sick with some venereal disease. A plump woman looks healthy and well looked after.

On the other hand, it was an expensive and mandatory investment for the entry into the market, without which one may not excel. As the costumes are not provided by the bars, the women have to invest a lot of money in their attire and accessories.

“...dance is expensive...the costume is 3 to 4 thousand minimum...but without it you may dance away the whole night and nobody will even look at you...” (Savita, 23 January 2009).

The popular dress for the dancers was ghagra choli (a small top, long skirt and a scarf), a special attire and quite expensive. One ghagra choli with accompanying accessories would cost up to Rs 5,000, far more expensive than the cheap everyday clothes that can be purchased for less than Rs 500 and worn to other kinds of jobs. The interviewee here considers talent less important than the presentation, even for a talented dancer. As there are many girls on the floor at the same time, there may be little opportunity to show her skill at dancing. Even in dance bars, there were many girls who were on the stage like the ‘extras’⁶⁷ in the Hindi film songs. They could stand around on the stage with others and sway to music, while the main dancers danced to the songs. There would be some good dancers, but each bargirl did not have to be a good dancer to survive in the dance bars.

For many informants who worked at the lower end of the barline, dance was not an essential skill. Especially in the bars known as orchestra bars, service bars, and disco bars, which are considered lower than the dance bar, dancing was not required. In these bars, other skills of negotiating money out of customers would be part of the ‘work’ of a bargirl. These types of bars

⁶⁷In many of the Bollywood dance sequences; there are troupes of dancers dancing behind the mains actors. They are called the extras in the colloquial language.

have continued after the legal ban on dancing since speaking to customers, standing around the tables, serving alcohol are services not banned by law. The art of reeling the customer in was explained in an interview with two bargirls, who enacted a possible scene of ‘buttering’ (maska lagana) the customer in the bar amongst themselves in which they showed me how they speak to a customer and get him to buy more drinks, how they drink themselves and give him ‘company’ to enhance his bill, how they show him dreams of meeting outside the bar (Joint Interview with Asha and Dolly). Especially now that there is no dancing most of the ‘collection’ (Intake of money) is based on the interaction with the customers. Rather than dancing on the stage, some distance away from the tables where customers sit, bar dancers would now have to be around the tables to earn an income (as discussed in Chapter 7). The informants list the varied skills that a bargirl must balance to survive in the trade.

“...so much a girl has to think inside the bar...when she is not dancing...first think of how to handle the customer...then how to get collection for herself...then think of how the owner will have a bigger bill...then to get tips for singers, musicians, etc., as also the stewards and other male staff...we ask the customer whether he would like to hear his favourite song? And urge him to tip the singers...” (Asha, 7th January 2009).

When the dance is on, more power vests in the women, as the customers come to see the dance and got enamoured by them. The relationship leans towards the courting rituals rather than transactional patterns. Meeting outside the bar may consist of drinking juice,⁶⁸ eating dinner, shopping and other friendly mundane activities. With these the bargirls maintain their

⁶⁸Drinking juice in the bar line seems to have the same connotation as having coffee in the European context; it is an excuse to meet, make new friends, and could lead to more. The drink itself is innocent, even wholesome in the case of fruit juice on Mumbai streets. The juice parlors and vendors are open late at night, so bargirls would go there after the bars closed.

professional rapport with their customers. Mobile phones play a vital role in carrying on of the courting rituals. The music in the bar is too loud for conversation. So through phone chats and SMSs, the dialogue is established and played out. Bargirls tend to call their customers to visit the bars when the attendance is low and the bar needs collection (Interview with Ranu). With their witty conversations they may manage to get new customers on the phone through their friends (as I saw Dolly doing) and they may keep a new ‘boyfriend’ on the line through messaging (I was asked to help with this by Ila).

What can be called bar work constitutes many talents and accomplishments, from dancing, dressing up and looking sexy, to managing conversations and intimacy with customers. These professional requirements take their toll on the bargirls’ health and psyche. Many interviewees told me that the dancers in their heyday hardly consumed alcohol. The good dancers mostly kept drinking water and juice throughout the night of dancing. They went for a meal later, and patronised juice centres and dhabas (the Punjabi open restaurants) on the highways. Many went home in the early hours of the morning, sometimes dawn, took a shower to wash the sweat off, cooked a full meal and ate before going to sleep. Dancing for hours every night was hard physical labour and alcohol had no space in it (Interviews with Varsha Kale, Parmesh, Nutan).

Alcoholism is a side effect of working as a bargirl either in the post ban period or in bars where dance is not the main means of profit. The bargirls are expected to encourage their customers to drink and accompany them in drinking, in order to raise a hefty bill. An informant explains the reasoning behind drinking and alcoholism that the women face:

“...when I am at home, I don’t even remember it [alcohol] ...In the household chores my times passes nicely...but in the hotel I need it.. for the bill you have to drink...now cold

drink, how many times will he order that? In that how much bill can you make? If you order food, that too you can order only once na...one plate you can eat...can you eat 4/5 plates? Is there that much space in the stomach? And how much will the customer drink? So for the bill we have to, have to, drink...you will not get any girl who does not drink...one girl in a hundred you will find who does not drink... now the guy is sitting with one beer, sipping it slowly as if he is drinking tea...by the time he finishes his one, we must finish two...calling him Jaan , Jaan, Jaan (darling, darling, darling)...your bill must be 1000, 1500, 2000...if the bill is 400, 500 rupees, the Steward will watch for 2/3 days, then he will say don't come to work from tomorrow, there are too many girls here... That is why I have become fat, drinking...I was not fat before” (Nootan, 14th January 2009).

Drinking alcohol is described as a job here. The effects on the body and psyche are evident in the health and emotional upheaval. Learning to drink alcohol was described as a rite of passage. An informant narrated a nasty story of her first encounter with alcohol:

“I learnt drinking by licking alcohol leftover by other girls and customers. I was told that you must drink to make a big fat bill. So I tried drinking. One time the steward gave me a customer who was known to be a rascal. He used to give mixed drinks to the girls and get them drunk. I did not know this. I asked a co-worker to come and drink with me. What she would do is to come to my table and say, so you drinking alone? And drink from my glass. This way I did not have to drink the whole glass. I drank one glass of beer and went to call that friend, a c- worker. In that time, the customer had put whisky in my glass and also cigarette ash. I returned and drank that. That girl never came and I got sick.

I was wearing a saree, my hair was long and open. I vomited all over my clothes and my hair. He also manhandled me. They threw me into the make-up room, woke me up only at closing time. Girls refused to travel with me in the same vehicle as I was dirty. This incident taught me a lesson that I must learn to drink” (Dolly, 7th January 2009).

Dealing with the abusive customers, management of relationships with other bargirls and stewards/managers is vital for survival and earning. Here, the other girls were callous towards the new woman; they do not support her in the common tricks of the business, and show no empathy or pity when she suffers abuse from a customer. Dolly was an absolute novice; she did not have a mentor or home support, or knowhow of dealing with men. A mother of three children and desperate because of her husband’s illness, she went to the bars to earn money and faced severe abuse till she became a seasoned bargirl.

4.4.2. BAR WORK AND SEX WORK

This subsection explores the connection between the bar work and sex work and argues that while a connection between bar work and sex work can be established, bar work cannot be equated with sex work. Further, I argue that the bar work/ sex work debate is beyond the scope of this thesis.

Is it possible not to do sex work while working in the dance bars? How much difference or distance is there between the barline and sex work? Kotiswaran (2010) argues that the distinction between sex workers and bar dancers is artificial. She states that both of these are sexual occupations where the difference could be of degrees but the court case was debated by

articulating that bar workers are different from sex workers. Bar workers were represented as 'good women' as they were not sex workers.

It is difficult to assess or measure what percentage of bargirls did sex work. Many of my informants, who were at the lower end of the barline, had intermingled sex work and bar work. They had tried domestic work, factory work, and sex work, and had found that bar work pays better, and there is less abuse and less taboo. So they stuck with bar work. Work was chosen on the basis of money and safety, and the distance between different types of unskilled labour seemed to be of mere degrees.

The women who did not do sex work spoke of it as an achievement and described the problems related to avoiding customers. An informant who asserted that she had never ever had sex with anyone but her dead husband, explained:

“Sometimes customers would try to force...be after me too much...I would not go to work for a week...They liked me and I said no...so they would make it an ego issue...must take you out only...so I would hide for some time, and go again when matters cooled down (Calcutta di).

Women use many strategies to deal with sexual harassment by 'admirers'; they change bars or hide in the green rooms when that particular customer enters the bar. Further, the bar itself is a controlled zone; especially as in the dancing bars any untoward behaviour is not tolerated. The male staffs spoke of throwing customers out if they misbehaved with the girls or got abusive. When the girls leave the bar after closing, they do so in groups, many a time the vehicle of the bar drops and picks them up from home. So taking a woman by force is restricted. Yet the bargirls, managers and owners concede that women tend to meet customers outside the bars for

reasons ranging from additional income, gifts or companionship. The boundaries between sex for pleasure and sex for money are blurred here; there may be many intermediary types of sexual activities that women indulge into.

If bargirls indulge in sexual activities with their customers, can their work be termed as sex work? In sex work, sexual intercourse is the main element for the contract in exchange for money, and the only source of income. In the bar, the main element is not sexual intercourse. Sexual intercourse is used to supplement the main income or in order to keep customers paying in the bars. A courtship ritual of weeks and months is carried on, with stages of exchanging numbers, talking on the phone, and meeting for shopping in the day. 'Going out' with the customers may mean a range of things; going for dinner, shopping, drinking juice, sex for an hour or spending a weekend away. Though sex work can be a way to earn hard cash, going out and playing at intimacy is used to keep the customer attached and visiting the bar regularly. This could be termed as 'Transactional sex' that many people, struggling at the lower levels of the show business, tend to do in order to supplement their income while they are struggling to establish themselves into the business (Interview with Advocate Anand Grover, 15th February 2009). Bargirls' involvement can be seen as a necessary supplement for success in their occupation or the business in the bars. So it could be 'promotional sex' to promote their main business.

That said, the debate whether bar work can be equated with sex work and the repercussions thereof are beyond the scope of this thesis. The focus of this thesis is dance, as the legal ban is on dancing. The government has not banned facets of bar work that are not dance, nor has it banned

sex work in the barline or outside. So, bar work/sex work remains outside the purview of present work.

4.4.3. MANAGEMENT OF INTIMACY

The interviews with customers and bargirls both reveal that the bargirls present a facade in the bars; from name, identity to attachment to a man is all lies. For example, as a bargirl says:

“My name is Shamshad, but in the barline I am known as Chanda...nobody tells a real name there.”

It is interesting to note here that the spectator does not require authenticity or truthfulness to enjoy the spectacle. The seasoned customers know of the smokescreen used in the bars and that they are seeing only the front put up by the women.

“...I used to love having conversations wherever possible...never outside, but when we met there and said, ‘hi, what’s happening?’...It is always fake, though...always fake...from name, village, family...everything...everything” (Sunil, 13 February 2009).

The need for telling lies in the barline stems from the taboo of the occupation and the hardship and harassment that the women have to face. They hide their identity as a survival mechanism. Thus, both in the barline and in the Bhatu communities’ secrecy is a tool of survival.

Money is earned not through just dancing or sexual intercourse; it is earned through maintaining intimate relationships with rich men. The illusion of love, attachment and care is carried out, through the everyday phone conversations, meetings, going out for dinner or shopping, visits home or to the hospital when he is sick. Love and money are neatly intertwined here creating the market in intimacy and emotions. The business is managed by keeping more than one customer on the leash:

“...Pyarwala is not one na...there will be ten men...nobody knows who she loves...I feel she loves me, he feels she loves him...” (Sharmaji, 19th September 2009).

The narrator refers to the deception that the bargirls carry on within the relationships that they form with men. This skill at management of intimacy and emotional bond with many men is a skill that many bargirls have learnt and mastered while working in the barline and can be considered a ‘modern’ skill, especially with the addition of mobile phone networking in the post-1990s scenario. Informants mention that the mobile phones are a serious boon to the profession, without which connecting with customers and keeping informed of the work opportunities would be impossible. Yet, the courtship rituals followed here are not novel, they are mentioned in the interviews of the older bargirls from the traditional backgrounds, and also in the contemporary ethnographic studies of the dancing girls and courtesans.⁶⁹

How do the bargirls manage intimacy? A Bedia bargirl insisted that it is a skill of drawing out the customer, then dangling him for months, a skill that the ‘new’ bargirls do not possess.

“...that depends upon you...how to fool the customers...we fool them...we tell them we cannot meet right away, he will put collection in the bar and get fooled...these new girls now, they meet too soon...we don’t ...I am not saying that we don’t meet at all...but we wait and watch...see how the man is...then only...he may have to wait for months, even years...See now my partner is with me for 22 years...22 years...it took three years by the time he could touch me...I would roam around with him...started meeting him after he came to the bar for 6 month....with the hotel bodyguard going along with me...for one

⁶⁹ Similar stories of showing attachment to the customers and conducting elaborate seductions, conversations on the phone are noted by ethnographers studying the Kanjar community dancers and sex workers in Pakistan as also Lucknow courtesans. (Said 2007, Brown 2006, Oldenberg 1990)

and half years I went to drink juice with him every night...3 to 4 thousand expenditure...taxi rent a thousand and a half rupees...every day!” (Kanak, 2nd February 2009).

By new bargirls, the informant means the bargirls who have no background of this kind of work. The connection becomes more apparent on the close reading of the literature available and the interview data gathered. In the Bedia community, the unmarried daughters and sisters remain a part of their natal family and maintain close relationships of mutual obligations with their family members. Their loyalty is undivided, unlike the married women caring for both their natal and marital family. The unmarried working women sometimes have lifetime associations with men which can be quite similar to a marriage. Yet these relationships are viewed as relationships of a contractual nature or monetary/economic relationship where the man provides maintenance. This is referred to in terms of ‘he gives her kharcha’, i.e., expenditure at home’ (Interview with Kanak and Manjari, Bedia sisters who both worked with bars). These marriage-like associations do not have the sacramental connotations of marriage, where husband and wife must carry out religious and familial obligations together, thus, forming the heterosexual social unit at the base of society. This conjugal relationship does not replace or take precedence over the family ties for the woman. Her loyalty and her earnings remain mainly with her parents and siblings.⁷⁰ Further, all those who are non-Bhatu – irrespective of caste, religion or background – are treated as outsiders by Bhatu and are identified as ‘Kaja’ (Conversations with Varsha Kale, Interview with Gulabi). The clients and lovers/partners, who come to marry, fall in this category. They hardly enter the

⁷⁰Korgaonkar’s interviewees- Kolhati and dancers doing Lavani in Maharashtra – narrate that girls from the Kolhati, Dombari communities enter dancing at young age. Their earnings over their careers are spent on their natal families. Despite their own wish to keep their daughters away from dancing they may be forced to do so by their brothers who spent and controlled the money. (Korgaonkar 2010, 2010a, 2010b)

inner fold of the community (Agrawal 2008: 145- 146). This moral code from these communities runs into the barline as well. Women who tend to spend their money on their lovers or on themselves, rather than on their family are called bad women. As my Rajnat informant stated:

“...the women are good women as they do everything for their family. They earn, suffer, toil and maintain their family. If they are selfish, then they are bad....what is the use of irresponsible love... when you are just wasting your money on that man, rather than on your family? Or saving it for your future?”

As long as they are doing their ‘duty’ of looking after their family, they are good women- even though they may be defined as bad women by mainstream society. The theme of good/ bad woman is adverse in this social setting and works as social pressure and sancture on the young women in sexual occupations.

4.5. CONSEQUENCES OF BAR WORK

The market of dance bars runs on the continued supply of the labour of bargirls. This section looks at how this labour force sustains itself: the income, expenditure and saving patterns of the bargirls and the possibilities of class mobility.

We have seen in the introduction how female labour pays far less than male labour (Shah et al. 1994: 40) and a female worker is unable to maintain herself despite 14 hour working days. (See Mies 1982: 51, 54) So the dance bar market is unique, where female labour is paid more than male labour. Any bargirl earned more than the male servers, stewards. Dancers earned more than

singers and singers more than waitresses. It is difficult to give an exact estimate of how much dancers earned in a month as the 'collection' as it is called in the barline is dependent on the type of bar, the youth, beauty and skill of the woman. The data from interviewees establishes the minimum daily income of the dancers to be between five thousand to eight thousand rupees every day (Interview with Savita).

On special occasions such as Diwali, Christmas or New Year's Eve the collection was skyrocketing. A young woman from a bar in Vashi conferred that the highest amount earned in one night would be on the night of 31st December.

“We have taken home 1 to 2 lakh rupees.” (Komal, on 23 November 2008)

A social worker put the monthly income of the bargirls in the area into the range of 20 thousand to hundred thousand rupees. (Interview with Prabhakar, Project Co-ordinator Astha, Sanmitra Trust) This scale of earning is much higher than the wage range that people from a similar class and educational background earn. The minimum wage for manual labour for a day is around Rs. 100 in agriculture and Rs. 150 in Mumbai. For women it is no more than 70 and 100. The lower middle class salaried workers get average salaries of ten thousand per month. Compared to these basic earnings bargirls earn an enormous amount of money. While the income of the professional higher middle class in urban centres of India has risen sharply post 1990s, the lower class workers have seen very little rise in the income levels and are now facing a falling standard of living due to recession. The bargirls are an exceptional category of a lower class social group, who has been able to claim a share of the boom in the post 1990s and be beneficiaries of globalisation.

Yet the income shows mixed outcomes for the class position of the bargirls as a social group. There are examples of bargirls who have been able to utilise their income to secure a changed lifestyle.

“...of course there are savings... people are not stupid...all the older ones, who have done Mujra have flats in Lokhandwala...” (Kanak, 2nd February 2009)

“...Some made houses, and properties...some got ruined...amongst the ones who got ruined, some died, some committed suicide...some have earned a lot...in ten years I raised three kids...I will not lie to you...I made gold ornaments worth one and half lakhs...built a small flat in the village...fed my parents, I am the oldest na...brothers and sisters, I helped whenever needed...got the older daughter married with full dowry...all this with this work” (Calcutta Di, 9th January 2009)

Many bargirls seemed satisfied with their achievements. They managed to fulfil their responsibility to their aged parents, siblings, and children, and still were able to keep a secure income and property for themselves. Many other bargirls just about survived with bar work. The success at economic management and planning differs according to the kind of bar and the number of years a bargirl has been working, and her caste/ class background.

A Dalit (of Mahar caste) bar worker lamented:

“...Nothing...we saved nothing...though we were earning 7to 8 thousand every day...in our khana peena (food, alcohol)...here and there...women had lovers on whom they spent... so now we keep borrowing money from here and there...and when the money comes we repay” (Savita, 23rd January 2009).

The interviewee reveals an economic pattern, where she borrows money from one person to repay another. In the cases where the loan is from a local moneylender, the interest rate could be as high as 2.5 percent per month. A person trapped in this cycle of debt may never free herself from the debt. Despite the enhanced income, the economic pattern for many bargirls seem to copy the hand-to-mouth existence of daily wage earners, i.e., “Roj kamao, roj khao” (earn daily, eat daily). Whatever money they earn in tips, they spend on ‘buying everything from groceries to lipstick’ (Savita interview). Especially in the beginning, the high earnings evaporate fast in providing for the basic necessities and comforts coveted. The bargirls who had spent less than five years in the bars, at the dawn of the legal ban, had not much left from the money they earned from the bars. It was all spent on “family, pyarwala, rickshaw, chicken” (Interview with Prabhakar). Families and lovers were quoted to be sources of emotional and economic exploitation. A social worker states;

“Now I meet so many girls in the field when I am doing my daily rounds...they say we have given so much to this...after hard work in this we give life to so many but our own future is nothing...they will kick us out like a dog...what do we do it for? Mothers, brothers, etc., only na... nobody is doing this for one’s own expenses ...but when our time comes, nobody is there for us (Sajida, 19th February 2009).

Similarly about the lover or the ‘pyarwala’:

“We feel it would be better if we were married...but here even the man who marries you takes advantage of you...he will live off your money and be with you only till youth is with you...then leave you...I hear girls cry always...he looted me, he sold this of mine and that of mine...beats me up...I have heard so much like this (Savita, 23rd January 2009).

The lover could be a manager, steward or a rickshaw driver.⁷¹ These are men who are aware of the bargirls' way of life, work pattern and incomes. Many of them possibly have acted as the pimps of the woman, when she needed to advertise her services. But when they become lovers or husbands, the same knowledge leads to jealousy and abuse. 'Pyarwala problem' is a common phrase in the everyday lexicon of bargirls. Thus, bargirls earn more than their counterparts in the locality or class, but since they belong to the lower caste and class who lack the cultural capital for economic management and future planning, many of them fail to secure financial security despite larger incomes.

4.5.1. SOLIDARITY

Many of my interviewees were Muslim women coming to the dance bars due to poverty and some of these were also from the Muslim communities of dancing women. I consider the supply of labour to the dance bar market from the Muslim community; I ask whether belonging to a closely knit religious minority as well as being in the business of sexual entertainment affects their relationship with society, their occupation or their customers?

Through my data, religion comes across as a fluid identity signifier for women working in the bars, e.g., a woman who belonged to the Mahar caste before converting when she eloped with a Muslim man. She stated that though her husband left her within a few years, she raised her four children within the Muslim fold and they are now married to Muslims. This was because she had already left her family and community behind and saw no sense in changing her religion again.

⁷¹ As the bargirls' job involves travelling in the night, they keep a trusted rickshaw guy with them who will provide transport and security. This relationship of trust and dependency sometimes becomes an attachment and love interest.

That did not mean she raised her children in a particularly different manner. To her it was no big difference (Interview with Sajida Apa). Another woman who was from a Maharashtrian Koli (fisherfolk) family, became a Muslim when she married a Muslim man (Interview with Seema). The stories of these women underline their class/caste identity – Mahar is Dalit and Koli is an OBC caste in Maharashtra – and day-to-day fight for basic sustenance and dignity. Secondly, many times gender identity is stronger for women in patriarchies. Many women tend to convert to their husbands' religious identity, if they marry outside their own community. Thus, religious or communal identity would be more fluid for women.

Some Muslim bargirls belong to the traditional entertaining communities. The literature on dancing women in India shows that Islamic rule and culture in India nurtured the tawaif tradition through which the heritage of dance, music, and poetry was cultivated (Quereshi, Oldenburg). For example, *Ain-e-Akbari* – the accounts of the life and times of Emperor Akbar – describes many types of professional dancers such as Nat, Natwah, Kanjari (Neville 1996: 35). The Sachar Report lists the Mirasi caste of Muslim singers in Uttar Pradesh and the Census of India, 1901, mentions Bedia as a lowest caste amongst Muslims in Bihar and North Bengal (Sachar Report 2006: 193). In this sense, the dancing traditions and dancing women are connected with Islamic culture in India, though not with the doctrine of Islam. Amongst the dancing castes Kanjar, Deredar and Mirasi (musicians) are known to be Muslim communities and are found in Pakistan (Said 2006). Furthermore, these communities tend to have a fascinating synchrony or fluidity of religious identity. In her interview, a Rajnat dancer told me that Bhatu people can be Hindu or Muslim, whatever they want to be. She narrated that at the time of the Partition of India, when Hindus, Sikhs and Muslims were crossing the border, none of the Bhatu people were killed. They

could call themselves Hindu or Muslim as per the situation, so no mob could touch them (Interview with Gulabi). This experience points to the high level of fluidity of socio-religious identity that these nomadic people imbibed.

4.6. CONCLUSION

This chapter has viewed the dance bar market and discerned the similarities and distinctions with the historical market in erotic dancing in India. Through the interviews of customers and the bar staff, the chapter has shown how the bar dancer embodied the power of music through her dance and how Hindi cinema, specially the films on Courtesans, played a vital role in creating the fantasy, ambience and drama of the dance bars. The chapter has analysed how the bargirls approached the dance bar market as an opportunity of employment and how they learned the bar work which entailed a variety of skills, from dance and dressing up, to management of men, intimacy and morality.

The politics of caste and gender emerges as central here. The bar dancers from traditional communities can be seen as performing castes: where they redeploy their caste capital – skills of dancing, entertainment, care, hospitality and the use of sexuality – to occupy the new market space created by the globalising dance bar market. In this sense, women remain within their gender and caste orbit and seem to be ‘performing caste’. However as their traditional skills have gained unprecedented demand and monetary value in the globalising market, bargirls seem to occupy a space of high economic gain and challenge the gender, caste, class borders by performing their caste occupation in the global market.

The dance bar reconstitutes the relationship between gender, culture and caste as the experience of being entertained by dancing women becomes a matter of consumption rather than as a birth right, as customers invent themselves as kings, as men compete with each other for the attention of women, and as women earn money directly from the provision of entertainment. In this sense, the caste boundaries seem to be transgressed in the dance bar market, making this market a showcase of globalisation that can offer escapism from traditional structures.

CHAPTER 5. THE CULTURAL POLITICS OF THE BAN

5.1 INTRODUCTION

This chapter focuses on the cultural politics played out in the demand for the ban on dancing and resistance to it. This chapter argues that the campaign for and against the ban reshaped the relationship between gender, culture, and caste, for a globalising India, by representing the bar girls as everything from immoral cheats to bearers of traditional dancing culture. The demand for the ban called upon the government to protect Indian culture, youth and family. With their ‘obscenity’, display of body and dancing before men, the bargirls were accused of contaminating Indian culture evoking the burden of nationalism and culture that women’s bodies are expected to carry (Sarkar 2003; Sinha 2004). Yet, since this burden is put on the bargirls rather than film actors who the bargirls imitate, obscenity can be connected with the accusations of ‘easy money’ of bargirls and examined through the lens of the value of labour determined by the caste-based occupational structure (Chakravarti 2003:17; Madheswaran and Attewell 2007: 4146, 4153). The idea of ‘protection of youth’ is viewed as pushing the agenda of caste and gender politics in Maharashtra, wherein, the upper caste/class men are assumed to need protection from lower caste/class women.

I draw from Cohen’s (2002) moral panic framework to understand societal control in times of social change. The public anger towards the dance bars can be assessed as exacerbated by the helplessness and devastation of rural communities caused by ‘development’ during globalisation.

As Cohen states, the period of massive social, economic changes and the increasing exclusion is the breeding ground for moral panics, in which some marginalised social group would be blamed and targeted for the new social problems and would have to face punitive corrections (Cohen 2002: 1, 6, 233). Bargirls became the ‘folk devils’ of early 21st century Mumbai. Yet the branding of the bargirls did not go unchallenged. This chapter views the alternate cultural discourses that saw bargirls as victims of human trafficking and the Union of bargirls that organised them as workers, and tried to articulate the right to livelihood through dancing. The resistance that the bargirls themselves put up and involvements of ‘intellectuals’ – applying the Gramscian term (In Hoare and Smith 1971: 4) to the feminists and academics who supported the bargirls – made the dance bar debate a more conflicted process than Cohen’s theorisation. Lastly, I examine the feminist politics during the process of the ban that was fragmented on the caste lines, wherein, feminist groups in Mumbai supported the human right to dance and earn a living, and Dalit feminists opposed this for right to dignity.

A moral panic has its forerunners; people who take up a social issue and blow it to disproportionate levels. Cohen calls them ‘social control agents’ (Cohen 2002: 89- 130). This chapter examines the cultural discourses and themes that these actors and their interaction in the public forum generated; it analyses whether these are influenced by, questioned and challenged within the cultural politics of gender and caste in a globalising India.

5.2 MEDIA: MARATHI NEWSPAPERS

Cohen’s analysis of the role of the mass media in defining and shaping social problems, or as agents of moral indignation is useful in understanding the role of Marathi newspapers in

establishing the dance bars as a problem. The dance bar debate – including the discussions in the Legislative Assembly and Council – was based, to a large extent, on these representations. As Cohen states, the nature of information received about the deviant behaviour governs the reaction of both the public in general and agents of social control. Ideas and conceptions about the deviant behaviour that each society possesses determine what is done about the deviant behaviour. In industrial societies, the body of information on which these ideas are built is second hand. It comes already processed by the mass media (Cohen 2002: 9 - 11). Cohen looks at this case from the point of view of the audience rather than actors. He concentrated on perceptions and reactions of media, society, police and judges to the Mods and Rockers, than focusing on finding out the reality of Mods and Rockers (Cohen 2002: 21-40). This sub-section undertakes a content analysis of the stories circulated in Marathi newspapers and identifies key representations of bargirls that contributed to the debate.

Cohen details how the over reporting, exaggeration and distortion by newspapers leads to grossly exaggerating the seriousness of the events, numbers involved, amounts and effects of damage caused (Cohen 2002: 26). Dance bars were said to cause accidents and death of young men who left dance bars drunk, in the early hours of the morning (Navakal 26 March 2005). In reality, not the number of such incidents was minimal; the Deputy CM cited 25 deaths (The Vidhan Sabha debate, July 2005). Considering that India has arguably the worst road security in the world taking a toll of 327 lives every day,⁷² this would not be an alarming number. Yet the road accidents of the dance bar customers made news.

⁷² NGOs working for road safety estimate over 2.6 % of India's GDP is spent on road accidents and a death toll that is amongst the highest in the world. <http://www.bloomberg.com/news/2010-11-30/one-dollar-bribes-for-india->

Another such theme was of women's safety. 'Women' here were the 'good wives and daughters' as against the bargirls. Newspapers reported that the bargirls and their customers caused annoyance to the local residents by obscenity and loud behaviour late at night. Young women or college going girls living in the locality were reported to be bothered by drunken customers. So it became cumbersome for them to return home in the evenings. Here, the serious concern of the safety of women on the streets of the city was raised only in terms of harassment by dance bar customers. As studies show, the fear of male harassment on the streets curtails women's mobility and access to public spaces in all parts of the country, but is hardly recognised as a grave concern or violation of women's rights of mobility, speech and expression as citizens of India (Centre for equality and Inclusion Report, November 2009).⁷³ The 'safety of women' theme during the dance bar debate assisted in establishing the binary between good and bad women; wherein, because of the illicit activities of the bad women, the good women are harassed.

The reporting about the dance bars followed the pattern of crime reporting with sensational headlines, the melodramatic vocabulary and deliberate heightening of some elements in the story (Cohen 2002: 26). While showing the ruin of good middle class families, for instance, a distraught housewife is reported (in the Maharashtra Times, 13 April 2006) asking, "I have lost my husband to the dance bars, must I lose my son too?" Another example of emotive stories is of young men taking their mother's mangalsutra⁷⁴ to sell it and take the cash to the dance bars,

[licenses-contribute-to-world-s-deadliest-roads.html](http://www.thehindu.com/life-and-style/metroplus/article3609932.ece) and <http://www.thehindu.com/life-and-style/metroplus/article3609932.ece> accessed on 26th July 2012.

⁷³Centre for equality and inclusion, "Perception and Experience of Gendered Violations in Public Places of Delhi", Baseline Report November 2009, CMS Communication, New Delhi.

⁷⁴*Mangalsutra* or the wedding necklace evokes the most emotive response in the Hindu psyche. It is considered the most treasured ornament of a married woman. In a culture where widowhood is considered worse than death for a woman, taking off the *mangalsutra* is considered most inauspicious and selling a *mangalsutra* would happen only in

some even murdered their own mothers for their jewellery (Sakal, 24 April 2005). The theme of 'protection of society' gets special legitimization by invoking images of those who had to be protected (Cohen 2002: 92). The emotive stories create sympathy for the 'victims' of the dance bars and anger towards the ones responsible for this grave situation.

The next step is then of channelling this anger, and branding those who are perceived to be responsible. Cohen terms this process of identifying the culprits as symbolisation; a process of creation of "unambiguously unfavourable symbols, which invoke unambiguously unfavourable feelings" (Cohen 2002: 37). The dance bars, specially the bargirls within the bars, became the symbol of criminality, immorality, non-taxable cash flows and the cultural degradation of Maharashtrian and Indian society.

Dance bars were shown as the dangerous lure that pushes men on to the criminal path. It was because of the dangerous lure of the dance bars and bargirls that men went into bars, left their families, became addicted to alcohol and had to resort to crime to feed the habit. A story in Nawakal (30 July 2005) tells the reader how a young man from a respectable and rich family went to the dance bars and got addicted, how he fooled his parents in giving him money, how he fell in love with a pretty bargirl, and even succumbed to theft in his own home. Any unrelated offence could be connected to the bargirls. The news item about a man who cheated his company by false cheques titled "He looted 34 lakhs due to the lure of the dance bars" (Loksatta 27 July 2005).

more dire circumstances. By popular media imagery, the son would have to kill his mother for her *mangalsutra*, as she would otherwise not part with it.

The claims made in the media about the law and order problems emanating from the dance bars were authenticated through the official sounding 'police sources'. Criminals were reported as frequenting bargirls and losing their exploits in the dance bars. For example, 'Corpse of the murdered mafia don Roshan Patil was found in a bargirl's home in Sanpada. Patil was charged with severe crimes such as rape, extortion and had immoral relations with a bargirl' (Nawakal 29 April 2005). Similarly, the story of Abdul Karim Telagi, the main suspect in the multi-million stamp scam in Mumbai reported his spending rupees one crore in one night in the Topaz bar on Grant Road (Loksatta 19 May 2006).

While both Mods and Rockers and the bar dancers can be assessed as the folk devils of their own times and locations, they are different in their agency. While Mods and Rockers became the direct culprits of hooliganism and damage on the streets, the bargirls were the indirect culprits of ruin of families or criminal activities. They neither had met the families they had supposedly ruined nor had they been involved in planning or execution of the crimes they incited. Unlike the Mods and Rockers who were legally charged, fined and imprisoned for the same crime that the media held them responsible for, bargirls could not be legally charged for running families or inciting crime into the minds of men. No legal responsibility fell on them. Yet the media squarely put the moral responsibility on them. This, in turn, made it easy for the state and non-state actors to criminalise the bargirls and take legal as well as extra legal actions against them. For instance, the theme of middle class localities being infested with bargirls and causing a risk to young women became a basis for ousting bargirls from their homes. The Shiv Sena Women's branch in Thane entered the homes of bargirls in middle class localities and physically threw

them out. The bargirls were seen facing the mobs of angry women and men, or running around with their luggage searching for rickshaws. This was featured in the news as ‘Wrath of local residents threw bargirls out’ (Sakal 2 April 2005).

The harm to the individual and family was compounded by the danger to the ‘nation’ and ‘culture’. ‘All the conventions and values of life’ seemed threatened. “These were the internal enemies who might bring about disintegration of our nation’s character” (Cohen 2002: 51). Articles urged the government to “save the youth and save the Maharashtrian culture” (Arun Mahimkar April 2005).

Why were the bargirls playing such havoc? Because they wanted easy money; they put society in danger for their lust for money without hard work.

“Very few girls have come into this business with helplessness. More numbers are the ones who want to get easy money with less work, who are used to the consumerist tendency. If they were given sewing machines for rehabilitation or offered wage jobs, not a single one will go there” (Mumbai Choufer 17 April 2005).

This term – easy money – was attached to bargirls and was persistently repeated in the media. News pieces of accounts of vast sums of money earned and stored by the girls, pushed this theme further. The news titled “Tamanna’s property estimated at 30 crores” reported that an Income Tax raid on bargirl Tamanna’s house yielded lakhs of rupees in cash from her bungalow. The Income Tax officers were reported to have stated that her property was worth Rs 30 crores and that the raid was undertaken after taking cognisance of stories of rich men ruined by bargirls

(Loksatta 1 September 2005). Thus, Income Tax department also joined the bandwagon of saving the families from bargirls. These stories made the bargirls suddenly very visible. The women who are outside the formal structures of the economy and legality had suddenly come into the limelight. They were seen to be earning more money than the 'common man' and with no hard work. A story of two sisters narrated that they had earned fifty lakh rupees in three years were asked whether they had paid any tax on their income. They replied that they are poor people from Utter Pradesh and do not know what income tax is (Mumbai Choufer 17 April 2005).

The newspaper stories reiterated and strengthened the populist themes about women's role and duties in society, in which bargirls were established as the current bad women. The public opinion and consent that the Marathi newspapers were able to generate during the dance bar debate offered the government the public support needed to pass the legal ban. It created an angry tide against the dance bars and bargirls and made dialogue impossible. It also pushed political personalities to speak in favour of the ban or they would have to face the public wrath (interview of Jitendra Awad, MLA, Thane). Yet, as Cohen states, the agents of social control do not give the unorganised response to on the spot deviance, but rather an organised reaction in terms of institutional norms and procedures. The social control agents include the laws, procedures, programmes, and organisations which, in the name of collectivity, help, rehabilitate, and punish, including the police, government officials, politicians, medical and welfare services (Cohen 2002: 89, 90). As stated in the introduction of this thesis, moral panic happened at this particular juncture in Mumbai because it was favoured by the influential political actors in the state. The following sections evaluate these processes of reaction and response.

5. 3 GLOBALISATION AND EMBARRASSMENT

This subsection looks at the location where the demand for a dance bar ban was articulated first. The changes that the processes of globalisation have brought to the rural communities in India and Maharashtra have recently become apparent. It connects this demand that apparently emerges out of shame or embarrassment at being called a ‘dance bar town’, to the tensions, the sagacity of upheaval and loss that the local population have experienced while coping with the economic and social changes since the 1990s.

Vivek Patil, the Member of the Legislative Assembly, Panvel area articulated the demand for the ban of dance bars in the Maharashtra legislative assembly. He stated that it was embarrassing for his constituency to be a ‘dance bar area’, and how this pushed him to bring a motion for the consideration of the legislature.

We were known for dance bars...I was travelling to other parts of Maharashtra for elections...in villages far away, they said , ‘oh, no no, should not go to Panvel’...Going to Panvel was synonymous with going to dance bars!...Men died with AIDs, so people would say, ‘why did he die? Because he used to go to Panvel’...Such a taboo on our area it was. When I was introduced as the MLA from Panvel, people would say ‘ahan, the dance bar area!’

He says that while dance bars existed all over Maharashtra, their presence was most conspicuous in Raigad district, especially in the Taluks next to the national highways. This affected the local community and gave the area a bad name. He listed the social problems related to dance bars.

What happened with dance bars was that in this Turbhe area, there were so many dance bars that people had started going to them as easily as going to a paan shop,⁷⁵ or buying tea on the street... the effects were seen on all sections of the society... attraction for bad things is always severe in our society...Plus, in our area so much money had come into the hands of the youth suddenly...land sold off to CIDCO, money got from 12 percent scheme...Families were ruined, in many ways...one, the moral health of the communities got affected...second, the financial ruin...like a married man will ignore his wife and children and spend all the money there...And if the money got over, then you would stoop to any level to get more...as it was essential to throw cash in there every night...the AIDS percentage and patients grew here...Corruption in the government dealings went into the bars too... as officers and contractors would go there together

The problems that Patil speaks of are faced by a community going through relentless socio-economic transitions. Patil himself belongs to the Agri community that traditionally was engaged in salt making and cultivation of land and, thus, owned some agricultural land. It is one of the Other Backward Castes (OBC) with a predominant presence in the coastal Konkan region of Maharashtra. The Agri population is estimated at 1.17 per cent of the total population of the state and had 7 MLAs in 2004 accounting for 2.4 per cent of the total MLAs (Vora 2009: 216, 229).

The relatively stable life of this community was hurled into a whirlpool of socio-economic

⁷⁵*Paan* means beetel leaf that is wrapped around tobacco and chewed. It is cheap, addictive, easily available and is widely-used by the working classes in India.

transformation since their land was bought off for industrial projects or development schemes since the 1990s. The New Bombay city area was developed on the land from Panvel, Belapur, and Uran taluks. The land of more than 95 villages went into building New Bombay. Though well compensated in monetary terms, the communities were displaced. The compensation money for the land was splurged in reckless expenditure in many cases. Dance bars would be one such place where money was spent. It was also spent on luxurious mansions, flashy cars and motorbikes, clothes and gold. Before they knew it, people had exhausted their funds after the sale of their land. This created a major void in the lives of people, especially the youth. Unemployment, criminalization disrupted many, and families and communities are on the verge of a breakdown.⁷⁶

The Peasants and Workers Party (PWP) to which Vivek Patil belongs is currently a small player in the Maharashtra state level politics, but it claims influence in this region, i.e., the Raigad district in Konkan. It has won elections for nearly two decades here. Shalini Patil, a female local leader of the PWP, led protest rallies against dance bars in the area in 2002. The local community has had a long and solid tradition of taking part in anti-liquor movements, started during the period of the freedom struggle, in which women were quite active. With that background, support against bars and alcohol could be easy to mobilise. However, the demand for a ban on dance bars was articulated as a ban on the bargirls who lure the customers to bars, rather than a ban on alcohol. The anti-liquor movement is a successful women's movement in many parts of Maharashtra, where women have managed to close down liquor shops in villages,

⁷⁶ Personal communication with Dr Sai Thakur, TISS Mumbai, as also excerpts from her Phd work on "The Agaris of Northwest Maharashtra: an ethnographic study. (2007), Department of Humanities and Social Sciences, Indian Institute of Technology, Mumbai

fight against the powerful liquor lobby, and make the government administration take action. Conversely, women's rallies against the dance bars gave the matter a format of good women against bad women, where women at home seek government's protection against women in the bars. When the government proposed the ban, it did not prohibit the sale of liquor nor stop the bars from working, it only banned bargirls from dancing. The outcome was of creating a binary of good women and bad women instead of composite women's agenda.

5.4 PROTECTION OF 'YOUTH'

Protection of society is a dominant theme in moral panic, which is given a special legitimation by invoking the image of those who have to be protected (Cohen 2001: 92). The women and children at home, the youth who is lured by the dance bars need the protection of the state. Vivek Patil narrated:

“A young woman came to me and presented me with a watch...she said she wanted to thank me for saving her brother and family from ruin. Her brother used to go to the dance bars, so there were constant fights at home...but since the ban, he is at home.”

Young women dancing in the bars were not included in the terms 'youth' or 'young people'. The 'youth' or young men throwing cash needed 'saving' by the government, whereas, young women trying to earn a livelihood were termed as dangerous and cheats. The class/caste positionality of these men and women must be noted. The rural 'youth' coming to Mumbai to throw money in the dance bars could be the sons of the rural elite in the state. In some way, the 'protection of the youth and families' is afforded to the same class that the government owes the most loyalty to, as seen in the policies towards the sugar factories controlled by the Maratha elite (Lele 1990:171-173).

Here, ‘protection from deviance’ theme operates to activate the hegemony of the ruling castes, as the need, from the state, for protection justifies the use of force against the dance bars and bargirls. The same government protection is not offered to others who face direct violence including sexual violence – gang rapes, sexual mutilation or parading naked of the Dalit women as demonstrated by the cases from Sirasgaon in 1960s to Khairlanjee in 2006 (Rao 2003; 2009). Hardly any of these offenders have been punished despite their grievous crimes against women. In view of this, it could be said that sexual exploitation of the lower caste women by the men from upper castes is almost accepted as a norm within the caste order and so these offences, even though recognised as legal crimes, are not taken seriously (Rao 2009: 235). Protection of youth remains a preferential favour offered by the government.

What is the significance of the legal ban on the bar dancing in Maharashtra? As per Chakravarti – elucidated with the examples of Brahmin Peshawa rule in 19th century Maharashtra in the literature review – caste order was not a voluntary social hierarchy but was a system maintained by the state through the force of law and punishment (Chakravarti 2003: 110-111). Thus, it was not only the hegemony created by religious doctrine but also the dominance of the state that maintained the caste rule. I argue that through the ban on dancing in the bars, the current ‘Maratha Rashtra’⁷⁷ sought to reinforce the right of the upper caste men to have sexual access to lower caste women, and for free. The ban would be aimed at bringing down, from their once high position, and pushing into prostitution, the women who dared to ask for and manage to get money for their sexuality. The real objection was not to men accessing sexuality of these women, but to men having to pay for it. The state’s action can be viewed as the maintenance of the caste

⁷⁷RajendraVora (2009) uses the term Maratha Rashtra for Maharashtra as the Maratha caste cluster has managed to keep a majority hold on the Legislative Assembly as well as the Cabinet of the state. From 1967 the Maratha strength in Vidhan Sabha has been in the range of 125 to 140. While they account for 31 percent of the population, they claim around 45 percent seats.

based status quo between upper caste men and lower caste women. This could be viewed as state dominance maintaining caste rule during globalising India.

5.5 CONTAMINATION OF CULTURE

Contamination of the family, community and culture was the concern of Mrs Vidya Chavan, who formed the Dance Bar Virodhi Manch (Coalition against Dance bars). A member of the Mumbai Municipal Corporation at the time of the dance bar debate, she had been active in politics for many decades, especially in the mobilisation of slum dwellers for their human rights and economic demands. She belonged to the same party as the Home Minister and supported him with an active campaign for the ban on bar dancing. She organised rallies in the areas where bars were plenty, signed up like-minded famous personalities such as Justice Dharmadhikari (a retired high court judge), and veteran female leaders from the Communist and Socialist parties, such as Ahilya Ranganekar and Mrunal Gore to make up a coalition against dance bars. She states her position as follows:

The culture of drinking and literally throwing money on the girls was established here. Even in my middle class Brahmin area, some men were going there. Students from Satara, Sangali would travel to the bars on the highway and throw away their education funds. The merchant class, Gujarati/Marwari⁷⁸ were at the forefront. But our main concern was the middle class salaried husbands who were handing over their salary to their wives so far...now spending it all on the very day they received it. What should the woman at home do? How would she run her household?

⁷⁸ Gujarati and Marwari, the communities originally from Gujarat or Marwad in Rajasthan, are associated with mercantile class in Mumbai.

Here, Mrs Chavan is speaking for the constituency of middle class housewives. The middle class, in this context, is to be understood as not the financially secure consumerist 'new middle class' (Fernandes 2000, 2006), but the Maharashtrian stereotype of the old 'middle class', employed as clerks and earning meagre salaries, a group that is meek, almost voiceless, and squeezed between the rich and the poor.⁷⁹ The middle class family must be a heterosexual, monogamous, patriarchal and nuclear unit and is the foundation of society. In this case, the foundations of the middle class respectability are shaken. One by the visibility of the bars in the localities dominated by the middle class and, two, by the fact that middle class men are amongst the customers of the dance bars. The middle class has established itself as the bearer of the Indian culture since colonial times (Chatterjee 1989) and the role of the patriarchal nuclear family is vital in propagating this ideal culture (Rajgopal 1999: 79, 91 -93). So far, the middle class housewife would have borne the brunt of perpetuation of purity of the national culture (Sarkar 2003, Chakravarti 2003, Radhakrishnan 2008), but Mrs Chavan seems to be concerned about the middle class men going to the dance bars. Though she does not seem preoccupied about their virtue, the entry of the middle class men into the dance bars comes as a novelty in her locality. This could be attributed to the plebianisation of the market in erotic dancing that dance bars have managed, as seen in Chapter 4. Whereas, the parlours of courtesans were accessible only to the gentry, the dance bar market offers entry to any customer as long as he pays. Freed of the shackles of birth, thus, the dance bar market is an opportunity for the middle class men to feel like the old Nawabs. This has caused tremors in the so far secure zone of the middle class family.

⁷⁹Prof Rajendra Vora in a lecture delivered on 'Democratic politics in India; the current dynamics' in Development and Human Rights Institute, Pune, July 2007

Mrs Chavan shows surprise at the Brahmin men seen to be entering the dance bars. She expects Brahmins to be pure and the fact that the Brahmin men are going there, is in itself a testimony to the potent and forceful influence of the dance bars. This notion of purity can be critiqued in the light of academic literature that shows that caste hegemony is secured in two ways; by regulating caste respectability and by justifying flagrant transgression as a form of upper caste privilege. In this, the lower caste women reproduce the caste hierarchy by being objects of sexual pleasure, aggression and violation (Rao 2009: 235). Peshawa rule in Pune maintained the system of Natakshala, i.e., the dancing spaces where sexuality of the lower caste women was appropriated in the service of Brahmin rulers (Rege 1996: 24-27). So the middle class Brahmin men going to the dance bars could be seen as following the examples of Peshawa Brahmantra rulers, rather than breaking a norm. The dance bars have made accessible to the middle class Brahmin man what was earlier limited to the Brahmin ruler.

Herself a middle class and upper caste wife, Mrs Chanvan, presents the class argument in terms of good women at home (the housewives) against the bad women in the market (the bargirls). If the husband gets attracted to the bars, what will happen to the wife who is supposed to be dependent on him? This good woman is the upper caste, middle class woman and in context of the existence of various religions in India, essentially a Hindu woman. The pro-ban campaigns circulated a poster that said, 'Sweety or Savitri – who are you with?' The slogan is self-explanatory in the Hindu context. Savitri is a mythological figure who fought and argued with Yama, that is, the God of death when he took the life of her husband. Her devotion won over the God and he returned her husband to her. Savitri is the highest ideal of Hindu womanhood⁸⁰, the

⁸⁰ This ideal lives on in the contemporary Hindu society, where women fast and pray to seek the boon of the husbands' life. Every year on Wata-Savitri, thousands of Hindu women worship the Banyan tree, under which Savitri resurrected her husband. They pray that like Savitri they could bring a long life to their husbands, and that

wife who will never let her husband die and, in doing so, will never be widowed herself. Sweety could be just a pet name for sweetheart, but it could also be a Christian or an Anglo Indian name. This dichotomous preference between a Hindu and a non-Hindu name fits well with the current Hindutva era in India,⁸¹ where the minorities are demonised, minority men are typecast as violent or lazy, and the women as either mute or loose. Owing to the western attire of Christian women and freer interaction between men and women in the Christian communities, Christian women get stereotyped as loose women. Though the campaigners did not belong to the Right Wing political parties, the image that the slogan 'Sweety versus Savitri' created, furthers the Hindu nationalist agenda.

Further, Sweety vs. Savitri brings out the appropriation of Indian womanhood. Bramhanical patriarchy insists upon the sexually pure prototype for the Hindu woman. The ideal of female purity and pativrata dharma, i.e., the duty of a chaste wife who worships her husband is internalised by women through the rituals, stories and a system of reward and punishment (Chakravarti 2003). The politics of the Hindu Right had successfully worked with this already established model and has widened its scope to encompass 'Indian'. Thus, the ideology of Bramhanical patriarchy and the politics of the Hindu Right worked together to masquerade the upper caste model of female purity as the ideal Indian womanhood.

they would never become widows. This social ideal originates from the religious doctrine. The Hindu wedding ceremony has seven rounds of the fire; in the first six rounds the bride walks, she follows the footsteps of her husband, promising to do so in married life. The seventh round, however, she comes ahead of him and promises and wishes to face death before him. However, short a husband's life is meant to be, a wife's should be shorter.

⁸¹ Chapter two, literature review, contains discussion about the weaving of Hindutva ideology with consumer Capitalism in the globalising India.

5.6 DISHONEST LABOUR

The allegations against the bargirls are fuelled by the belief that they earn easy money by cheating men and the display of flesh. ‘Hard work’ must be hard physical labour, ‘honest work’ would be what domestic servants or factory workers do. This opinion was shared by the Leftist activists in Mumbai, and some veterans even joined the anti-bar rallies.⁸² When I interviewed a leftist activist who supported the ban, he said,

There is a difference between the mill workers and dance bar women. It is a tragedy of Capitalism that a woman becomes a commodity and sells her body. A worker in the mills sells his labour. It is hard work that he does in production of goods, unlike the easy money of the bar dancers. It is the failure of the capitalist government in providing alternate employment to these women. There were proposals of training them into computers, tailoring. Self-help groups of dance bar women should be given government contracts of providing things for the hospitals etc., so that they can get out of this work.

Here, the bargirls are not virtuous hard workers like mill workers. The activist had conceptualised bar work as ‘commodification of women’ and the ‘sale of body’. But he could see that bargirls fetch much more remuneration as dancers and entertainers than they would as sex workers. So he persisted on the logic of easy money: bargirls do not do hard work like the factory worker, they do not participate in production of goods, so they are non-workers. The dilemma of the activist here is that he is sympathetic to the gender issues but finds it difficult to

⁸²Mrunal Gore from Janata Dal and Ahilya Renganekar from Communist Party are women who led struggles of women for economic demands since the 1970s. These senior left leaders were seen walking in the rallies organised by Anti Dance Bar Forum.

be compassionate to the bargirls who are supposed to be earning very high wages and so are not 'proletariat' enough.

When asked what he thought of the bargirls, Vivek Patil replied,

We are not against those women, but against the tendency to earn money by cheating customers...they should work hard and they should be offered honest work...but then I said to their president too...why would you try for honest work, when you can earn easy money with body display? With hard work in Bombay you get 5 thousand per month, which you earn in one night...with honest work as domestic servant or factory worker, they would earn much less.

The idea of 'bar work' being work is rendered farfetched in this argument of easy money, as the skill of dancing is not recognised. While dance is not accepted as work, it is lauded as 'culture'. In Maharashtra, Tamasha and Lavani are acclaimed as the Marathi culture. They are now protected and sponsored by the government of Maharashtra. Both of these are folk dance forms, traditionally performed by Dalit musicians and dancers, mostly from the Mahar or Kolhati castes. Lavani, in particular, is an erotic dance form, with sexually suggestive songs and dances (Korgaonkar 2010, 2010a, 2010b). During the dance bar debate and in the court case, the suggestions that bargirls should be treated like the Lavani dancers were vehemently refuted. The distinction between the 'respectable and hardworking' Lavani dancers and the 'cheating and easy money' bargirls were highlighted and the suggestion that these two could be comparable was in itself construed as an insult to the Lavani dancers, who are preserving the culture of Maharashtra (Special issue of Weekly Chitrlekha dated 1 May 2006, had many articles on this theme).

Throughout the debate about the dance bars, while suggesting alternative ‘good’ work, there was not a mention of a possibility that the bargirls could be dancers elsewhere; that they could form troupes of dancers, or be absorbed in the ever expanding Hindi film industry in groups of dancers. The work suggested for them was always what is assumed women from their socio-economic background should undertake. So the proponents of the ban advised them to take on domestic work or road work. The virtue of hard working poor women was compared to the easy virtue of bargirls who ‘dance in front of people on film songs’. For example Vidya Chavan said:

“Some women’s groups stood with the bargirls saying what about their livelihood? I understand that they are poor women. But I work in slums and people live in absolute poverty there. But the women there do not go to dance. They work hard whole day, making artificial jewellery, making papadams, pickles...They work as domestic labour and do cleaning jobs...They are not standing in the market dancing in front of people on film songs...such obscenity...the way women would use their bodies to earn money...we were against that in the first place.”

Is dancing on film songs in front of people taboo in contemporary Mumbai? The Hindi film industry has ruled the popular imagination of generations of Indians and Bollywood music and dance is consumed ravenously (Morcom 2008, Shresthova 2008). In recent years, various dance shows and competitions on Hindi film songs have become very popular on TV. Girls and women of all ages imitate Bollywood moves and are cheered on by their families who flock the audience with placards of support. Middle class families not only watch these dance competitions avidly

but also encourage their young to participate in them.⁸³ Such competitions, then, are permitted among the middle class, while at the same time lower class women, who have heredity of dancing, cannot dance to earn a livelihood. This mind-set requires a closer analysis of the caste, class situation in modern India.

Hereditary occupational structure, based on caste hierarchy, has undergone changes over time under the influence of market forces. When the market creates new opportunities in a trade traditionally practiced by the lower castes, upper castes take over that trade, business or occupation. Lower castes, unable to compete, are driven out of the market (Pandit 1996: 46). For example, shoe making is the traditional occupation of the Chamar caste. When the consumer market in shoes expanded, and required capital along with new technology, the Chamars could not compete. They remained outside the expanding market that undertook bulk production in the factories. India's economic development is uneven and combined, wherein the old and rudimentary economic functions remain in circulation along with the new, mechanical. Street cobblers still serve the cities, towns and villages in India mostly doing shoe repair, and they all come from the Chamar or Cobbler caste. Thus, two parallel markets operate at the same time and the traditional practitioners of the trade earn survival incomes at rudimentary production.

Women from dancing backgrounds reigned in the early film or recorded music industry in India, since acting, singing and dancing were part of their cultural capital (Sampath 2010, Navile 1996, Qureshi 2006). As the Film and music industry expanded and rose in money and status, the

⁸³ A few popular programmes of this kind are *Aja Nach Le*, *Dance India Dance*, *Boogie Woogie* (for Child performers).

women from upper middle class ‘good’ families drove them out.⁸⁴ In the globalising Mumbai, the dance bars emerged as a new industry in which these women could use their traditional skills of dancing, singing and seduction to earn money. This industry remains outside the respectable society and so within the purview of the lower caste/class dancers. Yet they were earning more than society could accept as their due. They were earning money by dancing, without being touched by men. This was called ‘easy money’. If they were working in the older sex industry like prostitution – like the Chamars on the street – they could be accepted. But rising to occupy the global market space and competing with the upper strata in terms of money or power is unacceptable. If these women had to be paid so much for dancing before men, then they would almost rise to the level of the film divas belonging to the upper castes, and so destabilise caste as a marker of class.

5.7 OBSCENITY

The obscenity of ‘women displaying their bodies to men’ was opposed by Mrs Chavan. On the grounds of obscenity, she was able to get Justice Dharmadhikari to subscribe to the Anti-Dance Bar Coalition. A retired High Court judge and a self-proclaimed Gandhian he became a foremost supporter of the ban. The weight of his position allowed the Anti-Dance bar forum committees to meet up with many authorities, including the Governor of Maharashtra. He expressed his horror at changed sexual attitudes in society today.

⁸⁴ All the top heroines in the Hindi film industry currently – from Madhuri Dikshit to Shilpa Shetty and Aishwarya Rai – come from Brahmin, *Vaishya* or other upper caste backgrounds. Earlier, these communities forbade their own women from singing, dancing or performing in public traditionally, as it was meant for ‘bad women’ from dancing communities, courtesans and *devadasis*.

It is everywhere.....You are selling condoms and making advertisements for them. Why not say do not have sex before marriage? Why propagate you can have sex, but do it with a condom? This is going towards anarchy, free sex! ...On packets of cigarettes it is written, ‘smoking is injurious to health’. Why such warning is not printed on condom packs? Now if you have time, go visit the hospitals in the city. Just now navaratri⁸⁵ has passed na... Abortion clinics will be full.

With his moralist discourse on sexuality, Justice Dharmadhikari is the spokesperson for the moralist brigade. At the age of 80 or above, he is also representing an era past in India. He would not utter the word ‘sex’ and is clearly appalled by the presence of ‘it’ everywhere. The youth culture in global urban India is free, bold and could be called obscene by the definitions of the older generations.⁸⁶ The 21st century Indian society, in general, and media, in particular, has come to display, portray and accept what could be deemed obscene by some definitions. The urban society has grown more tolerant, almost indifferent towards it. It is difficult to escape the visual glossy presence of sexuality – through films, songs, advertisements in TV, newspapers, hoardings, posters – especially in Mumbai and other urban centres. Hindi and even Marathi television dance shows, and many Bollywood item songs and song videos would apparently be much more obscene than the dance forms or body display in the dance bars. Yet the objections are raised only to the obscenity in the dance bars. Rather than a blanket orthodoxy or revivalism

⁸⁵Literally nine nights, this is a festival where men and women dance together on traditional music during the nights. During the day Goddess Durga, the fierce deity of Bengal that killed the demon Mahishasur, is worshipped. The festival culminates on the tenth day by immersion of the idol of the deity into the sea. *Navaratri* festivities allow vast number of young people to spend the nights together unsupervised. The interviewee is condemning the furtive sex and unwanted pregnancies that he believes is part of these celebrations.

⁸⁶ The free youth culture comes with an anecdote of class dimensions. The upper middle class, English educated, college going young people are attacked by the Right wing youth of Shiv Sena or Sri Ram Sena for Westernisation and corruption of Indian culture. The differences were seen starkly during the Pink *Chaddi* Campaign where a young women’s group urged people to send pink underwear to the proponents of the attack on women in a pub in Mangalore in January 2009. For details of the campaign and clashes it uncovered, see <http://www.movements.org/case-study/entry/the-pink-chaddi-campaign/>. Accessed on 7 March 2011

towards sexuality in the social sphere, the issue of obscenity in the dance bars seems to revolve around who to control, rather than what to control. Bargirls do not deviate much from the dominant dancing patterns in Bollywood. They mostly imitate songs as seen on the screen presented by the film actors. Even rich bargirls earn less than their film idols⁸⁷ who dance on sexy numbers known as 'item songs', and have far less legitimacy and status. As explained by Mazarrella (2010: 5) obscenity is an issue in the uncomfortable zone that dance bars are situated. Since they are neither 'modern' like the discotheques or pubs nor 'traditional' like Lavani, dance bars seem to pose a threat of obscenity.

Further, the Judge stated that law must take action against those who harm the dignity of women. Nobody can harm the dignity of women. Not even women. Constitution of India does not give women a right to use their bodies the way they want. Reasonable restrictions can be placed on any right in the name of morality.

Since dignity of women have a political value (Sarkar 2003: 41) in the cultural politics, dignity of women is to be guarded by the force of law. In this discourse, the target of the force of law would be obscene immoral women who threaten the dignity of women. Obscenity debates in India revolve around women's clothing, especially clothes that reveal the female body or shape of the body. If it must appear in public, the female body must be wrapped enough to evade any shame. It is expected that women wear long shirts or kurta over their trousers so the shape of their hips is not shown, or they wear another loose cloth – dupatta – on top of their kurta and cover their chest and breasts. When asked what she considered obscene, VidyaChavan

⁸⁷ For a single film song - with about 5 days of shooting - an actress can charge minimum 15 and up to 25/ 30 lakh rupees, depending upon her grade. The payment for top heroines ranges from one to one and a half crore rupees per film that takes about 50 days of work (Interview with Nihal Satpute, Assistant Director in Bollywood, February 2009).

commented that the previous generation wore saree or at least a salwarkhamis. “But the college girls now...in their jeans and t-shirts...” To her the western attire was unacceptable not only for its western look, but also because it displays unnecessary amounts of body or the shape of the body. This same principle is not applicable to the male body. That is why what men wear in public is irrelevant to the obscenity debates.

5.8 SEXUAL TRAFFICKING

The activists for the abolition of trafficking in women and children were unique among the proponents of the ban, as they spoke against the dance bars but not the bar dancers. They supported the ban for the reason of protection of minor girls from sexual exploitation.

NGOs working with the issues related to prostitution or for child rights supported the ban on the basis that dance bars form a part of the commercial sexual exploitation of women. Pravin Patkar, the President of Prerana, an organisation working in the red light areas in Mumbai, condemned dance bars as “nothing but brothels where women are made available for the customers for a fee”. He was vocal in media about his support for the ban. He published articles in magazines, spoke in meetings and appeared on TV shows. In his interview he told me why he thought the ban was appropriate.

You are basically closing the shop. The dance bars are a site of display and sale. They are the final outlet in the chain. If you stop them the demand is closed. When demand stops, procurement and supply also stops. The girls who are sitting in their villages in North India somewhere waiting to be sent to Mumbai’s markets...with no family member doing gainful employment, with a father who is a pimp of his daughters...they will have some time...to think

of other options...if sending the girls to Mumbai stops being so lucrative, other opportunities might be pursued....

Patkar's idea of the dance bars is of a brothel, where minor girls are brought in and kept by force, and made to sleep with customers day in the rooms adjacent to the bars maintained for the purpose of prostitution. 'Prostitution', he insisted was the 'commercial sexual exploitation' as per the current law in India. So, he said, that the demand of some feminists for 'legalising prostitution' was highly preposterous. Since his organisation mainly worked with children of prostitutes, the attention was focused on the under 18s. The issue with the dance bars was the wellbeing of minor girls from poor backgrounds, in the present and future. He refused to consider the idea of sex work as a choice. He declared that choice would arise only when these girls were offered other options and if they were to choose sex work from a range of choices. In the absence of other options and opportunities of survival a woman opting for sex work, would not amount to her choice. The girls from the traditional dancing communities, 'with no family member doing gainful employment, with a father who is a pimp of his daughters', he asserts, will be helped by the ban in Mumbai. They will have a chance at other options, time to consider other opportunities.

The anti-trafficking lobby had another influential spokesperson in Neelam Gorhe, a Member of Legislative Council of Shiv Sena, the state level regionalist Right Wing party pushing the agenda of 'Mumbai for Maharashtrians'. A medical doctor by education, she had begun her political career as a Socialist student activist. She has been active with the women's issues, and

runs a women's organisation. Her main concern was the trafficking of minor girls into the brothels of Mumbai.

“From 1999 I have been involved with anti trafficking work with my organisation StreeAdhar Kendra (Women Support Centre). Human Development Report, 2004 by Maharashtra government says that 75 percent sex workers enter the profession in their minority. Mumbai serves as the market as well as the transit point for sex trafficking, and rural Maharashtra serves as a provider.... Me and Justice Dharmadhikari gave a letter to the home minister saying the sexual exploitation of the young girls is rampant, much of it is cheating. Someone has eloped on a promise of marriage, then made to sleep with many men, and then has been pushed into prostitution. I have spoken to about 60 to 70 young girls from '99 onwards. Muktainagarjalgaon, Kalyan, Nagar, Nagpur – very young girls, aged 10 to 12. For example, someone is fed something through food or milk that made them unconscious or they are kept trapped without food for days and then forced to have sex with 25 to 30 customers....So we had submitted a letter saying please take some action about the state of child trafficking into Mumbai's sex market.

Ms. Gorhe was concerned about the problem of trafficking and commercial sexual exploitation of women. She had already made representations to the government for solution of sexual exploitation of children. Her entreaties had pushed the government to call meetings and set an agenda for eradication of child trafficking. She attended high profile meetings with NGOs, police and was on the working committee to formulate an action plan for Maharashtra and Goa. Then suddenly ban on dance bars was declared and she found herself in an impasse. On the one hand, she asserted, she was not convinced of the merit of a ban on dancing. But on the other hand not supporting the ban might mean that she is not serious about the fate of young women trafficked

into Mumbai for sexual occupations. The government thus almost laid out a trap for people who were demanding action on trafficking.⁸⁸ It worked as Ms. Gorhe resigned to the new bill and did not consider the possibility that dance bars are the high end of the sexual occupations that women undertake in Mumbai⁸⁹ and banning dance bars would not help arrest the trafficking networks and commercial sexual exploitation of women.

5.9 THE COLLECTIVE ACTION BY THE BARGIRLS

The resistance to the ban came from many sections of the civil society. The main spokesperson for the Bargirls was Varsha Kale, President of the Bharatiya Bargirls Union. A charismatic leader, Kale was able to create a movement of bargirls against the ban. She had registered the Union eight months before the ban was announced by the government in April 2005. During the countdown to the beginning of the ban on 15 August, Varsha Kale had managed to organise protest rallies of thousands of bargirls and forced the government and society to take notice of this hidden community of women.

Kale narrates the story of building the union;

I was very curious about bargirls reading in the sporadic news. I have no connection with dance or music. I had heard that in London, there is one Exotic Dancers Union. And since I was working to start the Womanist Party that time, I thought women can have a union. They view

⁸⁸ As per the SNTD report, a very small percentage of bargirls were minors and as per the petition filed by the Bharatiya Bargirls union, the possibility of having minor girls in a particular bar was used as a justification of the police raids on dance bars and harassment of women working in the bars.

⁸⁹ Sonia Faleiro (2010: 14, 15) in her stories about bargirls states that bar dancers were the highest ranking women in the hierarchy of sex work in Mumbai. Lowest were the floating sex workers who sold sex anywhere on the streets. There are silent bars workers who give hand jobs to men in dingy, dim lit bars. There are brothels where sex worker and the madam share a relationship of slave and master. Then there are call girls who speak English and go to five star hotels to be picked up. There are also massage parlour girls. Among these, bar dancers rate differently as their main occupation in not selling sex and when they do it, it is done quietly and under their own covers.

themselves as workers...I had this urge to unionise bargirls. I started visiting slums in the day and travelling at night in trains to meet bargirls. I was watching women in the ladies compartment, trying to speak to them. There was huge secrecy, I was hooted out abrasively.

One day there was a woman that I followed out of the station. She walked fast and got into a rickshaw....I was trying to speak to her, was running after her with a pen in my hand for her contact number....Her rickshaw started, and I thought, ok here goes one more, without any clue. Then it stopped next to me, and she said, 'write my number...my name is...Remember it!...I came home jumping that I have got a contact of a bargirl after three months...'

Thus, began the unionisation of the women working in dance bars. More women came in contact, offered phone numbers. She started visiting their homes and understood more about their lives and needs. In the survey, bargirls were asked, 'What are your expectations from the union?' Mostly the answer was protection from police harassment. Varsha Kale wondered how the union in its infancy would manage to do this, but somehow ideas and suggestions from the bargirls themselves came handy.

The bargirls had demanded an identity card from the union. So that they can deal with the police better...Police stop and ask them what they are doing out on the streets at this time of the night...in training programmes we used to teach them how to show the card...So when they are stopped and questioned, they take out the card like this and show it...there would be their own photograph and name of the union...she would say, 'I am a bargirl...I dance in the bar'. If the policeman tries to pull it, she should hold on to it...and flick it to show my phone number written on the reverse side...she would say, 'Call this number, she is the president of our union'. I would

get a phone call at 3 am asking, 'Oi, who is this?' I would answer, speak to them in Marathi and ask whether they have any of the union members with them and why they are not letting her go? This way, the news spread that you can get out of police trouble with this card...Earlier some owners would throw us out, saying no union here...but when the girls started saying that their friends have this card and how nice it was, they started calling our staff to the bars.

So the evident 'protection from police' became the attraction of the Union, and resulted in the growth in the number of its members. While it successfully responded to the main concerns of their constituency, the Bharatiya Bargirls Union was criticised for conniving with the owners and not being a credible labour union, for 'claiming to be a Union without fighting with the bar owners and management' and 'colluding with the management' (Mentioned in many interviews with the pro ban spokespersons).

Kale stated that the union was getting its foothold into the industry and slowly taking up issues such as better proportions of tips and conditions of work, when suddenly the ban was introduced. Within eight months of the Union registration, the struggle for the survival of the occupation surpassed any other concern or demand of the union. There was hardly any time to get deeper in to the labour issues and negotiation with the owners. The Union was pushed to join their movement with that of the bar owners, thus the agitations and rallies saw them marching together with the bar owners and staff (Interview with Varsha Kale).

Despite the criticisms levied against her, Varsha Kale rose as a well known public persona in the heady months of the movement against the ban on dancing. She was coveted by media for her

interviews, speeches, news bytes in which she pushed the question of livelihoods of the bargirls, the idea that bar-work is work and that dancing is a hereditary occupation for many bargirls. She found many allies in the feminist groups in Mumbai, writers and journalists, even film stars and directors. Many public personalities came out with bold statements supporting the bargirls' right to livelihood and condemning the hypocrisy of the government's stand. The fact that thousands of young women marched down the streets demanding their right to work and livelihood, shattered the myth that bargirls are forced in to the dance bars and are waiting for someone to come rescue them. It seems the ban was making and unmaking of Varsha Kale as a leader. Once the ban came to be executed, the bargirls dispersed all over the country and abroad following work opportunities or retired with their patrons or returned home. The Bargirls Union lost its members and the spirit for further struggle. Media found other juicy topics to move on to. By 2008, when my fieldwork was undertaken, the union had almost disintegrated and Kale was left with few bargirls around her.⁹⁰

5.10 THE FEMINIST POLITICS

In this section I view the feminist politics in Mumbai during the ban with its alliances, fragments and dilemmas. The 'embodied subjectivity' of women researchers is vital in creating knowledge. Yet this phenomenon of feminist Standpoint theory – where women, due to their positionality, are arguably better equipped to understand and relate to gender oppression – needs to widen to

⁹⁰ Kale was a huge resource centre: firstly, she had tremendous knowledge about the world of the bargirls and the traditional dancing communities that they came from. Secondly, she had a roomful of newspaper cuttings, books and other materials related to the issue. She was generous with her time and resources, and passionate about the ban. Her analysis was sharp and crisp, and her storytelling captivating. I am indebted to her for my fieldwork.

incorporate many standpoints of race, caste, class, ethnicity. The ‘double consciousnesses’ of the academics of colour, who study their own group, is useful while analyzing two different, often incompatible worlds (Wolf 1996: 13, 14). As bell hooks explains, “Living as we did – on the edge – we developed a particular way of seeing reality. We looked both from outside in and from inside out. We understood both” (hooks 1984: vii). Dalit feminists or intellectuals may embody the ‘double vision’ in India owing to their exposure to the caste/gender oppression as also the access to the language and tools of representation. They could translate the subaltern voices into the dominant language and expression. I have considered the political position of Dalit activists and writers in this light in my analysis of feminist politics during the process of the ban.

Some of the feminist groups in Mumbai⁹¹ (hereinafter, collectively referred to as ‘the feminists’) were among the firm allies of the bargirls’ struggle for livelihood. Their main contribution was the publication of two surveys on the conditions of work and life of the bargirls. With the sample size of 500 women, their publication before the ban was the most representative survey of bargirls. Their support added weight to the struggle of the bargirls. With the feminist support the bargirls’ issue of livelihood could be construed as a ‘women’s issue’. Interview with Chainika Shah narrates how the feminist got involved.

We first knew of the dance bars when the bargirls had their huge public demonstrations on the streets. We got interested, so we contacted Varsha Kale. One knew Varsha from before and knew

⁹¹The organizations were all signatories to the open letters, survey publications, and later the High Court petition. Many of these organizations are led by the generation of women who were part of the Women’s Movement in the 1980s and with claims on the global feminist ideology and theorisation. Though discussion on NGOfication of social movements is beyond the scope of this thesis, it can be safely stated that the area of influence of all these organization put together is rather limited, even though the individuals are dynamic and the groups active.

how to get in touch, thus, it was easily done. Many things were being said about the dancers, their earnings and expenditure, how they are brought in the trade etc. We thought a proper study is needed. So we did the first study on 'Dance Bars: Myths and Reality' with SNTD.

Shah is active with the Forum against the oppression of Women. She is a lecturer in Mumbai and a member of Women Development Cell, Mumbai University. In the process of the first survey the feminist activists met up with the bar owners and established contact with them. They could use these contacts later for the second survey in 2006. Thus, an interesting, though tentative, coalition between the feminists and bar owners was formed. Bar owners helped with the surveys and feminists provided them a sense of legitimacy. One may not say that the small feminist groups and NGOs such as Akshara, Women's Centre, and Awaj-e-niswan that were engaged with this issue had a huge constituency or could change the direction of the public discourse. Yet they offered another dimension to the existing discourse, other facts than what was already in the propaganda. With their connections and networks they were able to enrol the academics at the Women's Centre, in SNTD University, Mumbai. The leftist and feminist networks and affinity of the 1970s and 1980s prevailed till date even though they have gone in different directions of academia, autonomous movements, unions, and NGOs. This makes it easier for actors to reconnect with and enrol others to a cause.

There seems to be a shift in the dominant feminist discourse in India in the past few decades. There is a journey from the feminist formulation of sexuality as male oppression to the understanding of sexuality as a woman's expression. Much has been written about sexuality in the last twenty years that has offered new directions to activism and further research. This

acceptance of sexuality in a wider sense became apparent on the issue of the dance bars. As Veena Gouda, a young feminist lawyer said:

There is surely a shift in feminist thinking here. It was discussed nicely in the 25th anniversary programme of Forum (Forum Against Oppression of Women). Their stand moved from opposing beauty contests etc to now saying if women can use their body, then why not? It is now said sex work can actually be work, and not necessarily oppressive. As long as women have control over what they do.

The shift in thinking for feminists could be an outcome of changing times, where a new generation of feminists joined the old veterans and effectively modified the feminist outlook on sexuality and sexual labour. It may also be accounted for by the new movements of alternative sexuality, gay rights that joined or overlapped with the women's movements. But the acceptance of sexual labour as labour and a choice of a woman became a contested site when it intersected with the anti-caste theorisation. Pravin Patkar was vehement in his criticism of the doctrine of choice that feminists adopted, which he saw as rationalising and reiterating the oppression of the lower caste women. He asked:

'If the Brahmin woman who commits Sati voluntarily is not doing it with her own choice, then how come a lower caste poor woman selling herself in the market is seen as exercising her choice? Whatever the middle class housewives do, from offering their husbands tea when they return home to having sex with them...it is all seen as patriarchal oppression...but the young women who have many customers per night do not fall under the patriarchal oppression?'

He persisted that the idea of choice is constructed differently for different women, and in such a way that an uneducated poor woman seems to have more access to choice than her middle class, higher caste and educated counterpart.

Sexual exploitation of the Dalit women by the upper caste men is one of the main concerns of the Dalit movement. In their published survey and in lobbying, the feminists stressed upon the fact that the bargirls mainly belong to the traditional entertaining and dancing communities in North India and they must be allowed to carry on their hereditary occupation. This was the point that alienated Dalit feminists. As per an email circulated by the Dalit Bahujan⁹²Mahila Vichar Manch (loosely translated as the ‘Dias of Dalit and plebeian women’), “If 70% of the agitating Bargirls belong to folk traditions like Bedia, Chari, Rajnat, Dhanwat, and Gandharva and make a claim that they are asserting their cultural identity and diversity, then they are wrong. By dancing in Bars and earning their living through sexual entertainment of the neo-rich, neo-capitalist sexually perverted men in the new framework of globalisation, these women are responsible for pushing 150 years old Social Reformist and Feminist movement back to 17th Century” (Dated 7 May 2005). An article written by a member of the Dalit Bahujan MahilaVichar Manch entreats, “Bargirls come, join the struggle for self-respect” (by Kunda Pramila Neelkanth, in Loksatta on 17 May 2005) reiterates the same points and asks the bargirls to break the shackles of slavery of

⁹²Bahujan literally means ‘majority people’ referring to people from the Hindu Scheduled Castes, Scheduled Tribes and Other Backward Castes (OBC) as well as Buddhists. The term came to be used in the politics of awareness and identity in India. The word got further currency with the launch of Bahujan Samaj Party in 1984, a party with claims on Dr Ambedkar’s political thought and currently ruling in Uttar Pradesh. Mayawati, the Chief Minister and head of the party, is a dynamic woman from the *Chamar* (Cobbler) caste who asserts pride in being a *Chamar* and Dalit.

neo liberalism, get out of the sexual occupations and try to live within a smaller income but with self-respect.

The Dalit women activists formulate their arguments within the auspice of the Ambedkarite thought. Their current ideological position refers back to the speech of Dr Ambedkar in the meeting of Dalit prostitutes in 1932, where he asked the Devadasis to give up prostitution, urged them not to be afraid of poverty and live with respect (Pawar and Moon 2008: 161). The thrust of the early Dalit or Mahar movement⁹³ was on education and discontinuation of customs that branded the lowest caste cluster as untouchable. Ambedkar urged his brethren to stop all the ‘defiling’, polluting work and practice imposed on them by the caste hierarchy; from carrying human excreta on their heads, skinning dead animals, eating the flesh of dead cattle to sex work. Ambedkar’s movement faced the dilemma of self-preservation against self-respect. The elder Mahars in the villages resisted the young revolutionaries in the 1920s as their survival was dependent upon the village order and economy. They could not oppose the upper caste Hindus and risk their ire, and they could not stop their work and starve. In short, they would have to jeopardise their security for the greater good of dignity and right to be human (Gokhale 1990: 238, 239). In 2005, Dalit women activists were asking the same sacrifice of the bargirls.

The fractions within women’s groups then can be understood as a ‘right to work’ as against ‘right to dignity’. However, the right to dignity and the fight for self-respect in this context is

⁹³Gokhale discusses the Dalit movements as primarily a *Mahar* movement; a political struggle led and carried out by the *Mahars* in Maharashtra. She states that *Mahars* are a relatively well off and with over ten percent of the overall population in the state, a dominant Dalit caste. Dr Ambedkar, the visionary Dalit leader and the maker of India’s Constitution, came from the *Mahar* community (Gokhale 1990). British Army had a Mahar battalion, so these soldiers drew a regular salary and had exposure to the world outside the village.

conceptualised by the educated urban middle class Dalits employed in service sector or government jobs, distanced from the battle of hunger and survival that still afflict much of the Dalit mass. It can be construed that what is known as the Dalit consciousness presently is representative of the Dalit elite, mostly living in the cities, no longer dependant on the traditional caste order and its political economy. Yet it is dependant for its validity on the connection with the rural Dalit masses, as it claims to represent the Dalit (Gokhale 1990: 213).

This premise affected the dance bar debate as the mainstream, largely upper caste, feminist groups and Dalit women activists clashed on the issue of caste. The upper caste feminists were unable to understand the pressures that Dalit feminists find themselves under, especially in the current context of identity politics in India. Whereas earlier, the alternate politics – the leftist, Feminist or Dalit – focused on equality for all, the current politics concentrates on identity. Dalit and Other Backward Castes are trying to seize political power by accumulating their caste vote. In the social terrain as well, dignity and equality is sought through the identity politics. In this context, being Dalit and being proud of being Dalit, is imperative for Dalit feminists. In his life and after his death Dr Ambedkar reached the status of a prophet (Gokhale 1990: 240) – his life mythologised and his words undisputable – for Dalit masses, and even activists and intellectuals. Despite the changes in time and circumstances, his legacy guides the reactions of Dalit women activists, who feel the same sorrow and shame at the ‘fate of bargirls’ in the lucrative global market, as they would at the prostitution of Mahar women or dancing by Kolhati women.

The reaction of the Dalit feminists to the dancing in the bars must be viewed in the light of the overall history of gendered and sexual nature of caste marginalisation. It should be no wonder

that a renowned Dalit writer burst into tears when she saw young, poor and lower caste women dancing in the bars (Interview with Varsha Kale). Even though she visited the dance bars with the feminist groups and in support of the right to livelihood, the history of the sexual economy of caste, where Dalit women are always supposed to be available as objects of pleasure and desire of upper caste men (Rao 2009, Rege 2007), could not be set aside. The fact that her despair and dilemma caused bewilderment at best (amusement at worst), points to the upper caste bias of the mainstream feminist discourse in India.

Lack of awareness of this history of the Dalit movement and ignorance about Dr Ambedkar's role in Dalit upraising and for Dalit women's agenda⁹⁴ keeps the feminists in bewilderment about the actions of Dalit women activists. They fail to recognise that Dalit feminists are Dalit first, feminist later. Their politicisation has happened through the Dalit movement as an enslaved people struggling to become human, not as women trying for equality with men. The autobiographies, poetry and literature of Dalit women offer a strong sense of their Dalit identity, though they are also the stories of women living under patriarchies.⁹⁵ The women's groups, who claim to work and represent 'women', remain divided by their caste positionality and unable to erase the differences that arise from belonging to diverse and, sometimes, antagonistically placed

⁹⁴Zelliot (2003) describes in detail Dr Ambedkar's contribution to the cause of women within his creation of the movement for the rights of untouchables. He encouraged and supported women's active participation in politics, offered them an identity and self confidence to access education and rights, his Hindu Code Bill proposed equal legal status to women in marriage, divorce, adoption, inheritance and property rights, and his legacy encouraged a creative spirit that produced extraordinary literature.

⁹⁵Urmila Pawar's autobiography *Aydan* (2003) tells the story of her 'mother': a strong poor woman who lives by the road waving baskets to educate her children following the path of Dr Ambedkar. When the daughter is asked to clean the school by the upper caste teacher, the mother who looks poor, dirty admonishes him severely. The daughter glows in the pride of her mother and learns self respect and confidence. The story is of an untouchable trying to struggle out of shackles placed on her by religion and society. She is Dalit and a woman.

social groups. The recent debates over legalisation of sex work⁹⁶ and women's reservation bill in the parliament sees them in opposite camps again.

5.11 THE HUMAN RIGHTS LAWYERS

The feminists were joined by the human rights activist and lawyers in their anti-ban stand. Lawyers had a special role to play, especially when the ban was challenged in the court. The networks were at play even in the court. For example, all the lawyers I spoke to, belong to a loose network of progressive lawyers. They know each other personally; many have worked or collaborated with each other at some point, and the political affinity within them shows the way to a somewhat uncomfortable rapport of cooperation and competition. Being together in court, in this case, they were able to push the common agenda forward and frame the ban as a human rights issue.

The Bharatiya Bargirls Union approached Majlis, the Legal Centre for women in Mumbai renowned feminist legal intervention and scholarship. Adv. Veena Gouda drafted the petition for High Court. She said:

⁹⁶ In this regard Anagha Tambe asks; "How can the agency of women in prostitution be articulated when the 'lower caste' women enter prostitution not merely because of physical coercion or economic necessity, but because of the social injunctions linked with dedication that deny them the options of marriage or stable sexual relation and even non-sexual work, and brand them as 'sexually available'? How can prostitution be defined as work when this work is attributed to them because of their caste location and attendant ritual status, and when it marks them as lowly mendicants and parasites in the caste hierarchy, for engaging in sexual labour? How can prostitution enable these women to be sexually autonomous when they are marked as sexually available to upper caste men because of their particular caste and ritual location?" (Tambe 2009: 92).

“We got involved much before anyone else. Varsha came to us...Flavia⁹⁷ was not in...I was very excited that Varsha wants us to be their lawyers... The bar owners had gone to court against the time restrictions and Prerna had intervened saying most of these girls are minors...Varsha said that she is now working with the women in bars, and very few are minors...Our viewpoint was that the whole occupation cannot be stopped if there are some minors...also with the union and organisation, it would be easier to monitor the situation...they would have more negotiating power...We intervened in court on behalf of the bargirls union...We said, what happens in the police raids is that the owners don't get arrested, customers get away...it is the women who get into trouble...the kind of police atrocities they face, is a violation of human rights.”

The feminist lawyers got involved in the case pertaining to the time limits on the bars and other restrictions, before the ban was proposed. When the ban came they were prepared with their homework. Veena Gouda asserted that if the state was serious about stopping any misdemeanour inside the dance bars, it was already equipped with enough laws. But state chose to not use the available legal measures and go for the extreme measure, one that of total prohibition.

There were enough laws to deal with all the issues raised before the ban, such as minors, prostitution, trafficking etc....There was no need for a ban...if there were minors for example why did they not take action? This would have amounted to violation of their licence...it could have been cancelled...how many such licences got cancelled for non compliance? The state cannot prove anything...If it was a brothel, why not take action under Indian Penal Code, Bombay Police Act...That was our position, the inaction and inability of the state cannot be

⁹⁷ Adv. Flavia Agnes, a feminist lawyer and scholar of repute, is a cofounder of *Majlis* and head of its legal side.

ground to ban something...It was a state admitted fact, that the dance bars were in existence for 20 years...and government had changed laws to monitor it time and again...to that extent it has been approved by the state.

This reasoning did not come up till the matters reached the court, well after the ban was established. Even then the complex reasoning behind the bars was not discussed. Adv. Mihir Desai, the advocate on record for Forum and other women's groups, explained:

Constitution guarantees equality to women. Yet the morality of the constitution is very patriarchal. Not so much the constitution, but of the law makers and the law interpreters, including judges. That is being reflected in this....Plus, there is the question of repression of sexuality, which takes three means; silence, prohibition, sensation – you don't talk about it, you prohibit from talking about it and you ensure that nobody talks about it. Now dance bars are treated in the same manner, you prohibit them. They cannot do anything about sex work, but it is tucked away from mainstream society in Kamathipura...but dance bars are different....with their proliferation in every street corner across the city, sexuality is taken out of those pockets somewhere, and put right in the middle of the community...That was shocking for the convention of morality....But many of these points of legal morality cannot be argued in the court...you just cannot argue a case on this level...So you frame your legal argument in the existing constitutional legal framework.”

Adv. Desai is a known human rights lawyers and scholar, but in the court case he would have to base his arguments on very limited legal parameters. Whether any feminist arguments could be

used within the court and whether they were useful in pushing the boundaries of accepted legal arguments in the court of law is a matter of discussion for the next chapter.

5.12 CONCLUSION

The chapter has worked through the interviews of varied public personas on the wide spectrum of the political landscape of Mumbai and Maharashtra who played a role during the process of the legal ban; from the politicians demanding the ban and NGOs supporting the ban as a means to control sexual trafficking to Union leaders organising the bargirls and feminists supporting human rights of bargirls. The cultural discourses that these social control agents and intellectuals – using Gramsci’s and Cohen’s terms – created and reiterated in turn shaped the dance bar debate and the image of the bargirl in varied contours, e.g., dangerous lure, evil cheat, obscene, trafficked minors, victim of human rights abuse, worker, and unionised labour force. The bargirls as folk devils were established through the themes of easy money, dishonest labour and were contested by the discourse of livelihood and human rights.

The demand for the ban came up from the location known as the ‘dance bar area’. Here, the economic and social devastation of local community due to the development projects during globalisation and the resulting unrest got articulated as a rage towards the dance bars. Importance of culture in the new era of globalisation is contextualised in this chapter. Dance bars occupied an uncomfortable space between the modern and traditional India (Mazarrella 2010: 5), which is seen as a threat. I have argued that the concept of easy money stems from the caste and class positionality of the bargirls; occupying the global entertainment zone they earn far more money

than expected from lower caste performers. While Bollywood dancing is a craze in contemporary India and the Bollywood actresses earn not only money but status, the bargirls are accused of being 'bad women' for imitating the dance moves on the screen. Thus, caste and class of the performers are decisive in not only determining the value of their labour but also whether they should be controlled on the grounds of morality. In connection with this, I have reviewed the caste and gender democratic political sphere in Maharashtra, the caste politics and the continuation of Maratha hegemony, which dictates the government to pass laws and adopt policies that would benefit and protect the interest of the upper caste elite.

Lastly, I have analysed the internal conflict and dilemmas that feminist groups supporting bargirls faced and have scrutinized the space for Dalit politics within the feminist thought and action. While feminists advocated for the right to livelihood, the Dalit feminists demanded dignity and respect, drawing from Dr Ambedkar's thought and Dalit mass politics in which sex work and dancing is rejected as a caste obligation imposed upon Dalit women. I propose that an understanding and appreciation of fragments of gender – in terms of caste and religion in India – is essential for articulating an inclusive feminist struggle.

CHAPTER 6. THE LEGAL RESPONSES TO THE DANCE BARS

6.1. INTRODUCTION

This chapter analyses the process through which hegemonic societal discourses were shaped into legislation; how caste hegemony played out during the dance bar debate developed into caste dominance in the form of a legal ban. Drawing from Cohen's moral panic framework, I argue that the 'control agents' were able to not only push the legislature to take cognizance of the 'dance bar issue' but also act upon the negative discourses about bargirls. The Bombay Police Act was amended not to ban bars but the bargirls who were seen as the social deviants.

The chapter examines the legislative and judicial process around the ban on dancing; the draft bill, the debate on the bill, and the contest of legality of the new legislation in the court. The first section examines various legal provisions already in existence, from civil remedies – such as revocation of licences – to criminal action for brothel keeping and, lastly, to assess whether the legal ban was a necessity. The next section undertakes content analysis of the minutes of legislative debates in the Legislative Assembly and Legislative Council of Maharashtra, where the problem of the dance bars was raised and justifications for the ban were offered. The space of law making turned the cultural discourses about the bargirls harsher and punitive. The section considers the justifications for the ban such as protection of youth, saving the family, society and Indian culture, and analyses why the bargirls were considered a threat. The court case presents an interesting terrain of struggle and alliances, as well as a space of transformation of a political agenda into a legal/constitutional discourse. This is a space to assess the effects the court's

engagement with the legal arguments had on the cultural discourses about the dance bars and bargirls.

6.2. THE NEED FOR A BAN

The ban on dancing must be viewed within this framework of existing laws and regulations. This section will explore whether a blanket ban was necessary to resolve any possible problems in the dance bars? If not, then why did the government decide on a ban? The need for introduction of new legal provisions or of total prohibition would be discussed in the light of varied legal provisions that were at the disposal of the government; from revocation of licence, criminal action to other regulatory measures that could be used against wrongdoings or illegal activities in the dance bars.

Historically, a state in India maintains a control over any public performance or amusement. Through different laws and rules, the state regulates a range of activities from circus, acrobatics (carnivals) to theatre plays, films, singing and dancing. For instance, films or scripts of plays must pass through the Censor Board of India. Dance is one such activity that is state controlled, especially the erotic dances. Dance forms such as Lavani and Tamasha, that are culturally valued in Maharashtra, must follow the rules of public performances. The rules make sure that the dance performances are not obscene and the dancers are not touched by the customers.

- **Civil remedy: Conditions of licences**

Dance bars were specific locations that emerged in the 1980s and brought together dance, music, food and alcohol in one venue. There are eight thousand eateries in the State of Maharashtra with a licence to sell foreign liquor, out of which 1250 possess a performance licence. Here, dance and singing is offered along with alcohol (Kale 2008: p. VIII). The supporters of the ban have claimed that there is nothing like the dance bar in law; it is ‘an anomaly of law’ (Interview with Praveen Patkar, President of Prerana,⁹⁸ Dec 2008). However, a close study of the primary resources, such as the official notifications and court papers demonstrates that the concept of the dance bar came to be recognised in the state administration and legislation as did the name Dance Bar. For example, the Mumbai Entertainment Tax (Amendment) ordinance, 2000, increased the tax for dance and music to Rs 10,000 per month. It defines Dance Bar as (a place) where along with alcohol, for entertainment, any kind of dance performance is offered with any kind of music (Maharashtra official Gazette, Maharashtra Notification no 5, in the year 2001). The dance bar can come into place only after taking permission of the state for all these varied activities.

Applications are sought from different authorities in order to run a dance bar:

- a. Mumbai Municipal Corporation for selling and serving food;
- b. Collector under Bombay Prohibition act 1949, read with Foreign Liquor Rules 1953 for selling liquor;
- c. Commissioner of police for premise, performance and entertainment, acting under the Rules for Licensing and Controlling Places of Public Amusement Including Melas and Tamashas, 1960, that prohibit indecency of dress, dance, movement or gesture. Plus, Bombay Police act,

⁹⁸ Prerna is a well known NGO working with the ill effects of prostitution on women and children. They supported the legal ban on dance bars and filed interventions in courts.

section 33 (1)(w)(i), for licensing and controlling Places of Public Amusement (PPAL) or entertainment.

The continued functioning of the dance bar is based on it fulfilling all the conditions of these licences. The performance licence places restrictions such as;

- The attire of the dancers should not be revealing;
- The dancers' moves should not be obscene;
- The customers cannot dance with the dancers or touch them.

Non compliance with these conditions can result in the licence being revoked. Any of the above authorities can send a notice to a dance bar and the bar management is called upon to prove that they are not at fault with the conditions of licence.

- **Application of criminal law**

Apart from civil remedies such as notices, fines and cancellation of licences the functioning of the dance bars can be controlled by use of Indian Penal Code. Laws and regulations related to trafficking in women and children, prostitution or running of a brothel, obscenity would apply to dance bars too. Police can raid any dance bar on suspicion of such activities. The relevant criminal provisions are:

- Indian Penal Code, Section 294 provides punishment of up to three months for causing annoyance to others by obscene acts in public spaces or singing/reciting obscene songs in or near any public space.
- Bombay Police Act, Section 110 makes punishable, behaving indecently in public.

- Immoral Traffic (Prevention) Act, 1956, Section 3, punishes brothel keeping and so whoever allows the use of premises to be used for prostitution can be liable for imprisonment up to one year.

According to the statistics provided by the bar owners to the High Court, between 2000 to 2005 up to 5000 people were charged with violation of section 294 of the Indian Penal Code that prohibits obscenity in public places and there were 5,208 convictions under the section 110 of the Bombay Police Act that pertains indecent behaviour. (Statistics submitted with the Criminal Writ Petition 1533, of 2004. The state did not contest this.). The ambiguous nature of the above provisions leaves a lot to police discretion. Obscenity, immorality and indecency are all decided upon by the officer on duty, since the sections do not provide a definition of an obscene song or an indecent attire or gesture. The police officers who conduct the raids on bars and charge women with obscenity are themselves unclear about what gesture, look, and moves can be construed as obscene. An officer of the Social Security Branch conducting raids on dance bars said:

“Obscenity...there is no definition of obscene...but from gestures etc...in the bars you will find the gestures and expressions they do, to solicit customers...they expose their body...their expressions are very suggestive...When you go to the bar you will see their behaviour, attitude, the body language...it is actually a very minor offence...a bailable offence...so the charge sheet just says indecent behaviour in the vicinity of the bar in order to solicit customers...” (Mr. Naik, Police Inspector, Social Service Branch)

Here since the offence is minor, it is not applied as cautiously as major offences, where providing proof is obligatory on the charging officers. The ambiguous nature of legal provisions regarding obscenity, make it harder to seek recourse against police persecution. The police do not have to prove that they have acted according to the provisions of the law or illustrate that the bargirls have indeed resorted to obscene acts. The existence of such offences in criminal law can be a tool for the police to harass, to disrupt business, and to demand bribes and, thus, a source of corruption.

The decree of the Nagpur High Court in June 2004 stated that ‘unless an obscene performance caused annoyance to someone who was subjected to it, the offence of obscenity was not made out’ (Decree by the High Court of Judicature at Bombay: Nagpur Bench in the Criminal Application No. 414 of 2003). The case was filed by the Bar Owners Association against ‘undue police harassment leading to disruption of business and reputation’. They claimed that during February and March 2004, nearly 110 bars were raided and around 2,000 people were arrested. They were mostly charged under section 294 of the Indian Penal Code that relates to ‘obscene acts and songs’.

The Bharatiya Bargirls Union filed a criminal writ petition in the High Court Mumbai for redressing the police atrocities meted out to the women working in the bars. The petition catalogued instances of sexual violence during the raids of bars and custodial indignity, when the women are taken to the police stations. For example, pulling women by their hair and breasts, tearing their clothes, making them walk to the police station in public tied to each other by their dupattas, keeping the women in custody through the night without allowing them to even drink

water, and denying them the right to know their offence, or the right to make a phone call to their relatives or the union. The union stated that the lewd remarks and gestures and sexually abusive language were routine, and sexual favours were demanded from the bargirls as a matter of right. All the women, whether they are waitresses, dancers, singers were termed as sex workers, which put the women under constant threat of arrest under IPTA and negated the difference between sex work and dance. The union also requested the court for a procedure for the conduct of raids by the police if they must enter the bars on genuine suspicion of minors working there, to ensure that bargirls are treated with dignity and taken into custody with constitutional safeguards in place (Criminal Writ Petition No 1553 of 2004).

The ambiguity in the legal provisions, thus, leads to consequences of law outside the direct orbit of influence of law. Bargirls are arrested from their homes or while returning home at night and charged with obscenity clauses. The continuous threat of police violence makes bargirls susceptible to constant fear and exposes them to exploitation. Unsurprisingly, protection from police was the first demand of the bargirls from the union (Interview with Varsha Kale, President of the Bharatiya Bargirls Union).⁹⁹

○ **The regulation of the dance bars**

⁹⁹ I accompanied Varsha Kale on a visit to a bar in New Bombay in February 2009. She was invited to look into a case of police abuse. The previous night, three of their employees were followed by the police who picked them up from their homes and arrested them on the charges of ‘obscenity in the public place’. The manager, who went to pay bail, was told that since the girls were out so much later than requisite closing time of 9.30 pm, they ‘must be soliciting in the back streets of the bar’. The girls were pulled and hit, and were humiliated. They were too shaken to speak of the incident coherently. Instances of this kind were common and the bargirls were generally petrified with the idea of police or entering the police station again.

Apart from the civil and criminal remedies, the government began efforts at regulating the dance bars in 2004 by appointing a committee to look into their functioning. This committee with representatives from government, legislative, NGOs came up with following recommendations:

- There should be a three feet wall around the stage where dancers performed to avoid mingling with the customers;
- The cash not to be thrown at the girls or on the floor, but to be handed to the stewards who will put it in the name of dancers;
- The bar owners to keep a register of names, addresses and contacts of the bargirls. The responsibility of ascertaining the true identity and nationality would be with the bar management;
- Bargirls would not wear revealing clothes. The waitresses will be given uniforms.

The bar owners claimed that these recommendations are unfair. They believed that the three feet wall around the dance floor will obscure the view of the dance moves. They also wondered how they could ascertain the nationality of their workers (Interview with Pravin Agarwal, Treasurer of the Fight for Rights). The bar owners protested the changes by delegations to the government and street marches. While this process was on, suddenly the bill for the ban was put forward in the Lower House of the Maharashtra legislature.

In the light of the above discussion, it is apparent that the police and other authorities had sufficient legal remedies to stop the illegal or unwanted activities within the dance bars. As comes across in the examination of the court case later, the government did not file much evidence of taking action under these available legal measures. Then why did the government

seek a ban? Why the ban – a prohibition, rather than regulation – was considered the only option? What needed to be curbed that was not possible to do within the existing legal framework? As explained in Chapter 4 and 5, the act of dancing gave power to the bargirls, an opportunity to attach the customers to the bars and yield monetary rewards. It was this power of the bargirls that was the target of the ban. The next section looks into the need and demand for the ban and the legislative process that passed the law.

6.3. THE LEGISLATIVE PROCESS

The need for the ban was political, rather than legal; the ban was proposed not to fill a legal lacuna but to reach a political agenda. I argue that this agenda stemmed from Caste Patriarchy. The two connected issues – both pointing towards the caste patriarchy – are: one, the bargirls earning too much money and, thus, gaining power; and, two, the customers losing control over their spending and becoming enslaved to the attraction of the dance bars. Thus, the dance bar represented the rise of the lower caste female and the fall of the upper caste male at the same time that the legislature aimed to control. Most of the themes that occurred during the legislative debate revolve around these two main themes. This section reviews the legislative process of the ban. I have relied upon the following documents; motion calling attention to the issue of dance bars, the proposed amendment with its preamble and objects of the act, the minutes of the debate in the two legislative houses – Vidhan Sabha (Legislative Assembly) and Vidhan Parishad (Legislative Council) and the amendment in the law that is known as the Bombay Police Act (Amendment), 2005.

6.3.1 THE CALLING ATTENTION MOTION:

The motion calling attention to the problem of dance bars was brought to the Vidhan Sabha on 30 March 2005 by Mr Vivek Patil, the MLA from Panvel. The motion stated that 42 bars in Raigad district were causing distress to domestic life, making students and youth addicted, and affecting Indian culture. It said that local people had joined together to demand that ladies bars should be closed down and the permission to perform cultural programmes should be revoked. But the ladies bars and the immoral stuff in there have increased. Therefore, the government should explain the action taken and respond to this concern.

The discussion on this motion focused on legal issues such as dance bars running brothels, the display of unaccounted cash on the dance floor and the linkages with corruption, bars functioning within the prohibited distances from temples and schools. There was mention of youth getting addicted to alcohol, falling prey to HIV yet the morality issues did not drive the discussion. The Home Minister replied cautiously. He proposed closing down bars run illegally or eating houses that were selling alcohol without permission or bars that have performances without licenses. So he proposed using the legal remedies available. He also suggested appointing a committee. He promised to close down bars in Maharashtra, but not Mumbai, saying that rural Maharashtra does not have the police personnel to monitor the bars and it is a totally new culture there. He promised to stop dancing but not waitressing by women as that would create 'questions about women's rights' (Minutes of the proceedings of the motion in the Vidhan Sabha). It is interesting to read the proceedings of the motion and see how the Home Minister channelled the discussion more towards Indian culture and ruin of youth. He agreed wholeheartedly that Dance Bars were a serious concern. He narrated how 'the youth' was being

ruined, young men are found committing robberies or murders of their own mothers in order to gain cash to throw in the bars.

After this, the government was criticised in the media for favouring bars in Mumbai and making differentiation between Mumbai and rest of Maharashtra. The state government, therefore, proposed to ban dancing in bars of Mumbai and Maharashtra.

6.3.2 THE PROPOSED LEGISLATION

The legal ban on bar dancing came through an amendment of the Bombay Police Act, 1951, on 8 July 2005. This legislation is called the Bombay Police (Amendment) Act, 2005.

The preamble and the objects of the Bill state that the performance licences are granted for holding dance performances for public amusement. But the eating houses, permit rooms or beer bars were permitting the performance of dances in an indecent, obscene and vulgar manner. Such performances of dances give rise to the exploitation of women. The preamble states that the government considers such performances to be derogatory to the dignity of women and likely to deprave, corrupt or injure the public morality or morals. The government considers it expedient to prohibit such holding of performances of dancing in eating houses, permit rooms or beer bars.

The new proposed insertions to the act are as follows:

- Section 33A – Holding of a performance of dance, of any kind or type, in any eating house, permit room or beer bar is prohibited. All performance licences are cancelled.

Any person who holds or causes or permits to be held a dance performance of any kind or type shall be punished with imprisonment for a term which may extend to three years and fine which may extend to two lakh rupees.

- Section 33 B – Nothing in Section 33A will apply to the holding of a dance performance in a drama theatre, cinema theatre and auditorium, or sports club or gymkhana where entry is restricted to members only, or a three star or above hotel, or any hotel or establishment that is promoting tourism activities of the state.

The journey of the issue of dance bars to the problem with dancing can be noted here. The preamble here makes dancing a culprit that tends to ‘deprave, corrupt or injure the public morality or morals’. The ‘dignity of women’ and ‘exploitation of women’ is also connected to the act of dancing assumed to be invariably ‘indecent, obscene and vulgar’. The debates in the legislature concentrate on the morality than the legality of the dance bars, and bargirls became the focus of the debate.

6.3.3 THE LEGISLATIVE DEBATES

The legislature of the state of Maharashtra consists of Vidhan Sabha, i.e., the lower house or the legislative assembly and Vidhan Parishad, i.e., the upper house or the legislative council. The dance bar bill was discussed in both the houses. The Vidhan Sabha discussed the bill on 21 July 2005. It was Vidhan Sabha Bill No 60 of 2005 and it modified the Mumbai Police Act, 1951. The discussion started at around 4.45 and went on till after 11 pm. The Chair increased the time of the House responding to the enthusiasm of the members. The Vidhan Parishad, the upper

house, discussed and passed the bill on the 23 July 2005. This went on for three and a half hours, in which nine speeches were made. The Home Minister introduced the bill here.

The bill passed unanimously in both the houses. It was a rare event that legislation was brought in by all parties coming together. Though party rivalries surfaced in the speeches and members took the opportunity to mention and push their own agenda – from the lack of water or electricity in parts of the state, and farmers’ suicides, to political prisoners languishing in Karnataka prisons due to the participation in Maharashtra-Karnataka border issue – there was general agreement amongst the members of the House that dance bars are evil and must be stopped by the collective force of political will. There were questions raised by the Opposition members about the need for the ban. As a member stated:

“It should be explained why this issue came up at this particular time. This House has been discussing bargirls for many years in different ways. This subject has got much more attention than famine, drought, electricity issues that the state is facing. I suspect whether this subject has come forward, so that all the other important issues before the state should be sidelined?

Yet, even the opposition welcomed the bill without much objection about the contents of the new law. Throughout the proceedings, the members referred to the said bill as the dance bar bill and the general tone in the House seems to be that the dance bars should be banned in their entirety after the passing of the bill. The evil of the dance bars was discussed as encouraging anti social and criminal activities, earning profits through exploitation of poor women, etc. Many members suggested improvement for implementation of the law so that ‘all the beer bars in Maharashtra must be closed down’. However, proposed amendment is of the prohibition of dance and not

prohibition of the dance bars. Only dance in the bar, not the bar itself, was banned. But most of the speeches in the Houses seemed to detour away from this fact.

- **Bargirls As Victims**

The main objective of the ban, as displayed in the preamble, was stopping ‘exploitation of women’. The ban on bar dancing was justified on the basis that it would save poor women who are pushed in to an immoral way of life. But this theme received scant attention in the proceedings on the bill.

The blame of exploiting women for earning profits was placed on the bar owners.

“Dance bar is the institution of exploitation of women. Nothing else happens there, only exploitation of women. Women do not come there with pleasure. They are struggling with their conditions. They don’t have earnings parents, or they do not have parents and have the responsibility of younger siblings. Due to these situations, women come into the dance bars. They do not know that their life will be ruined later. Their need is known to the bar owners and so they exploit them” (Miss. Varsha Gaikwad).

Miss Gaikwad was a young Dalit-Buddhist MLA from Congress Party who entered the legislative assembly for the first time from Dharavi constituency. Dharavi, known as the biggest slums in Asia, is known for its poverty, violence along with business and enterprise. She followed her father’s (who was an MLA of Dharavi before her and had moved on to become a Member of Parliament in Delhi) footsteps into politics. She perceived the bargirls as victims rather than the culprits, and demanded that the government must rehabilitate them as their

situation is created by society and the government. She welcomed the law and stating that it was the law that had had the positive effect of stopping the exploitation of women through the Devadasi system. Her position corresponds to that of the Dalit women writers and activists (as discussed in Chapter 5), who deem dancing before men as exploitative for women and a form of caste oppression against lower caste women.

Trafficking of women and children within India and across transnational boundaries – from Bangladesh and Nepal – into Mumbai’s bars was also mentioned as a concern.¹⁰⁰ Neelam Gorhe, a Shiv Sena MLC, who runs a women’s organisation expressed her involvement in this issue in her interview (as detailed in Chapter 5). In the legislative council, she stated that she has been meeting girls in Rescue Homes and Remand Homes for four years.

“The young girls were watching the film Chandani Bar. They were literally sobbing. There are many women who feel they do not want that kind of life. The government should help those who want to start another occupation” (Neelam Gorhe, Shiv Sena).

Despite Ms. Gorhe’s demand that the government must make rehabilitation possible, the bill passed without the insistence on it.

▪ **Why Rehabilitation?**

In fact, since bargirls were perceived to be earning easy and huge amounts of money, the demand for their rehabilitation was fiercely opposed. The media exhibited the Home Minister’s statement

¹⁰⁰The SNTD report 2005 specifically responded to the theme of exploitation of young women discussed in the media. The report stated that many of the bargirls had started working in the bars by 16 to 18, which is when they were legally minor. But that was the age when other bargirls got married or had started manual, strenuous work and entered the bars at a later age. Consequently, poor women would either start work or marriage at a minor age, so banning their entry into bars without alternative provisions would yield no positive results.

that there would be a rehabilitation plan for bargirls. And the Bargirls union had demanded to know how the government proposed to undertake rehabilitation. The Anti Dance bar Forum, through Justice Dharmadhikari, had insisted that stopping dance is the true and sufficient rehabilitation of the bargirls. The theme was already widely discussed and got much attention in the legislature.

“These women destroy homes, destroy families. Why must we rehabilitate them? There must be rehabilitation of the young men who are ruined by these bargirls” (Raju Awale, Congress, at 21.25).

Similarly, Jitendra Awhad of NCP stated that “these bars and bargirls have brought such a situation upon Mumbai that now rehabilitation of the Maharashtrian culture would become necessary”.

There is an assumed hierarchy of deserving and undeserving poor (as seen in Vidya Chavan’s interview in Chapter 5); the more deserving being the dam affected people or the workers in the mills of Mumbai. They are real workers and really poor. Compared to them, bargirls who were supposed to earn easy money, stood little chance.

“Why rehabilitation? Are they victims of development project? Or of a dam?”

“The displaced of the development projects decades back are still waiting for their rehabilitation. The mill workers lost their jobs. Earthquake survivors are not yet rehabilitated. But these white collar people are worried about the fate of bargirls” (Home minister, R.R. Patil).

The bargirls are considered undeserving of not only economic rehabilitation but also of sympathy of society.

“I think bargirls should be given military training and sent to the border!” (Mrs. Shobha Bacchav, BJP).

The belief that bargirls are foreign nationals added fuel to the antipathy towards them.

“They come from outside. They dance with few clothes, but take all our money with full clothes.”

The ‘outside’ here is not only Bangladesh or Nepal, but also other states of India such as Rajasthan, Madhya Pradesh, Agra. In the regionalist agenda, there is little difference between the bargirls who come from within the country and outside of the country. The motto of ‘Mumbai for Maharashtrians’ that is propagated by the Right Wing, regionalist parties is reproduced in this debate. Since the bargirls had no right to come to Mumbai that belongs to the Maharashtrians, there is no question of rehabilitation.

“We have not pushed these girls into this occupation, then why should we rehabilitate them? Since most of the girls in this profession are from outside the state and the country, we can reach them to their own places” (Eknath Khadase, BJP, at 20.10).

This above remarks display anger towards the bargirls for earning the money and the fear that they are ‘making’ people give away their money. The speakers seemed to identify with the customers when they stated ‘they take our money’. The bargirls are ‘them’ while the customers are ‘us or ours’, e.g., ‘rehabilitation of our youth is necessary’. This brings us to the real themes or dual objectives of the ban; the rise of the bargirl and fall of the customer.

- **Easy Money Earned By The Bargirls**

The term ‘easy money’, repeated by the media, has been commented upon in the SNTD Report (2005: 8) and was taken up in the legislative debate. Bargirls are considered bad women because they earn money in a sexual occupation and what they earn is ‘too much’ money. In pure terms of labour, bargirls do put many hours of work and much of it is active manual and skilled labour such as dancing, singing, serving alcohol, etc. What decides the value of labour then? The hours of work, qualifications, education, skills must all be determining factors, but mainly the value of labour is decided in the market through the processes of demand and supply. When demand rises for a certain kind of goods or services, entrepreneurs strive to provide them. Since the late 1980s, the enterprising bar owners responded to this demand and procured the labour of bargirls to provide the services. Bargirls are amongst the groups of workers that are earning unprecedented wages in the past few decades, others being professionals in IT, management, hotel and many other service industries. Yet, it is only bargirls who are accused of earning easy money.

What makes the money earned by bargirls easy? It is their caste, class positionality that determines the value of their labour as also the status of their occupation. Until now, prostitution had existed at the outskirts of moral society, even in terms of physical quarters. Prostitutes generally lived in poverty, earning just enough to survive. Earning wages that were at par with the lower middle class and, with sporadic examples of wealth, the bargirls were unique in this sense. They seemed to be ‘doing well’ with their sexual occupation.

“Due to the rise of consumer culture, these women can take off their clothes and dance for two hours and earn thousands of rupees. They are habituated with this kind of money. But a poor woman carries firewood on her head and earns 10 to 20 rupees. She gets two morsels of food after harsh work. But by shedding clothes and dancing for two hours

these women earn thousands of rupees. That is why a law must be passed regarding this”
(Girish Bapat, BJP, at 19.25).

The comparison to the poor woman evokes the theme of good woman and bad woman here. The bad woman reaped the benefits of her immorality, while the good woman was toiling. The poor woman that accepts her position in the caste, class, gender hierarchy and suffers mutely gets sympathy. A poor woman trying to be rich transgresses her boundaries. The other side of this spectrum is the film actress, who the bargirl imitates in dance moves, attire, etc. When the film stars – from the higher castes, middle to high class background – dance, they get fame and wealth, when poor, lower caste bargirls dance they are accused of earning easy money. The term easy money, therefore, represents the difference between caste positionality of bargirls, their expected income and their real income earned in the globalising market. The intervention of the law was considered necessary to bridge this gap.

- **Protection of (Good) Women**

Cohen elaborates on how the theme of protection works as a legitimation in the moral panic framework; the hapless elderly citizens, good families, innocent children re shown to be in need of protection of the police, the courts and the legislature. (Cohen 2002: 50-56) The dance bar issue worked on the same premise wherein protection of social groups such as good wives at home, youth lured into the dance bars were presented as needing and deserving the protection of the state along with the Maharashtrian culture and the Indian nation.

The distinction between the good woman and bad woman is also underlined by stressing upon the need to protect the good woman. The ban claimed to further the protection of daughters or young women from good families. The Home Minister thanked the women of Maharashtra for their support of the bill. He claimed that women expressed their severe feelings about this by sending letters and signed petitions, as also attending meetings. The bill was presented as a blessing to women.

It was asserted that dance bars cause annoyance to the local area in terms of loud noise and obscene behaviour on the streets. It specifically affects young women in the locality who have to face the harassment by the customers of the dance bars. For instance, Varsha Gaikwad stated in the legislative assembly that she was thanked and congratulated by a woman for banning the bars, as her college going daughters were harassed on the streets due to the rise of dance bars in their locality.

Jitendra Awad told the legislative council:

“It takes only 3-4 minutes to go from Thane to Mulund. But that road has 10 to 12 bars. Extremely filthy stuff goes on there. If a woman from a normal household walks on that street, the way every one on the street, including the cabbies and rickshaw guys, look at her, the way their eyes roam from her hair to her toes...she would have to feel ashamed. This situation had to be changed.”

This ‘situation’ that the MLC speaks of is the most common occurrence on the streets of Mumbai and many other cities in India. A woman on the street is open to the minute scrutiny of male gaze. So much so that tourist books such as the Lonely Planet warn women travellers to be aware

of this and avoid meeting the gaze of strangers. The ever present watching eye in the public spaces almost functions as a Panopticon that assists in controlling the freedom of movement, mobility, attire and behaviour of women outside of home. Yet, apart from the mention in the dance bar debate, this issue has hardly entered the legislative consciousness.

- **Protecting the Family**

Just as good women, the family needed protection of the state from the dance bars. Unless protected, families will be financially ruined. By their own sons who will throw away all the funds in an irresponsible manner and, at times, even using force on family members who are unwilling to part with their hard earned money.

“A man called Satam from Thane killed his own mother since she would not give him money to go to the dance bars, since she would not sign the documents to sell the house”
(R. R. Patil, Home Minister in Legislative Assembly).

Jitendra Awad, MLC from Thane, repeated this story claiming that he met the father of the accused Satam. The 70 year old fragile man requested the police inspector that his son should not get bail, as he was arrested for the murder of his own mother.

The ruin that dance bars caused to family, by luring the husbands or sons away, was considered a concern that the state must intervene into. The family needed the protection of a strong legislative action.

“We must make the law stringent. Today you ban ladies bars, because the son of a middle class family squanders the money from his father’s salary. The logic here is that the son should not be able to go and throw the money at the dancers in the bar. But if you give

permission to the three star hotels to have dance performances, then the same son will not only spend the salary of his father, but also force his father to sign away his provident fund and then throw that away in the three star hotels. We must ban this in three star or even five star hotels.”

The term family is used in a similar way as the ‘youth’, allowing no agency to the family. Firstly, it concentrates on the middle class salaried family, leaving out the families of men and women working in the bars. Secondly, this normal family that needs protection is inherently patriarchal with the son being the locus of the unit and the father being the breadwinner. Thirdly, it portrays the parents as being helpless before their young son who bullies them into signing off their lives savings. This bullying tendency comes to the son due to the influence of the dance bars and the lure of the dancing girls. This imaginary reading of the Indian family is similar to the Bollywood films that are advertised as ‘family drama’, where a son goes against his parents under the influence of his ‘westernised wife’. The ideal son and daughter-in-law perform the duty of obeying and caring for the man’s parents cheerfully. In this scheme, the danger to the peace and happiness in the family comes from a wicked woman – invariably, one who has no respect for ‘our culture’ – and the oppressive nature of the patriarchal family is glossed over. The family that insists on arranging marriage of their young within the community, the mothers who threaten to commit suicide if the sons refuse to fall in line, and fathers who resort to intimidation against their daughters are all shown as loving parents who do everything for the ‘best of their children.’ The dance bar debate viewed the ‘family’ as such a unit that not only must continue to survive without critique or change, but also must get support of the state if it comes under threat

from an outside force. The perceived force here was the dance bars and bar dancers, so it became the duty of the state to control them.

- **Protection of Society and Culture**

The ban aims at protecting the society at large and culture, thereof, from the dance bars and the bargirls. The debate makes apparent the nationalistic flavour of this culture that needs to be protected, making the ban sound like a step in an Indian war against outside forces. As theorised in the literature review, the culture, nationalism and gender is a theme that is an ideological tool of Bramhanical Patriarchy that divides women into the caste based categories of ‘good’ woman and ‘bad’ woman, with the ideal, pure upper caste woman as against the impure, available lower caste woman or victimised minority woman.

The dance bar bill viewed dancing in the bars as indignity to women and subversion of Indian and Maharashtrian culture. The speakers in the debate in the Houses condemned not only bar dancing but advertisements, films, internet, newspapers, clubs and discothèques and any other forms of cultural expressions where women’s sexuality is possibly apparent. So the indignity of women that bargirls were causing was equivalent to the cultural, moral breakdown.

“What about the collapse of morality, fall of culture, indignity of women?”

As Butalia (2004: 204) states, women’s bodies are symbols of ethnic and national communities”. Women come to embody the pure nation, the pure community. Women must aspire to the ideals of Johar; to die rather than let their virtue be compromised. In case women fail to or refuse to carry this responsibility, the community and the state must intervene.

“This country considers woman as a Goddess. The attitude towards woman in this country is as a Mother. But currently there is a change in this culture that looks at woman not as mother but as a female (*aai nahi bai*). The attack on our culture is through MMS, TV, dance bars...We are the nation of Queen Padmavati who did Johar.¹⁰¹ We are the nation where we think virtue is more important than life itself. So we should not allow dancing even in three star or five star hotels” (Sudhir Mungantiwar, at 4.50 pm).

As Sarkar (2003:41, 265) puts it, women’s chastity has a political value; the capacity of a Hindu widow to immolate herself with a smile – as *sati* can be benignly described – is a powerful demonstration of the highest virtue of the Hindu woman and the pride of the nation. Despite the abolition of *sati* decades back, the popular psyche still lauds ‘voluntary’ *sati* and *johar*. This is an example of women in the service of nationalism. Even though the *Hindutva* ideology is not endorsed by non right wing parties, the cleverly forwarded religious, cultural ideals are well seeped into the cultural imagination and ethos.

Narsayya Adam, a CMP MLA condemns the use of women’s body in the visual media;

“How could we not give dignity to women? We consider woman as a mother! How can we let them use women for advertisement of products. These two models have made an advertisement for shoes in the nude; they should be beaten up with the same shoes.”

¹⁰¹*Johar* was the custom of the Rajputs in Rajasthan; upon being certain of defeat in the battlefield, women watching from the castle, would jump into a huge fire and burn themselves to death. When the enemy army entered the fort, they would find nothing but ashes. Similar to *sati*, but a collective female suicide without the dead bodies of the husbands on the funeral pyre, this custom is commemorated in the Indian psyche as the highest sacrifice for virtue though abolished by law.

Mr Adam has been an MLA for two decades and belongs to the Communist Party of India (Marxist) known as CPM. He runs unions and has successfully lobbied for higher salary and houses for workers. From his speech which is in favour of poor women but very ill informed about the bargirls, one realises that the CPM had no party agenda on this issue. Some of the old veterans had jointed the pro ban rallies and their perspective was confused. They could not make the connection of bargirls with their agenda of worker's rights, as already seen in the interview of the leftist activist in chapter five.

One speaker offers a list of things that are affecting the dignity of women. They are mostly from 'outside of the Indian culture', so foreign or western is synonymous with indignity of women.

"Public morality is diminishing. Dignity of women is decreasing....because of open access on the internet; even kids can see obscenity now. Are you going to stop pornography or not?....If we want to safeguard the dignity of women we must stop the spread of MMS where pictures can be sent via mobile phones....there is no criminal action taken against the seller of pornography...if similar implementation of law was done, can you mange the dignity of women?Look at the attires of girls and boys going to college, we must think of a dress code....We went to a restaurant yesterday called Jazz by the Bay, it was not a dance bar. Yet the atmosphere was more embarrassing than the dance bars...What about the collapse of morality, fall of culture, and indignity of women? How to stop all that? We must pay attention to English cinema as well...we must not ignore that we must legislate to safeguard the dignity of women in this country"

(Devendra Phadanvis, BJP, *bold type mine*).

The speaker pointing out all that is wrong with the current world belongs to the BJP and is an RSS cadre, trained into the ruthless discipline of the Hindutva ideology. He is an MLA elected from Nagpur city which is the origin and headquarters of RSS. His comments are expected as the whole discussion about culture, nationalism and women is very much in keeping with the Hindutva mandate. In fact, the Congress and NCP government was congratulated for following the ideals of BJP and Shiv sena ideals in this regard (Sudhir Mungantiwar, at 4.55 pm). The ‘secular’ parties as they are known as- due to their kinder attitudes to minorities- managed to take the same path as the Hindu nationalists. As Ratna Kapur aptly states, even when governments change, there is no radical shift from the position of the BJP. “The congress led government, armed with well-intentioned liberal credentials and claiming to be devoid of ideological baggage of the Hindu Nationalists, nonetheless continued to pursue a paternalistic attitude in the area of women’s rights”(Kapur 2007: 239).

Consequently dignity of women as a concept is hardly beneficial for women, if it works against transgressing women. Dignity of women is used to curtail livelihood of women and it is women themselves that are being charged for indignity of women. There is hardly any man that is charged for causing indignity of women or obscenity. The debate seems to revolve around dancers in bars or movies that affect dignity of women or obscenity caused by advertisements and female models.¹⁰² Dignity of women is, therefore, a patriarchal tool for keeping women in their place by placing the burden of culture on them.

¹⁰² Varsha Kale stated in her interview that if someone were to dig out legal records on obscenity in this state, they are going to find very strange figures; lots of women are charged or targeted for obscenity but no man. “Strange for a city where men are forever trying to fondle women on the streets or showing their organs at the railways stations to unwilling female passengers or pissing on the roads”, she added.

During the debate, the speakers mentioned a lot of things as happening currently in Mumbai and Maharashtra that were against the public morality, dignity of women, Indian culture, etc. Some of these things were:

- Page 3 in newspapers that reports on celebrity social life
- Beauty contests
- Belly dancing in five star hotels
- Pornography
- Discotheques
- Posh restaurants (e.g. Jazz by the Bay on Marine Drive was mentioned by one member as having worse spectacle than the dance bars)
- The attire worn by girls and boys going to colleges – it was suggested that they need a dress code
- MMS on the mobile phones- that needs attention from the police
- Underwear advertisement on TV that saying – ‘this is an inside story’
- Modelling and advertisements

This long list displays the feeling of urgency and panic that might have permeated the House at the time of the discussion about the dance bars. The fear is palpable; that if we do not do something now, this attack on our culture will be unchecked and might end our very identity.

“We have to stop the cultural attack and only society and state can do that. This situation has occurred since we have developed a fondness for the morality of the Western cultures. To make the dance bar bill effective, we have to break down the economics behind it. Today, in the many countries Pornography is an established industry. Since the

GATT treaty, the international borders are open, and this kind of obscene industry is trying to enter our country. The government will have to take steps to stop this”
(Devendra Phadanvis, BJP, at 17.35 pm)

The reason for the change is viewed as located in the Westernisation of Indian culture, youth, etc., through the influences of the global market. The necessity for state intervention in the market forces comes out strongly in this. The question, why the State would shut down a prospering, high tax paying industry like the dance bars, is addressed here to some extent. This might also explain why some of the members, who may not adhere to the nationalism discourse, kept quiet during this debate. This fear of loss of social or cultural identity is heightened in the times of globalisation, yet it has a class dimension. The social groups or communities that have received the economic benefits of the rapid growth are arguably more amenable to the cultural changes, while others, who are left out, are not. The speakers who come from the Marathi speaking middle class backgrounds, from rural or small town Maharashtra find the norms, behaviour and lifestyle of the elite of Mumbai shocking. The wrath towards westernisation, the discotheques and posh restaurants, can be understood in terms of class discontent as well as the urban/rural divide. As explained in Chapter 1, Mumbai, which has been the site of constant contest between the old and new, Maharashtraian vs. North India or South India, traditional and modern, provincial vs. cosmopolitan, Hindutva vs. secular, sexual morality and morality vs. Subversion, was faced with one more of its contest in the form of the issue of dance bars.

As a ‘post colonial metropolis, Mumbai occupies an unstable and ambiguous position between the global and local’, (Hoskote 2007: 258) acutely so in the current times, when new cultural

images and discourses are challenging traditional national cultures. (Segbers 2007: 5). The emerging professional class in the city, “a critical mass of young high income workers with high level of consumption” (Sassen 1991: 267) have imposed their consumption, lifestyle and alterations on the landscape of the city quite visibly. The middle class person without access to this new lifestyle and consumer culture frequently articulates the resentment towards this growing social and economic disparity in terms of attack on culture. In the dance bar case, one can see this challenge and subversion of the moral codes emboldened by the market mechanisms and the response of the dominant society and the State to it.

After analysing the first theme of rise of the bargirls and the need to protect good women, family and society from the dangers of dance bars, we come to the second theme i.e. the fall of the customer. This is expressed through the varied justifications of the ban such as preventing youth resorting to crime, corruption, alcoholism and so on. Dance bars were construed as establishments that encourage crime and it was seen as the duty of the government to take necessary action to curtail the growth of the networks of crime. The discourse on criminality is presented with a distinction between the good guys and the bad guys. Even when the offences may be similar, the offenders are dissimilar; one category is of ‘criminals’ who are naturally in crime and the other category is of ‘youth from good families’ who commit crime against their good judgement and family background. These young men from ‘good middle class families’ are ‘driven’ to crime once they get habituated with dance bars. Whereas, the mafia and hooligan in Mumbai have just made the dance bars an extension of their criminal hubs by having their meetings there. This distinction works on a similar logic of same dance but different status that is made out for film actresses and bargirls. It is not the act – dancing with revealing clothes or

committing a robbery – but the caste/class position of the person that decides the degree of immorality or criminality.

- **Saving the Youth**

The organised crime in Mumbai is seen as a parallel development to the dance bars in the city.

“The birth of the bar culture started under this licensing. To attract the tourists, this bar culture started next to Vidhan Bhavan through the first bar called Sonia Mahal. Slowly, while this bar culture spread, the first mafia and hooligans in Mumbai started having their meetings in there, and this way a new culture in Mumbai came to be established” (Shashikant Shinde, NCP, at 18.45).

Links were drawn between bars and other kinds of crime too, e.g., financial scams;

“You all know that the Telagi Stamp Scandal is the biggest scandal in the state. Telagi was throwing most of that money on the bargirls in the dance bars.”

Abdul Karim Telagi is amongst those who encouraged the flourishing of the dance bars as also fell for the lure offered by dance bars. He engineered a stamp duty fraud worth millions by manufacturing fake stamp papers, and then spent crores in one night in one bar. One does not know how this became a news story; who saw him in the bar that night, who knew him there. But newspapers and TV channels ran the story continuously, which was repeated by the legislature here. The effect is of connecting the elements of financial and political fraud with the sensuous lure of the dancing girls and distracting attention away from the political nexus in

crime. For example, Telagi had named Mr Sharad Pawar, the President of Nationalist Congress Party, during a narco analysis test in 2003.¹⁰³ But this did not surface in the legislative debate.

Some other members of the House pointed out that the criminal activity is not limited to Mumbai or other urban centres. It has spread to the rural areas due to the rapid spread of bars into the smaller cities and towns. But, here, the perspective towards the crime changes; now it is due to the lure of the bars that young men resort to criminal behaviour.

“There are a lot of immoral activities going on in the bar. Due to this, criminal activities are growing. If you read newspapers just two days back you will see that youth from good families are resorting to theft and robbery to throw the money in the dance bars. Some have even abducted themselves so that they could spend money on bargirls. These boys from good families are doing this due to the habit of dance bars” (Shashikant Shinde, NCP, at 18.45).

The speaker belongs to the Nationalist Congress Party that broke away from Congress because they disagreed with Sonia Gandhi, an Italian, non-Indian President of the Congress party. NCP draws its strength in Maharashtra from the mass following of the Maratha community to which the speaker himself belongs. To him, the men who commit serious crime of robbery are not to be blamed for their criminal behaviour. Instead, it is the bars and bargirls that are held responsible for the ‘lure’. ‘Youth from the good families’ are the operative words here; who are young men from respectable middle class families. It is believed that some extraordinary circumstances must have pushed them into murder and armed robbery. The only negative influence on these youths seems to be their association with the dance bars. The ‘boys of good families’ could have

¹⁰³ News accessed from <http://ibnlive.in.com/news/telgi-names-sharad-pawar-in-stamp-scam/20792-3.html> on 14 June 2010

specific caste connotations here. So the ‘poor youth’ being led astray could very well be the Maratha young men with a possible track record of sexual violence towards lower caste women as discussed in Chapter 5.

Among the side effects of the bars are listed the accidents on the highways due to drunken driving.

“This bar culture is not limited to cities like Mumbai and Pune, it has reached even the rural areas. The Mumbai-Pune Express highway was built to reduce travel time but it is used till Satara Sangli. If we check the accidents on this highway, we will see that the percentage is the highest for the young men leaving bars at dawn” (Shashikant Shinde, NCP at 18.50).

The statement trivialises the offence of drunken driving. Further, hundreds of bars on the highways continue to sell alcohol and irresponsible men would find enough liquor to cause accidents without the dance bars. But there is huge sympathy displayed towards these men.

“Many a times, our young friends tell people at home that they are going to Bombay for work. They travel up to Panvel and from there never go back home. They meet up with an accident and go to God. There are 10/12 cases like this, and at least 25 young men are dead due to dance bars” (Chandrakant Shivarkar, at 21.40).

Language and grammar can be noted be of assistance in discourse creation here, e.g., the use of active and passive tense while speaking of bargirls and customers, respectively. Bargirls are the active agents, e.g., these women destroy homes, destroy families, and destroy Indian culture. On the other hand, men are passive actors. e.g., young men die in accidents while returning drunk

from the late at night, and they enter into crime to throw money in the bars. The language creates a discourse here in which the customers are victims, the poor young men who get attracted like moths to light, and then burn. The fact that these adult men go into the bars at their own free will, with a wish to avail of sexual entertainment, that they get drunk and drive, and put lives at risk is all sidetracked once they are portrayed as helpless. Further, it is repeated time and again that youth are taking money from their fathers, they are wasting their families' resources, yet again, the solutions suggested are not control on these young men, but the ban on the bars where they spend the money. This way the actors themselves are turned into passive subjects. Even where it is reported in the debate that young men are resorting to theft and robbery for money, the same logic continues. The men are neither held responsible for their actions, nor their criminal activities. The power of discourse is reflected in the fact that there are not more than 25 young men in the cases of such accidents of youth dying on the highway, as mentioned in the speakers in the debate. On the other hand, dowry death and wife burning is everyday news, taken as a matter of course, and does not warrant urgent attention like the young men dying in accidents. The language, presentation is vital in the symbolisation of the bargirls as the deviants. The negative symbolisation provides immediate legitimation; since "one is dealing with a group which is vicious, destructive, causing the community a financial loss and repudiating its cherished values, then one is justified in responding punitively" (Cohen 2002: 91)

The amendment was passed in both the houses and became operative on the 15th August 2005. The mood in the Houses was righteous, jubilant and triumphant. There was little empathy amongst the legislators for the bargirls and they were preoccupied with the arguments about dignity of women, Maharashtrian/Indian culture, and law and order. It seems that when the

cultural debate about the dance bars moved to this legal site, it became harsher and punitive. There was a sense of using the legislative force to punish the bargirls rather than stopping wrongdoings in the dance bars. The punitive power of a unanimous vote was also used against Manjit Sing Sethi, the president of the bar owners association who dared to offend the legislature.¹⁰⁴

There was not much noticeable difference in the position of members from different parties across the right wing to the left. For the left parties, this was not an important issue. So there was no party mandate or direction for the members to follow in the Houses. While both the spheres of politics – mainstream and alternative – as seen in Chapter 5 were active at the same time on the laws or cases relating to women, there was little interaction between the two. There seems to have been not much political or legislative lobbying by the feminist or NGOs, e.g., meeting members of the legislatures to put a point of view forward on a bill. The legislative decisions are then taken after the debates in the houses without much of inputs from the alternate sphere. In the dance bar debate, this became evident as no speaker seemed to be informed of the reports made by women's organisations on the realities of the work and lives of bars girls.

The cautions raised in the upper house about hasty passing of a new law with loopholes were ignored. The Home Minister was riding on a popularity wave and did not bother with legal discrepancies. He reassured them that meetings with legal department had taken place to make the law fool proof. The victorious mood had changed by the time the legislation was challenged

¹⁰⁴ Mr Sethi was reported in the media to have stated that, "We will not let ministers' wives roam around on the streets of Mumbai." He was charged for insulting the legislative assembly and was sent to jail for three months. This action was taken on the 7 June 2005, even before the bill came up for discussion in the Houses.

in court and was found ultra virus, i.e., outside the ambit of the Constitution. The Home Minister faced censure for the poor drafting of the bill, and the two parties in the government, the Congress (I) and Nationalist Congress Party had a face off.

6.4. THE COURT CASE

This section looks at the culmination of the dance bar debate into court proceedings. It is based on the petitions opposing the ban, the reply of the government and the judgement of High Court. I view the varied pleas made to the court and their basis in the Constitution and then see how the court responded to them – the reliefs granted and obiter dicta – to assess how the court's engagement with the arguments had an effect on the cultural discourses about the dance bars.

The court case was the last legal site for cultural and political debate over the dance bars. This was a site that offered room for empathy towards the bargirls, the opportunity for rights based arguments, and a sense of resistance to the ban. After the legislation was passed and became operative, the parties against the ban sought justice through court. When the petitions were filed, the parties had to change the format of their arguments. The political agenda had to be transformed or translated into the court idiom, into the language of adjudication or a rights discourse, e.g., right to life, right to equality, right to a chosen occupation as enshrined in the constitution. In this site, the 'white collar people' as the Home Minister referred to them in the House were stronger. The women's groups, the Bargirls Union, the NGOs working with HIV and Aids had the smarter and more dedicated lawyers to draft their petitions. Whereas, government lawyers relied on the same prejudices that were evident in the parliamentary debates. They failed to produce evidence for the claims of exploitation of dancers or crimes due to the

dance bars, or trafficking of minors, and were reproached by the court. The government fell short in adapting a changed strategy while moving from legislature to the court. Thus, the law was passed when the legislature was in the position of decision making. But when the law was contested, the law making authority became a party to the dispute and the court became the adjudicating power. In this scenario, the other parties who could transform their pleas into a legal discourse smoothly, had a better chance of success.

Any case challenging the constitutional validity of legislation goes directly to the HC or Supreme Court. In the case of a statute, the courts must find the original intention of the authors. Part Three of the Constitution contains a very impressive array of fundamental rights or basic human rights which resemble the Bill of Rights. The framers vested the Supreme Court with the power to quash as unconstitutional any law or order that transgresses any fundamental rights. This power, which is otherwise known as judicial review, of the Supreme Court to issue writs enforcing fundamental rights is itself a fundamental right (Justice A. P. Shah, Supreme Court of India: Speech at the 10th Anniversary of the Alternate Law Forum, Bangalore, p. 8)

The Mumbai HC had admitted nine petitions with regard to this matter. All these petitions claimed that the amendment of Bombay police act is ultra-virus of the Indian Constitution, specifically Articles 14, 15, 19 and 21. The court decided in the favour of the petitioners on the basis of Article 14, equality before law and equal protection of law, but did not stay the ban. So the ban continued while the state of Maharashtra went into appeal to Supreme Court in Delhi. The Supreme Court admitted the case and ordered a status quo in favour of the ban. The matter is

currently sub juris and despite being decreed illegal and ultra-virus of the constitution, the ban continues as of October 2011.

The petitioners were;

- Indian Hotel Association (AHAR), duly registered under the provisions of the Trade Unions Act;
- Bharatiya Bargirls Union, a Registered trade union through their President Varsha Kale ;
- Women's groups namely:
 - Forum against Oppression of Women;
 - Awaz E Niswan;
 - Women's Centre;
 - Akshara;
 - Women's Action and Research Group;
 - India Centre for Human Rights and Law;
- Sanmitra Trust (HIV work, condom distribution) and Ekta Self Help Group (a self help group for the bar girls);
- Fight for Rights of Bar Owners Association c/o Karishma Restaurant and Bar, through its president Manjeetsingh Sethi;
- Five petitions by individual bar owners.

Many prominent human rights and feminist lawyers in Mumbai were part of this case: Adv. Mihir Desai¹⁰⁵ from the India Centre for Human Rights and Law, Adv. Flavia Agnes¹⁰⁶ from Majlis, a women's law unit, and Adv. Anand Grover.¹⁰⁷ All of these lawyers had participated in the pre court case process of resistance along with the petitioner organisations and groups, and so were involved in the case outside of the court.

I will analyse the response of the court to the main themes:

- **Discrimination**

Article 14 of the constitution of India insists on equality and non discrimination on the basis of sex, race, caste and place of birth. Discrimination was the decisive factor in the court case. The petitioners insisted that the Bombay Police (amendment) Act 2005 is discriminatory on the basis of class and gender. Bhartiya Bargirls Union found it discriminatory that the performance of dance in a drama theatre, cinema theatre, sports club is allowed while completely prohibiting it in the beer bar or permit house. Sanmitra Trust and Ekta group submitted that clubbing of all forms of dance performed in eating houses, beer bars, and permit rooms, whether decent or indecent, in one class is violation of Article 14. Both claimed that the classification of the establishments banned and not banned for dance is not based on intelligible differentia and has no nexus to the objects of the amendment. They insisted that the State has failed to show how the

¹⁰⁵Mihir Desai represents cases for labour, education and is a co-founder of the Indian People's Tribunal on Environment and Human Rights. He is also co-founder of India Centre for Human Rights and Law, and former editor of *Combat Law* (a law and human rights magazine).

¹⁰⁶ Flavia Agnes is a women's rights lawyer who has written extensively on issues of domestic violence, feminist jurisprudence and minority rights. She is the founder and co-ordinator of the legal centre of MAJLIS in Mumbai.

¹⁰⁷Anand Grover has been a pioneer of HIV related legal cases. He was appointed the Special Rapporteur on health by UN in August 2008. He was the advocate for the Naz Foundation case in Supreme Court that de-criminalised homosexual relationships in India in 2010.

exempted bodies can have only non-obscene, decent, non vulgar dance performances, and why establishments prohibited cannot be decent.

The court accepted the relevance of Article 14 as long as the new act was discriminatory between establishments. It stated that establishments that are exempted could have vulgar dances as well, and establishments banned could have non vulgar dances, and, so, the government's classification was void. The judgement asked, 'if dances which are immoral are not permitted in the exempted places as per the gov'n's affidavit, the state can exercise control over performances under existing law' (p. 181). The court asked why the State deems itself unable to do the same with the prohibited establishments? Similarly, bar dancers were banned from performing dances which were of non-vulgar, non-obscene variety. This, according to the Court, did not serve the purpose of the act which is to stop obscene dance.

- **Class Discrimination - Five Stars and Dance Bars**

The government had exempted five star hotels, clubs and gymkhanas from the ban. The government justified the exemption on the assumption that five star hotels are a class in themselves and cannot be compared to dance bars. The government reply stated that people visiting five star hotels stand on a different footing and cannot be compared with people who attend dance bars (Government reply, p. 31- 32, para 33).

By basing the decency of dancing on the establishment and not on the dance performance itself, the government carried out a categorisation based on hierarchical social positioning. Dance became obscene when performed by poor bargirls in the dance bars, but decent when performed

by upper caste/class women in five star hotels. Similarly, customers in the five star hotels were considered better equipped to deal with dance than those attending the dance bars; they need not be taught morality or guided by the hand as the customers of dance bars. Thus, male–female interaction or sexual intimacy, voluntary and/or of commercial nature, in one place was acceptable and in another place it was not. The government became a patriarch imposing guidance, discipline and protection on the juvenile citizens that throw their money in the dance bars, but the same protection was not deemed necessary for super-rich men or tourists visiting five star hotels. This discourse was supported by the media stories of men who caused ruin of their families, threatened their parents, committing murders or accidents.

This selective pattern is the way in which India seems to manage with globalisation and the resultant ‘Western’ influences. Social boundaries have expanded for the youth and women of an educated middle class and the transgression is tolerated as long as it exists in limited terrains. So rich women can wear scanty clothes, dance with men, and drink alcohol as long as they remain away from the public gaze. So five star hotels, pubs and other closed private or commercial places would be uninterrupted, but if it spills onto the streets they may face violent retribution. The attack on women leaving Hotel Taj after a new year’s party in 2007 demonstrates that what is allowed in five star hotels is not tolerated on the streets of Bombay. Upper class/caste women, traditionally believed to be good women, can also be hunted as bad women if they cross their boundary of behaviour and of location. The government’s differential classification perpetuates this by providing the distinction between the five star safe zone and dance bars on the street.

- **Gender/Caste/Class Discrimination**

The act was challenged as discriminatory against women dancers as they were prohibited from dancing and they were the only category of people who were barred from their occupation (Writ Petition Bhartiya Bargirls Union, Synopsis, para e). Bhartiya Bargirls Union stated that the amendment amounted to total prohibition and so was violative of fundamental right to carry on any occupation. This amounted to violation of the bar girls' right to carry on an occupation within the meaning of Article 19 (1)(g).

The High Court did not accept the argument that the ban amounts to gender discrimination prohibited by Article 15 of the Constitution, nor did it see it as a total prohibition on dancing for bargirls. It stated that the bargirls are banned from dancing in the beer bars, permit rooms or eating houses, but 'they can dance elsewhere' (HC judgement: p. 252, para 6). The court ignored the plea that the right to choose and carry out any occupation or trade, guaranteed by Art 19 (1) (g), is affected since the act not only influences the place of employment (locum) for the bargirls but also their very ability to dance in dance bars at all (locus). They would not have access to the exempted hotels, as they belonged to the economically and socially weaker sections of society, are not educated, and do not speak English (Writ Petition by Sanmitra Trust).

An intricate discrimination is at work here; it is gendered as bar dancers, all women, are the only category of people banned from their occupation. Bar owners are not stopped from running the bars or sell alcohol, the waiters are allowed to serve and singers can continue singing. It is also caste and class based discrimination as once bargirls stopped dancing in bars, they would have to stop dancing at all. Since this is the only space in the globalising market that these women have been able to capture and this is one space in which they have are raised themselves to a higher

ground and can compete with others from more privileged backgrounds. There is no ‘elsewhere’ for the bar dancers as the effects of the ban have evidenced (See Chapter 7). The court has ignored the fact that the state government has exempted the five star/three star hotels and sports clubs precisely because bargirls cannot reach these spaces. The invisible yet crucial socio-economic bar is already in place there. As it was revealed in my interview data, the bargirls were vocal about this and declared that if only someone from their community could gain access to these places, they would all manage to reach there (Interview with Gulabi). While others from the non-performing caste backgrounds dance everywhere in Mumbai – cinema, theatres, clubs, dance shows on TV, cultural programmes in housing colonies performing for pleasure or business and presenting classical and non classical dance forms – bargirls are banned from dancing in the bars. Effectively, the ban takes away their identity as performers. The caste/class neutrality or blindness of the High Court has serious implications. Though Article 14 of the constitution prohibits caste based discrimination, courts have rarely interpreted unequal access or distribution as being rooted in caste. Interestingly, the caste question did not enter the legal debate. Petitioners evoked Article 15 for gender discrimination and Article 14 for class discrimination. But caste was not really raised as a focal point within the legal debate.

- **Classical Dance – Bar Dance**

The government pleader reiterated the theme evoked in the Vidhan Sabha that there is no dance but only obscenity in the dance bars. Affidavit in Reply filed by the government stated that these dance performances are indecent, obscene and vulgar, that the dance style is unknown to any established form, but has a sole objective of rousing physical lust among the customers (Affidavit in Reply by the state of Maharashtra, pp. 5,6. para 5). Further, it justified the

exemption of some establishments on the basis that they could have national and international artists with skills in Western and Indian classical dance forms (Affidavit in Reply by the state of Maharashtra, pp. 31, para 33).

This cultural discourse that became a legal pleading was based on a presumption that Indian classical dance is of a superior quality and moral fibre than the dances in the dance bars. Firstly, what bargirls did was popular dances; presented and participated in by vast majority of people in clubs, weddings, bhangra, and dandia. Secondly, Indian classical dances that are presumed to possess only an austere and serious contour, in fact, embody all rasas, i.e., moods, from Bhakti (devotion) to Sringer (romance, erotic). The romantic, erotic mood is vital to classical music and dance, and was presented by Devadasis before the gods in the temples of the South (Mitra 2006:71-73).

Moreover, classical dancing and music itself has been cherished in India by Devadasis and tawaifs who embodied dance, music and sexuality outside marriage. As elucidated in the literature review, since the good higher caste married women were not allowed to read or write or engage music and dance, it was only in the temples in South India, amongst the Devdasis, and the parlours of courtesans in North India that the artistic talents and musical endeavours were cherished. So what is now venerated as Indian classical music and dance is the heritage and gift of women who were engaged in sexual occupations and were part of the markets than homes (Sriram 2007: X; Prasad 1991: 29- 32; Nevile 1996: 66-68). These women were driven out of their traditional occupations during the anti-nautch movement that sought to cleanse the cultural sphere (Oldenberg 1990: 262- 266; Qureshi 2006: 316- 319). Classical music was then taken

over by middle class higher caste wives and seductive, energetic temple dancing was ‘reformed’ to be Bharat Natyam, the ‘dance of the nation’ (Srinivasan 2006:176).

Now bargirls, a majority of who come from the same traditional dancing communities, are driven out of the popular cultural sphere. Ethnographic studies have shown that when the communities of dancers are criminalised by the state machinery, the focus shifts from excellence in dance/music/poetry to sex. The later generations of skilled artists get pushed into sex work, as years of training on musical pursuits is less lucrative than starting sex work at a younger age (Maciszewski 2006: 333, Said 2007: 83-85). The dance bar ban raises similar danger of shifting the focus of the market dance and music to sex. As Morcom (2008) states, cultural capital of dance and music is linked to the capital of an erotic and, at least theoretically, available body. If the bargirls are unable to use their cultural capital, they would tend to capitalise more on the erotic body. In other words, they would dance less and focus more on selling sex only, becoming more sex workers than courtesan-type performers. To avoid this situation, the government could try to raise the standards of the dance bars by regulating them and making sure that dance, not sex, pays. But instead, if it just prohibits dancing, sex work becomes the most plausible alternative.

- **Right to Livelihood – Article 21**

Forum and other women’s groups articulated the amendment as violating the right to life and livelihood of the bar dancers under Article 21, more so since no rehabilitation or compensation was provided under the amendment or any other policies. The petitions did not seek a right to livelihood per se, but a remedy against the loss of livelihood. The writ petitions were filed

against the specific concern of the government taking away the existing livelihood of section of society, rather than for making it obligatory for the government to provide people a livelihood or compensation, or assistance in case it fails to do so. So the right to livelihood was used to prove that the law taking away this right is arbitrary as it makes no alternate provisions. It was asserted that Article 21 guarantees life and liberty which includes right to live with human dignity, nutrition, clothing, shelter, education, social mingling (Writ Petition Sanmitra Trust, p. 5, para 3). Any action of state that may deprive persons of this right should be substantively fair and procedurally fair. Where law does not provide alternate remedy to the affected person, it would fall in the arbitrary plane (WP Sanmitra Trust, p. 6, para 7).

It was argued that Art 21 should be interpreted in the light of Article 39(a) and 41 that makes it the duty of the state to secure for its citizens adequate means of livelihood and the right to work (WP Sanmitra Trust, p. 7, para 12).

Right to livelihood has not been unconditionally backed in India. There have been efforts to avoid starvation, but they were more as patronage than a right. Employment Guarantee Schemes (EGS) run by Maharashtra government,¹⁰⁸ since 1965, has been considered a success as it guaranteed manual employment for any willing adult in rural areas and helped avoid starvation during slack agricultural periods. But it is not employment guaranteed as per one's skill or last earning. The remarks in the house that 'bargirls must be sent on EGS work' instead of trying for their rehabilitation must be seen in this light, that dancers were expected to willingly take up road works or digging wells. The Court however responded that "a pretty young girl who has

¹⁰⁸ Accessed at <http://www.odi.org.uk/resources/download/1072.pdf> on 1 May 2011

dancing and related skills need not be condemned to the life of manual jobs" (Bombay HC judgment p. 223, para 83). So the Court has meant that the government must not take away employment when it cannot offer any viable alternatives. The Court has not accepted the 'easy money' arguments proffered by the government's reply. It mentioned that every citizen, male or female, has a right to earn a livelihood as long as they abide by the law. It is the duty of the state to provide protection to those lawfully engaged in an occupation and not to deprive them of their livelihood (Bombay HC judgment, p. 220). Thus, the Court has protected the 'right not to be deprived of livelihood'.

- **Dancing: Res Extra Commercica or Speech and Expression?**

Since dancing was the only activity banned, the petitioners insisted that dancing per se is not res extra commercica meaning an activity that is inherently injurious or bad in law. It was also insisted that dancing is a way of expressing oneself and falls under the right to speech and expression. The Court denied this claim on the basis that since the main activity in a place of public entertainment is of carrying on trade, business, occupation or profession, speech and expression is not curtailed in this case (HC judgement, p. 252, para 5). But the Court also accepted that the right to dance has been recognised as part of the fundamental right of speech and expression. Thereafter, it is open to a citizen to gain commercially from this right, be it the dancers using their creative talent to carry on an occupation or a bar owner to have a performance (HC judgement: pp. 183-184).

- **Constitutionality of the Ban**

Apart from giving relief under Article 14, the court raised many technical points as to why the ban was an unreasonable and unnecessary restriction. The question before the court was whether the ban was necessary and justified at all.

The Court noted the efforts of the government to monitor dance bars, e.g., the Government resolution, dated 10 Dec 2002, creating a committee to suggest measures and remedial action to control the dance bars against prostitution, crime and other undesirable practices. In reply to the call attention motion on 30 March 2005, the Home Minister had declared that a committee will be appointed to scrutinise the possibilities, but the government directly declared a ban. With this background, the court announced that the government must prove the reasonableness of the ban; the legislature can enact laws but when they affect fundamental rights, they must be established as reasonable and in the interest of general public (HC judgement: p. 190). This can be done by an evaluation of the direct and immediate impact of the legislation on the fundamental rights of the citizens affected, and by examining whether the action prohibited is of a pernicious nature or harmful to the general public. The Court stated that a woman dancing before men is not pernicious in itself. Maharashtrian tradition accepts this in the form of Tamasha and Sangeet baree (HC judgment, p.191). As seen in the Media Section in Chapter 5, this statement of the HC was critiqued in Marathi news articles as comparing the traditional culture and art of Maharashtra to the 'obscene gestures' and 'body display' in the dance bars.

The court took note of all the rules and laws that were applicable to the dance bars before the ban, such as Rules of Performance Licences, Bombay Police Act, and Amusement Rules, and came to the conclusion that if the existing laws are implemented properly there cannot be

problems such as indecent behaviour. The court found that since the state had not used the existing laws to cancel the licenses of bars breaching the rules, the new law seemed unnecessary. Anyway, there was no material to show the court that nudity was on display or there was nude dancing. The dancers danced to popular Hindi movie tunes and imitated dance steps of cinema actresses. Prosecutions could be launched against breaches of rules of performance license that prohibit indecency of dress, dance, movement or gesture (HC judgement: 217, 218). In this background, a requirement for a new law was not proven by the government.

The judgement of the Mumbai High Court declared the ban to be unconstitutional on the basis that it violated the principle of equality. It held Section 33A and consequently 33B as void. The court found no nexus between classification and the object of the Act since the Act banned all dancing including the dances which are permitted in the exempted establishments and which are governed by the same rules and conditions of licence. The court further declared that if women other than the dancers can work in the prohibited establishments and that does not amount to exploitation, when women dance to earn their livelihood it cannot be called exploitation.

Yet it seems like the court has decided on limited grounds. The court did not accept arguments in favour of the right to carry on any trade or occupation, either for bar owners or dancers. The court responded that the bargirls cannot dance in the prohibited spaces, but they can dance elsewhere, without appreciating that not being able to dance in the bars amounts to a total prohibition for bar dancers. The court also decreed that the ban does not discriminate against women.

The point on which the case seems to be tilted is the technical point of allowing some establishment such as clubs and gymkhanas to hold performances of dances, and not the dance bars. So, if the government decided to make the minor change in the legislation and cancelled the exemption to these other establishments, the law could have been passed on as constitutional. Based on this point of technicality though, the court's judgement does not come as a victory of principle for the bargirls.

The most vital aspect of the court's judgment would have been the lifting of the ban and restoring of the livelihood of women and men rendered jobless. While declaring the ban unconstitutional, the court did not stay the ban. Time was given to the state government to challenge the High Court decision in the Supreme Court. The case now remains sub-juris and pending in the Supreme Court. While the process of law has been rolling for over six years, dance continues to be banned in the bars of Maharashtra. Despite losing the court case, the government has won in this issue. Thus, the court case brought mixed results to the cause of bar dancers.

6.5 CONCLUSION

This chapter has shown how the cultural discourses about the dance bars and bar dancing attained the force of law through the legislative process. The chapter has reviewed the range of existing civil and criminal laws available to the government for control of the dance bars and shows that a new law was not required to stop criminal activities or obscenity, or indecency in the bars. The requirement for the legal ban stemmed from a political agenda that is analysed in the second section of the chapter which focuses on the legislative journey of the ban. Though law

and order issues were discussed along with exploitation of bargirls, the ban moved forward with the intention of stopping the march of Westernisation and contamination of culture in Mumbai. It seems that when moved to the legislative site, the cultural discourse became harsh and punitive, and the women working in the bars became the focus of the wrath. The speeches of the legislators focus on two main themes: the rise of the bargirls due to their easy money and fall of the customers in their spending the money. The legislature intended to control this situation. So though the need for protection of youth, family, and Indian culture justified an intervention in globalised market, the main thrust of the ban was upholding the caste patriarchy by placing lower caste women and upper caste men in their old positions. Thus the ban is viewed as the caste dominance coming to the aid of caste hegemony when hegemony alone did not succeed in the face of market changes.

While the legislative action comes out as a reactionary process, the court case and judgement can be seen as a mix of conservation and emancipation through the law. The court case served as a site of resistance to these dominant themes of legislature, where right to livelihood, freedom of occupation, equality could be discussed. The court held the ban constitutionally invalid as it violated Art 14 that guarantees equality to all citizens; for discrimination between different type of establishments, and within dancers, singers and waiters. Yet the court hardly paid attention to the cultural significance of the dancing women in India and the caste/class positionality of the bar dancers that meant that the dance bar was the only place where they could dance. Further, the court did not lift the ban and allowed continued loss of livelihood for the dancers. The victory in principle in the court did not percolate into a practical success.

CHAPTER 7. EFFECTS OF THE BAN

7. 1. INTRODUCTION

The legal ban affected the market of the dance bars in general. As my research shows, revenues dropped and glamour disappeared so barline suffered a setback. Yet the bar dancers were the only category of people who completely lost their occupation and identity due to the ban on dancing. According to scholars, music making as a cultural production suffers when the musicians/dancers are tabooed and hunted, and the market focuses on sex rather than on dance and music. (Maciszewski 2006, Qureshi 2006, Said 2007). The decline in dance and music leads to a loss of ‘musical power of the performer’ (Brown 2006 and Dwyer 2006) I draw upon this literature to understand the effects on the market of dance bars and the changes in working conditions for bargirls.

The bargirls form a diverse occupational community; they offer varied services such as dancing, singing, and waitressing in the bars and have internal hierarchies, differences of background, income, skills and access to networks. Most bargirls faced a shock of sudden loss of livelihood, loss of status and dignity, mental and emotional trauma. After the ban, many bargirls left the city to go to their native villages, some went abroad on dancing contracts, some retired on salary from a patron, and some started serving liquor in the same places where they danced. While the legal case remains pending in the Supreme Court, the life of bar workers in Mumbai is altered forever. This chapter uses the interviews with bargirls to see how they theorise what happened to them; the changes in economic circumstances, the effects on their daily lives and the strategies employed to deal with them.

The caste based occupational structure is a vital framework to analyse the choices bargirls have made while entering the barline as well as while searching alternate occupation after their exit from the barline. Following from chapter 4 wherein dance bar employment is viewed as a caste based sexual occupation that women from traditional dancing communities adhere to, I will examine the exit options that women from these communities could avail of and whether these options are connected to their caste positionality. In this discussion, I consider differing perspectives on the legal ban as a step towards elevation of the bargirls.

7.1.1. CASTE BASED SEXUAL OCCUPATIONS

The legal ban was theorised as closing of the shop by some activists. According to Pravin Patkar the dance bar acted as the point of display, sale, negotiation and bargain for sexual services. The ban on dancing will have the effect of closing this shop. With the shop closing in Mumbai, the demand for young girls will decline. With less demand, procurement through the middlemen, communities or families will decrease. This will create alternative opportunities for the young girls who are sitting in the family homes waiting to be sent into the sex market, with a pimp father who is waiting for the time when the girl reaches puberty and can be initiated. When the money from the bar is less, it will not be so beneficial to send daughters to Mumbai and other options for them might be considered. There might be more chances for a local NGO to reach these girls and teach them livelihood skills (Interview with Pravin Patkar, President of Prerna).

Dalit movement has always harped on the virtue of leaving behind occupations that are humiliating for human existence, following the message of Dr B. R. Ambedkar of “*vatan taka*” (shed your caste roles) (Rege 1996: 36). The extensive Dalit literature in Marathi is rich in life

stories that depict the dilemma of young people trying to break the traditional caste ties and boundaries,¹⁰⁹ as *Vatan* includes not only the occupations but also the rights and security attached to one's traditional position in the village social and economic system. One of my interviewees – a political activist working within leftist, Dalit and minority politics – reiterated this point as regards to the ban on bar dancing. He stated;

“The ban maybe bad for the present generation of women working in the bars, who have lost their livelihoods. But their current hardship will have a positive effect for the coming time and generations” (Interview with Naseem Shaikh, Satyashodhak Vidhyarthi Sanghatana –Truth Seekers Student Organisation)

In this chapter the accuracy of this argument will be examined through the interview data: from the post ban opportunities and strategies, the possibilities of leaving the caste based occupations will be scrutinized. Lastly, the significance of the legal ban in terms of the politics of caste and gender will be assessed.

7.2 EFFECTS ON THE DANCE BARS

This section analyses the effects on the dance bar market from the point of view of the bar management. The two main interconnected effects of the ban on dancing are the loss of glory of the dance bar and the mushrooming of shady establishments and bars in the place of former dance bars.

¹⁰⁹ Eknath Awad (2011) had to brave starvation and violence as a Dalit-*Mang* boy, who dropped the job assigned to him by the village order- *Mang Vatan*- and went on to education and later political activism; Lakshman Mane (2010) came from a nomadic tribe and faced the wrath of family and community for marrying an upper caste girl; Bhimrao Gasti (2009) was a *Berad* boy – a criminalised denotified caste – and suffered the heartbreaks due to death of his brothers in police torture.

7.2.1. LAMENTING THE PASSING OF THE BAR

When the ban became a reality, the bargirls could be in the bars only in the capacity of singers or waitresses. Many famous high class dance bars closed down in North Bombay (Interview with Manjit Singh Sethi, the President of Bar Owners Association), as it became difficult to run the bars with their former glory. As one dance bar owner in Panvel told us;

“This is now a Ladies bar. There is no dance, only ladies service. Many dance bars in this area, nearly 15 in number, are closed down. Only this kind of places are open, some small, some big” (Anna Shetty, 20th November 2008) .

Here ‘this kind of place’ was uttered in a self depreciating, almost dismayed tone. His voice and face turned wistful when he spoke of his former dance bar, which was in the same locality and had to be closed down.

“Crazy Boys started...and did it do business! What a place it was! It was considered the best dance bar in Maharashtra...people would come from Pune, Bombay, Kolhapur, Ahmednagar to visit. The dancers were very hi-fi as well. They would drive down in their own cars. Some would earn up to a lakh rupees in one night. You cannot imagine madam how it was, now we cannot show you a dance bar and without seeing, how will you understand the glory of it?”

Moving from the winning establishment to a waiter service bar seemed highly painful for him. When I expressed a wish to see the inside of his present bar, he was very reluctant and said, “Madam when the dance was on, I would have shown you the glamour...now nothing...what will you see there? It is not for you.” The shift seems to be embarrassing to the self respecting owners. From the glorious prosperous place of entertainment and filmy drama, they have come

down to a desperate place where sex and booze reign. So while we were treated hospitably outside the bar, we were not allowed inside.

The running of the business now is seen as a charmless task. One manager of a bar in Vashi said;

“Nothing is left of the earlier days...now we run the business...why? Because hotel licence is there and has to be renewed...that’s why we are running it, is all...there is no profit currently...what we earn goes in the running of the place...”

Many of the Conductors¹¹⁰ of the bar claim that they find it very difficult to run their businesses after the ban. But many of them have contracts that need to be fulfilled and rent to be paid, so bars are run even when only expenditure and not profit is yielded. Being small fish in the game, these entrepreneurs find it difficult to diversify their business. Some reported that they have tried to run the business as a normal bar, a ‘family restaurant and bar’. But since their establishment has been running as a dance bar for years in that particular place, it is very difficult for them to attract customers who are ‘family type people’. “The wrong kinds of people who want to enjoy and maybe induce the girls to go with them afterwards come here.”

Yet the old dance bars retain some of the old clientele – those who were mainly interested in entertainment – through the Orchestra. The entertainment focus has moved from dance to the music and songs.. Patrons request their favourite songs or genres such as old Hindi songs, or

¹¹⁰ Conductors are people who take a bar to run on contract, many a times in a team, and pay a rent for the space. Sometimes they run the bar already started by a bar owner, entering a contract with him for a number of years. Conductors do this together in a team with a few others, as running a dance bar alone was difficult in terms of capital and administration involved. Most bars have a manager to look after the day today business of the bar and staff management.

The term ‘bar owners’ includes many type of management of bars – owner of the bar who runs his bar himself; Owner who owns the bar, but not the place, so rents the place on an annual rental contract.

regional songs in Marathi or Gujarati, or devotional songs, etc. Patrons then offer the singers high rewards and, in a way, singers have come to compete with the dancers in the new economy of the dance bars. Though singers are generally less flamboyant than the dancers (or, currently the women standing around in the bar), there is a growing trend of flashy presentation of singers in the bars.

7.2.2. THE NEW BAR INDUSTRY

While many owners assert that the bar industry is now finished, one sees many new bars on the highways going to Mumbai, e.g., in the outskirts of Vashi, Panvel, Thane, and Dombivali.¹¹¹ The mushrooming of bars on the highway may owe their existence to the success of the ban on dancing in the bars, rather than the failure of it. One might wonder if the new bars are coming up because there is no strict implementation of the ban. But when one views what goes on in these new bars, one realises that it is precisely because the ban on dancing in the bars has been executed that bars that offer women but not dance are proliferating. Most of the new bars are not dance bars, but Ladies Service Bars, pick up points, silent bars. These are different names for bars that provide sexual services to their clients. For example, pick up points are where customers can dance with girls, negotiate and fix a price, then take the girls out. The girls pay exit money to the owner and go out to a lodge (Interview with Agrawal, Bar Owner, Borivali). Silent Bars are where due to very dim lighting one cannot see one's own hand. There, girls offer oral sex and other explicit sexual services to the customers (Conversations with Nutan, 14 January 2009 and Kamlesh, 11 January 2009).

¹¹¹ In my fieldwork in December 2008, while roaming with Varsha Kale and trying to speak to the people she knew in the old known bars, we saw new bars abound. We wondered what these places were and how come there were so many of them and whether it was because the ban was not implemented.

The members of the Association of the Dance Bar Owners claim that they had supplied the Maharashtra government with lists of wrong doers in the business one year before the ban was proposed. They asserted that the dance bar owners were weary of the guise of dance bars being used for the illegal purpose of prostitution and so had requested the government to take action against these illegal bars. But the government was not interested in stopping bad practices in the business. The Ladies Bars pay heavy bribes to the local police stations, which are distributed within the upper hierarchy of the police officers too. This means, in turn, that the bars not paying hafta¹¹² are always on the police radar with higher risks of raids and harassment.

The effect on the dance bar market, thus, is seen in two ways: on the one hand the bars that specialised in dance and entertainment are closed. The clientele that frequented the bars for the fantasy and drama (as described in Chapter 4) has now dropped. On the other hand, the now lower grade bars continue to prosper and proliferate. More and more dubious places in the industry mean that labour suffer harsher conditions of work, with much less protection mechanisms. This seriously affects the agency and choices of women working in the bars.

7.3. EFFECTS ON THE BARGIRLS

This section examines what the ban meant for women; for their sense of identity, work, workspace, and connects this to poverty and reduced life standards discussed in the next section.

¹¹² Literally a week in Hindi, in colloquial language it means ‘protection money’ - the designated bribe per week or month that reaches the local mafia, hooligans, or police.

7.3.1 THE SHOCK OF THE BAN

The immediate effect of the ban on bargirls was of shock and dismay.

“When they went home after the 14th night, they did not really believe that it would actually happen by the time they returned to work on the 16th” (Varsha Kale).

The ban became effective on the 15th August 2005, the Indian Independence Day. It is a national holiday and as it is a ‘dry day’ when alcohol cannot be served in public spaces, dance bars remain closed on that day. It was a real shock for many to come to work the next day and realise that they are not supposed to dance now. Despite the countdown to the ban, there was a hope that somehow the government will see sense.

“No one thought it would actually happen. We thought that the government will realise that there is no ‘bad work’ in the bars (Gulabi, 1 November 2008).

Many thought that through all the delegations and committees the government will come to know that bargirls are not doing sex work in the dance bars and so the state will not impose total prohibition. Many women said that they would welcome regulation of the bars that would stop any bad work happening such as sex within the premise of the bar or minor girls or throwing of the cash which is Lakshmi¹¹³ and must not be insulted (Interviews with Calcutta di, Asha, Kanak) There was hope that government will stop these things and improve the situation in the bars. But government imposed a blanket ban and on the 16th August dancers came to the bars to realise that they could not dance any more. The ban became real and final then.

¹¹³Lakshmi is the Goddess of wealth in Hindu mythology. Worship of Lakshmi can be done though doing your work or commercial activity honestly. Then the wealth comes automatically as a reward and signifies of the blessing of the Goddess. The idol of Lakshmi adorns the little temples in every shop and establishment, where currency notes and coins are offered and worshipped. In this sense, cash becomes sacred and throwing it in the bars with it falling on the floor and under people’s feet (feet being the most impure and signifying the lowest Varna/ caste) becomes malicious.

7.3.2. LOSS OF DANCING AS A LIVELIHOOD: BAN ON MUSICAL POWER

The loss of dancing was the most direct effect on bar dancers. They lost their identity and work as dancers and lost their livelihood that they depended upon. The interviews with women revealed that bargirls lamented the loss of dignity and status along with the decline in income. This can be perceived in the change in power relations between the women and their male clients, the increase in what men expect to get 'for their money', and the corresponding increase in danger faced by the bargirls. The narratives speak of different ways in which this has taken place; from enduring derogatory comments from the customers to having to pour drinks in the same bar where they reigned as the queens of the night. The bargirls who have chosen to continue working in the bars have had to change tactics of earning money after the ban. At present, the dancers stand on the dance floors while the orchestra plays music and the singers sing. There are places that still offer dance but they are few and far between, and the fear of police raids makes it a furtive and sporadic activity. The main job of the bargirls is now to stand in the bars. In a personal visit to a relatively elite bar in January 2006, I saw the girls dressed up standing around the bar and accepting tips from customers. Since dancing has stopped, dancers find it hard to adjust to the changed atmosphere of the bar.

Half the girls went out of the country to work, half the girls started doing sex work...very few are still managing...there is no dance...so they are now going and standing in the bars...doing waiter service, pour alcohol...Government did not see then, that the girls are so far from the customers (when they are dancing)...if the customer showed money they would go and take it and come back...now they stand here (next to the customer) and then he can do this [she touched my hand]

or this...[she pinched my hand] ...This seems to be ok with the government...(Gulabi, 1st November 2008).

There is much indignity involved with the change of position from dancer to waitress. Standing close to the drunken customers involves suffering mutely (chup chap) the remarks or demands they make. Sexual harassment has increased significantly and the possibility of rebuke decreased drastically. 'Earlier, if the customer tried to misbehave, the hotelwala would hit him and the girl would slap him' but now both 'look at the money and keep quiet' (Interview with Calcutta Di). The discussion about safety and behaviour in the dance bars came up in the interviews with owners, managers and male staff. They promised that no misbehaviour is allowed inside the bar, even after the ban. Yet they admitted to the fact that customers have become more insistent and successful with their demand for sex or 'going out' with bargirls.

These accounts indicate how the principal transaction and the main commodity on offer in the dance bars changed after the ban. While dance was the main transaction or the main commodity in the dance bars, demands for sexual intercourse were restrained. What the bargirls achieved before the ban with the dance moves and the drama on the dance floor (as elucidated in Chapter 4), now must be done by a more personalised effort. They must engage with the customer personally and induce him to part with his cash; pouring liquor, talking sweetly to the customers, calling him Jaan, i.e., beloved, all seems part of this changed act. Much of this was entrenched in the bar economy and has been noted by ethnographers, where women are employed for the

purpose of making the customer drink more and spend more money in the bar.¹¹⁴ Yet, previously the dancers on the dance floor were able to employ the power of seduction from a distance as dance and music are highly affective forms of human communication.

What the ban on dancing achieved was the ban on the subversive power of music and dance. The risk to the families addressed by the ban, as proclaimed by the government, may not be the risk of married men, or youth having sex with women who are not their wives. This was permissible for men through prostitution, which continues. With more dancers entering sex work, the possibility of having sexual liaisons between bargirls and customers may increase. Conversely, the ban on dancing seems to address the higher risk posed by the emotive, affective power of music. As per Brown, the musician becomes the embodiment of the erotic; music empowered the performer not only to arouse general feelings of love in the listener but also to make him attach them specifically to the performer (Brown 2006: 62). The ban breaks this connection between the bargirls and their customers.

The Hindi film songs hold a special place as a language of love in the Indian popular imagination. The film lyrics are noted to be one of the most popular forms of poetry in circulation in India and have a rich idiom of love. (Dwyer 2006: 292) Songs allow things to be said that cannot be said elsewhere, often to admit love to the beloved, to reveal inner feelings and make the protagonist realise that he or she is in love (Dwyer 2006: 292). Bars put this ‘already interpreted’ language to utmost use along with the set of visual codes of Hindi cinema that includes setting, physical appearance, costume and symbols (Dwyer 2006: 290, 291). Bar

¹¹⁴Interviews with owners narrates the story of the emergence of dance bars, including how enterprising bar owners employed women as waitresses, then singers, then as dancers to increase the sale of liquor.

dancers dressed in the dancer's attire and makeup together with the lyrics and music of Hindi songs of love, loss and sacrifice hold the power to move the men profoundly. This erotic involvement with their customers can be far more powerful than the sexual one. This affords the bar dancers a command to earn money without even touching their customers (As elucidated in Chapter 4). The ban has tried to stop this and 'save the men' from this power of seduction.

What follows the ban is expected then. With the dance gone, the dancers rendered powerless like artisans without their tools are at the mercy of the harsh sex market. As a senior bargirl describes:

“...earlier it was 2 to 3 thousand...now it is 1000...earlier we were on the high ground...now customers are on the higher ground...girls have dropped down...earlier the girls had such attitude...they used to be so arrogant...customers would say take this 5 thousand (and come out with me)...the girl would say, “arre, by closing time on this table I will get 20 thousand!” and she would, really...now the customer offers 500, the girl will bow her head and go...at least that much na...even pretty girls are now going like that...customers are now in better position...they know now the bars are closed, what will these ones do? So they are happy now...they are making the girls dance now...they are such scoundrels also, na, they take the girls out and then do not pay...make the deal and all, and later will not give money...say, you made us dance then...just by shaking your hips you took money from us...now we want to recover that... (Calcutta Di)

Not only have sexual transactions become more rampant, they have become cheaper. Customers mainly interested in the dance and the drama, have ceased to frequent the bars. Even if they

remain customers, they come to the bars much less frequently. Men more interested in the sex part of the transaction have now become more dominant customers. As the cash flows dried up, many bargirls who continued to work in the bars had to make sex their main selling point. With more supply of willing women, the price of sex decreased. One informant lamented, “Girls spend the whole night for the money now that was the hourly rate then” (Calcutta Di). There is no recourse for the cheating and exploitation by customers as the strong institution of the dance bar has now dismantled. I heard a story of a bargirl who could not walk from the pain of an anal intercourse. The customer insisted that since he is paying 25 thousand, a huge amount for sex – though not much compared to what some dancers earned earlier – he must get value for money (In conversation with Varsha Kale).

This process has stark similarity with the decline of the tawaif, the courtesans in North India under the Muslim rule. Except for the outstanding few who have been accepted as the mainstream artists, tawaifs lead a precarious existence, living in poverty ridden red light districts, where present day clientele is more interested in sex than songs, and the songs they wish to hear have very little to do with the rich traditions these women embody (Maciszewski 2006: 333). At once the processes around the ban on bar dancing are identical with this decline of tawaifs as also the next stage on this route. Bar dancing could be viewed as an already deteriorated phase of entertainment, wherein the ‘music making as a gendered field of cultural production’ (Qureshi 2006: 316) is eliminated to give way to market takeover of musical entertainment where upper class men are entrepreneurs and lower class women, including the traditional dancing women, provide the labour. Yet the ban pushes the current phase into a more ruthless phase. The earlier anti-nautch movement excluded the hereditary performers from their traditional art forms, now

the new anti dance in the bars movement is out to exclude them again from the popular Bollywood culture. These exclusions make this world invisible to the mainstream, but it persists, becoming more shocking and debauched than ever before (Morcom 2008).

7.3.3. LOSS OF FREEDOM

Scholars have discussed how freedom to do what they wish has been construed as amongst the worst thing that can happen to women, and society. Phule asserts that prohibition of education for the lower castes and women within bramhanism is to keep them in bondage. If *ShudratiShudras* could read the Hindu scriptures, they would understand the folly of religion and break free. (Bagade 2006: 320, 327) Sudhir Chandra analyses the outrage and confirmed suspicions of the Hindu orthodoxy in the 19th century Maharashtra that education for women will lead to unnecessary freedom, which in turn will lead to breakdown of the Hindu joint family and the domestic social order (Chandra 1998: 2).

The possibility of women being outside of any control of family or community is a disaster and so various legal measures are put in place to avoid this possibility. Restitution of Conjugal Rights against married women in Britain and in Colonial India was one such measure, where women who refused to reside with their husbands would be forced to do so by a court decree.¹¹⁵ The provision of restitution of conjugal rights still exists in Indian family laws. In 1984, the Supreme Court of India upheld the validity of restitution of conjugal rights against a wife who had refused

¹¹⁵ For a detailed analysis of the cases on restitution of conjugal rights and creation of colonial legacy of 'religious family law' see Chandra 1998. In 1884, Rakhmabai, a young educated Hindu woman from Bombay tried to repudiate a marriage solemnized when she was 11 years old. She refused to cohabit with her husband or consummate her marriage, and faced a trial for Restitution of Conjugal Rights before the English Court. She declared that 'rather than accepting a verdict that directed her to live with her husband, she would submit herself to the maximum penalty admissible under law' (p. 103) - which could be six months imprisonment, or attachment of property, or both.

to cohabite with her husband in the joint family, stating that ‘acting as a check against the break-up of marriage, the remedy served a social purpose’. Interestingly this was overruling a judgement of a progressive High Court judge who noted that the restitution of conjugal rights acted as a legal facade for the oppression of women (Chandra 1998: 207-209).

In a modernising society, the most effective way to stop women in their tracks is to curtail their financial independence. Flavia Agnes views the meagre maintenance that women tend to receive upon divorce in the light of the popular myth in society that liberalised divorce laws will encourage women into a life of ‘freedom’ which will corrode the moral fibre of society. According to Agnes, the need to keep women economically dependent is closely linked to the conservative fear of women’s sexuality and the notion that an independent woman may go astray. The male control over women’s sexuality is maintained by keeping women in economic bondage (Agnes 1992: 2233). Financial independence of a woman is the crucial factor, which is curtailed through legal means. For example, English law recognised the husband as the legal owner of his wife’s property. Colonial legality in India, with its concoction of Indian tradition and Victorian legal morality, endeavoured to take away the financial rights of widows and single women (Prem Chowdhari 1997, Veena Poonacha 1997).

Can the ban be construed as a ban on the earning capacity of bargirls? Interview with Gulabi made this aspect of ban clearer. She never understood why the government would ban an activity like dancing in the bars.

“I never thought this will stop...not just me, everyone from our community thought that this is very good, and it would never be banned...because in this work, there is nothing

bad...like earlier generations used to do sex...but nothing like that in the bars...the girl can do it with her own wish, her own willingness...A girl who is not married can live happily...earning was good...she could wear nice clothes, eat good food, go to nice places...it was as if women in our community had got freedom almost (azadi si)...everyone was happy, that currently life is very nice.”

Gulabi is talking of freedom from the prison of poverty, indignity and prostitution that women of her community have had to endure for generations. Dance bars with their unimagined wealth had opened up the doors of life of comfort but also of freedom. Bargirls could earn their own living and live as they pleased. Gulabi describes it as ‘wear nice clothes, eat nice food, visit nice places’ – food, clothes, travel – but she also adds, ‘food is not what one works for right? Even animals get food! We are human beings.’ So she means the freedom to live on her own terms, to decide what to do with her money, who to sleep with, whether to have sex or not, whether to have children or not. The bargirls pose the same ideological and practical threat of women unbound and are similarly dealt with.

7.3.4. THE CHANGES IN LIVING STANDARDS

The ban affected the living standards of the bargirls and all of a sudden pushed them into poverty. Almost all the women faced an income reduction of more than fifty percent.¹¹⁶ Some of the older bargirls with tenures of ten to fifteen years, had managed to build reasonable property in the village and in Mumbai, yet their day to day expenditure and investment into education

¹¹⁶ It is estimated that about two third women had their earnings slashed to the one- third of the original, about one-fourth of them found their income reduced to about one-tenth of the original. (Report by Research Centre for Women Studies, SNDT university, 2006)

suffered drastically. Many of the newer bargirls with up to five years' experience, who were just trying to find their feet in Mumbai and in the bars, were pushed into penury.

This sudden poverty adversely affected their expenditure on food, education, medicine, rent and other vital essentials of life. It is reported that access to food in quantity and quality suffered after the ban, as many women spoke of eating once a day, whereas, before they had been eating as much as they desired. Fruits, vegetables, and meat became less accessible for the majority (SNDT report 2006: 13). The money sent home to the family in the village reduced drastically. Some women, who earlier could send money regularly or occasionally, could now hardly send around 50 percent of what they could send earlier. This was a source of great pain and defeat for the women, since many of these women were sole earning members of their families (SNDT report 2006: 18).

Expenditure on health and medication had to be cut down and bargirls found themselves or family members with serious health issues – ranging from epilepsy to cancer – suffered pain as medical treatment was found to be too expensive. Researchers found that several women had lost their friends and relatives and were themselves quite ill, as they could no longer access health and medical care (SNDT report 2006: 15). Even with minimal expenses, most women depleted their savings and had to take loans to survive from neighbours, friends but mostly from moneylenders at exorbitant interest rates (SNDT report 2006: 12). This pushed them in the cycle of debt, whereby they would take another loan to pay off the earlier loan and sink deeper into multiple debts (Interviews with Sajida apa). By the time the bars reopened after a gap of about three months with Orchestra or waiter service (SNDT report 2006: 9) and women could go back

to work and survive, albeit at the lower level of income and status, most had used up their savings, sold their gold or pawned it. Some had even sold off their flats in Mumbai and other immovable property in the villages. All this was for just running the existing expenditure of households, education and management of long term illnesses. There were only few instances of loans incurred for sudden and large unexpected expenses (SNDT report 2006: 13).

- Housing

Many bargirls and their families had to shift out of their accommodation to less expensive places – from one bedroom or larger flats to single room tenements (SNDT report 2006: 14). A family of four that I visited during my fieldwork had shifted to an abode which had no space for their furniture. They had kept their chairs with someone, table with someone else, and had sold off many costly items such as an exercise cycle, and a wooden bed at throw away prices before moving home (Visit and interview with Savita in Malavani, Sector 4, Mumbai). Moving locations has social ramifications in terms of privacy, safety and stigma for the women and their families. Children suffer most in these circumstances as they have to find new playmates in a community that despises their mothers. I was told by a woman that she does not trust her new locality and so refuses to send her children to play outside of her one room home (Interview with Mehru, 7th February 2009). Even where children play outside with other children, the stigma looms large on their heads.

Housing became a more serious issue when in the moral zeal over the ban, bargirls were hooted out of their homes. The middle class local residents in some areas decided that they do not want bargirls in their midst and took upon themselves to physically throw them out of their rented

accommodations. Interview with the MLA of Thane (detailed in Chapter 5) speaks of one such campaign by the ladies wing of the Shiv Sena in Thane, which was carried out with impunity and left many bargirls homeless and hunted.¹¹⁷

- Education

The ban adversely affected the education of the children of bargirls. With the new awareness and aspirations that came with the city life and the confidence that money brought, many bargirls had their children educating in boarding schools or expensive English medium schools. Upon the ban, the fees and other expenditure of these schools became unaffordable instantly and many of these children had to move out of their schools. Some of them left education completely. I asked one informant whether her 14 year old daughter goes to school, I was told:

“She used to go to school, but then the ban came...we made her leave...two months got wasted when we went to the village...then the expenditure...what to do? In our community very few people are educated...It was in the city of Mumbai that we had started educating our children...had put them into schools...before our people were afraid of it...there was no money firstly...then they will ask father’s name...ten types of drama...

For many lower caste and class in India, education remains a struggle. Following Dr Ambedkar, the Dalit vision sees education, learning, getting out of caste occupations as a way towards ending of caste oppression.¹¹⁸ Through the democratic process, the aspirations of the lower

¹¹⁷Hindu Nationalism’s use of women for aggressive and violent action is discussed by scholars. See for example Bacchetta, Paula. (2004) *Gender in the Hindu Nation: RSS women as ideologues*, Women Unlimited, New Delhi as also Sarkar, Tanika. And Butalia, Urvashi. (eds) (1995) *Women and the Hindu Right*, Kali for Women, New Delhi.

¹¹⁸Extensive Dalit literature in Marathi, which shook the literary understanding of life in Maharashtra since the 1980s, throws light on the struggle for education that Dalit children and their parents go through. Financial inability,

classes have risen and one witnesses intergenerational upward mobility in education and jobs. Yet education, especially higher education, remains dominated by the higher castes and classes. The children from traditional entertaining communities have an added stigma to deal with – that of not knowing who their father is. School is the first harsh point of contact for them with the patriarchal administrative structure, which makes it very difficult and humiliating for them to go to school. ¹¹⁹ The informant here says that Mumbai city offered them the opportunity to send their children to school. In the anonymous city life, people from her community take on whatever names and surnames they wish and live in the mainstream localities. With these pseudo names they enrol their children into schools. However, value of education as an investment is not recognised. The communities lack the social capital, so education is among the first expenditure to be cut down. In this case, while the two older daughters are already in the barline, there seems to be no planning for getting the younger daughter educated and out of the sexual occupations.

- Drinking and Alcoholism

Drinking was reported to have increased within the community of bargirls, owing to personal depression as well as professional requirements. It was asserted that very few bargirls used to drink in the dance bars when they were dancing for hours every night (Interviews with Varsha Kale, Mrs Shinde). In the changed scenario of the new bars, drinking to ‘give company’ to the customer has become common. As the cost of alcohol would be the main part of the bill the customer pays, and the bargirl who accompanies him adds to his bill, it is almost imperative for

disgust and wrath of society, apathy of the teachers, and callousness of the educational structure were faced by many who later became known writers and political activist. See, for example, Urmila Pawar (2003), Mukta Sarvagod (2008), Eknath Awad (2011)

¹¹⁹See specially in Kishore Shantabai Kale (1994) *Kolhatyache Por*, (the Kolhati Boy), Granthali Prakashan, [Marathi] , translated by Sandhya Pandey, New Delhi, Penguin, 2000 - an autobiography where the author takes his name after his mother as he does not know the father.

her to drink. There is severe pressure on the bargirls to make a big fat bill with the customer so they try cajoling the customer into drinking a lot as well as to consuming as much alcohol as possible themselves. There are in-house strategies of mixing little alcohol and more water when the drinks are served to the bargirls, if they seem to be reeling from them.

A bargirl who worked in a bar in Dahisar said,

“When I am at home na, I don’t remember it...have I thought of it this week? In the household chores my time passes nicely...but in the hotel I need it...for the bill you have to drink...Now cold drink, how many times will he order that? In that how much bill can you make? If you order food, that too you can order only once na...one plate you can eat...can you eat 4/5 plates? Is there that much space in the stomach? So for the bill we have to, have to drink...you will not get any girl who does not drink...one girl in hundred you will find who does not drink...(Ranu, 9th February 2009).

The informant points out to the common reason of alcoholism, i.e., to be oblivious. Women working in the silent bars, pickup points, ladies bars etc. – where they are providing sexual services to the customers and letting the customer touch them in the dark – find it hard to do this without being drunk (Interview with Parmesh and Ranu). The informant herself claimed to be working in an illegal place where the stewards and managers of the bar were offering girls to the customers, negotiating the price and renting out the make-up room itself for the sexual act. The place was little different than a brothel and the informant found it very hard to work there. She was trying to survive in that atmosphere with recourse to drinking (Interview with Ranu, 9th February 2009).

A bar owner from Panvel surmises the current situation that the girls are facing.

“The girls have lost a lot since. It is possible that some do not get even fifty rupees a day. Now nearly 90% girls drink alcohol, during the Dance Bar times hardly 1% did. When they are drunk, only then they can do action with the customers. The tension, depression drives them to it. Income is not much, they were used to much better income, so they have to do other things after the bar closes. We do not say you should go with customers and we do not say you should not. But many girls are found standing on the stand now. Majboori (compulsion) has driven them to it” (Anna Shetty, 20 November 2008).

7.4. NEW INCOME GENERATION ACTIVITIES

The picture of how bargirls are managing to run their lives after the ban emerges from my conversations with bargirls, both current and retired, as also the President of the Bargirls Union. After the loss of employment in the dance bars, the bargirls tried to find alternate sources of income. They searched for analogous forms of livelihood, beginning with alternative forums for dance.

7.4.1 PERFORMING MUJRA

In the mujra quarters in Foras road, traditional forms of singing, dancing and sex work coexist. Mujara incorporated classical Kathak dance with Urdu poetry and was performed in mehfiles, i.e., musical gatherings or at the Kothas, the saloons of the courtesans. Quereshi states that from the 19th to the mid-20th century, the kotha (literally, villa) replaced the courtly performances and emerged as the first venue for Hindustani art music. The saloons afforded unprecedented scope for female agency in a patriarchal society, standing in stark contrast with subsequent turn

towards public performance controlled by male managers (Qureshi 2006: 316, 318). While their glory, power and status has diminished with the transformation in the economic, cultural and political milieu, the long standing parlours tend to maintain their own clientele and networks of survival in their locality that help mitigate the changing social conditions. While there is evidence of individual strategies of survival and gaining wealth, bar dancers lack in the organisation and social capital required to run the business in the mujara quarters. Bar dancers were primarily providing labour for the market of erotic dancing and letting the bar owners, managers and male staff manage the business. They were not adept at the enterprise of running their own kotha (parlour), attract customers, employ staff and manage the business with its overhead costs. They could not become female entrepreneurs quickly enough to survive in the market. Hence, their efforts to shift to mujra failed.

A senior dancer who tried to find a footing in the mujra quarters told me;

“I wasted over one lakh rupees....renting a room, getting the girls established there...but it did not work...plenty of girls, but not many customers...there is not one place where all the customers come...girls are dispersed in different places...It also takes more money...the customers cannot afford it...if ten girls are singing and he does not give to all of them, he will feel useless...”

The informant could not establish her daughters as she was unaware of the workings of the structure; while she was used to the bar as a central place where customers flock, the kothas are dispersed. Despite the imitation of ambience and style of mujra, dance bars qualitative differ from the organisation and functioning of the mujra. Mujara economy runs on the charms of the

performers as well as personal relations within the caste and occupational networks. Said mentions how the musicians from the Mirasi caste are teachers of music, singing for the young Kanjhari sex workers and also duplicate as the brokers for them into the business, bringing them performance contracts (Said 2007: 154-156). Bargirls without these contacts and networks had little chance to flourish and compete with the established order of the mujra market.

7.4.2. GOING ABROAD TO DANCE

Many of the top dancers found dancing contracts in other countries. The bars in Dubai and Muscat had demand for Mumbai's bar dancers and used to pay handsomely for them. While the Mumbai bars were in their glory, bar dancers were resistant to going abroad as the money and life was good in Mumbai. With the ban, there was a rush to secure contracts and the price came down as supply rose. Still dancing contract pays enough to run the family expenditure in Mumbai and the talented dancers seek this opportunity rather than any other. The contract happens in Mumbai where the initial amount is paid by the contractors and then the dancers go abroad for a period of a few weeks to a few months. They are provided accommodation, food and are entitled to their own tips from the customers. Yet it is a life in captivity; there are serious restrictions on mobility and, in some cases, the girls can hardly venture out of their hotel rooms (Interviews with Varsha Kale, Gulabi). They live with other dancers and work every day. The conditions of work, safety and comfort of the stay abroad depend upon the individual contractors. There have been cases of callousness to a sick dancer or of dancers being forced to do sex work. Thus, the bar dancers who opt to look for work abroad are at the same risks that many female migrant workers face.

Further, not all bargirls desirous of securing a dancing contract abroad have been successful. Only the best dancers may have a chance. Connections with agents and contractors, money for bribes are important aspects of finding lucrative opportunities. As an informant said:

‘Some have gone outside for work...but everyone cannot do that...we are also trying...but passport, papers and all that...(Savita).

A number of documents, such as ration card, domicile certificate, voting card are required to apply for a passport. Domicile certificate can be obtained only after a person has lived in the state jurisdiction for fifteen years. Address proofs are asked for making new documents. Bargirls hardly have a long tenure at one place and landlords are unwilling to undertake their residence with them. Owing to their tabooed existence, many bargirls tend to live almost hidden. For them, applying for and obtaining legal documents becomes extremely difficult. Thus, the doors of employment abroad are closed for them.

7.4.3. SITTING HOME ON SALARY

Another option that many bargirls tend to choose is to find a patron who can afford a mistress. This is referred to as ‘being on salary’ or ‘getting kharcha’, literally expenditure or maintenance in the language of the barline (Interviews with Sharmaji, Parmesh, Kanak). This is sought by bargirls when they grow older or when they wish for a more settled lifestyle. A dancer would have many *asheks* (admirers) in the bar who would put money on her for her *ada* (style, skill) and she can earn good money without actually going out with them. But with the ban this became difficult. The customers, even if they came to the bars, would not throw money on dancers without the dance performance and became insistent on the demands for sex. When the

exchange came down to sex for money, many bargirls in their prime chose to sit at home on salary with one patron rather than going with many. In many cases, the money provided by the patron is not enough, especially since the ban when the overall status decline has meant a slump in maintenance pay as well. The non-payment of maintenance on time could cause hassles for women who needed to run their households and pay school fees for their children. Patrons' cutting off relations with bargirls is a common occurrence and so a common worry as well. I visited a bargirl who was agitated because her patron had not returned her calls for a week.

“How am I supposed to feed my kids? The money has not come since last month. I have to go to his shop now and ask him what is going on” (Mehru).

Even if basic necessity of food and shelter is fulfilled, education of children, family responsibility in the native village may not be covered by the benefactor and so some bargirls on salary tend to supplement their income by going to the bars, or by occasional sex work, or by acting as agents for other girls. Many of my respondents told me that as now they are ‘settled’, they still were not out of the ‘business’ completely. Some hid this work from their partners, husbands and children, causing themselves additional emotional stress.

7.5. CASTE DYNAMICS WITHIN THE SEXUAL MARKETS

Caste framework is vital in understanding the choices that bargirls coming from traditional dancing communities have made while entering the bars (as shown in Chapter 4) and while looking for alternatives when dance bars stopped being a profitable livelihood option. The first part of this section views the reasons for which women from the Bhatu communities enter sexual occupations, which are deep rooted in the caste system, the current cultural ethos based on the historical pattern of survival of Bhatu caste groups and the familial economy based on the

obligation of young women to provide for the whole joint family. The second part of the section examines why the market for entertainment, dance, and music remains inaccessible to the traditional dancing women.

To evaluate the validity of the argument of ban being positive for the women, as discussed in the introduction of this chapter, we must trace back to the economy of sex trade and the logic of familial dependence on the income of prostitution as enumerated by Agrawal (2009).

The ban on dancing might have increased the possibility of sex work for the bar dancers as some feminist groups in Mumbai have claimed (SNDT report 2006: 19 to 22) and as evidenced in my own field work. But in the light of the Bhatu pattern of sustenance, this seems to be a one-sided view. While the ban has presented a personal tragedy to women who were dancing and earning their livelihood in the bars, the young women are not necessarily going into sex work as *majburi*, i.e., compulsion, only after the ban. As Gulabi stated, her aunts and previous generations were doing 'wrong/ bad work' (*galat kaam*) but the dance bars had saved her daughters from it by offering them employment and identity as dancers. Now the younger generation may have to follow the older generation in to sex work. Thus, it is not only the ban on dancing but also the system of familial dependence on the sex trade that is pushing women into sex work.

Now, let us consider the claims regarding the benefits of the ban. It is stated that the closing of the Dancing Bars in Mumbai will stop the procurement from the villages of origin and the teenage girls will have a greater chance at finding some other forms of livelihood as well as pattern of life. To what extent can this be true? What data do we have to prove that after the ban,

the ‘young women with fathers who are pimps that are waiting to put them into sex work’ have moved to opportunities of learning other occupations or trades? What is the positive motivation for the fathers, elders or families to look for other options for their teenage girls? Even though the attraction of the Mumbai bars with their glamour and wealth is lost, the economics of sex trade still is more lucrative than any other occupation in their vicinity and reach. While a fraction of the total population from these communities is engaged with the dance bars, the rest have been involved with sex work all along and may continue to be. Thus, both the situations under consideration in my case study – the bars or the ban – seem to be not very helpful for changing the family economy dependant on sex trade.

This said, one should not undermine the fact of expansion of choices that the bars offered the women within the existing structures of caste, class hierarchies. As Amartya sen (1999) would point out – freedom is the expansion of choices and capability of individuals. The fact that dancers could choose not to have sex with their customers and still earn money, expanded their agency and control over their own lives. This was taken away by the ban.

The family economy of sex work is not likely to change while the flesh trade of women from the community feeds the indolence of their men and the requirements of sexual entertainment and services of men in mainstream society. While the Bhatu communities can be seen as living off their daughters and be called pimps, the complicity of the larger society in sustaining this system must not be forgotten. It is necessary to historicise the conditions of systematic criminalisation and marginalisation of these erstwhile nomadic communities by the mainstream Indian society, British colonial state, and the post colonial government administration. While scorning the Bedia

or Nat men for living off the earnings of their sisters, the mainstream society refuses them access to any other gainful employment and mocks their efforts. Within the logic of the caste patriarchy that exists in India, it seems to be in the interest of the general society to keep a few communities on the margins and their women as perpetual ‘bad women’ and available for sexual services (Said 2007: 346-362). Here, the framework of caste becomes apparent and relevant to the study of the ban on dancing in Mumbai bars.

7.5.1. CASTE IN GLOBALISING ENTERTAINMENT MARKET

The social position of the bargirls originating from their caste groups played a role even after the dancing in the bars was banned. Possibilities of entry and access to other occupations, their success and failures in new endeavours depend on their social capital which is linked with their caste.

I was curious to know whether the bargirls had explored the options within the Hindi film industry to dance in the troupes or to dance in the five star hotels that are exempted from the ban. When I asked this, my informant, who belongs to the traditional dancing community known as Nat or Rajnat, replied,

“In the five star hotels dance is allowed....but we don’t have any contact there...even if only one person gets in there from our community, we will all reach then...The girls dancing there are from good homes, must be *ghar grihasthi* (literally,- married or marriageable).In the old days no woman from a good home would go to the films...no chance...so all the heroines in the old Hindi films are from our community [in the old days]...but now, they are all from good homes...so what was our business, our

occupations, is now taken away by higher people and we are left like this....no education, no contacts or connections...always afraid..” .(Gulabi, 1st November 2008).

The informant draws attention to the caste and community networking that is vital to access resources in India. Hansen points out that the Indian democracy gives rights to communities rather than individuals and the roots of this can be traced back to the colonial governmentality (Hansen 1999: 35). People access rights, opportunities and entitlements as social groups, rather than as individual citizens. Thus, belonging to a particular caste offers opportunities to people and, in this case, Gulabi is referring to the strong community network of the Nat caste group. The village community ties are carried on into the city, into the global market, and if one person of this community happens to manage entry into an industry, it would open up new avenues for everyone in the community. The flip side of this advantage is the closed doors of higher sexual entertainment such as the dancing in five star hotels or the film industry, for the people from the traditional entertaining castes and communities. The film industry is now dominated by the higher caste/class people, the people that belong to the mainstream moral society of *ghar grihasthi*. The same Hindi film industry once employed only women from the dancing communities and backgrounds, from the mujara localities, when women from good families were not allowed to sing, dance or take up employment. Ethnographers have described the continuation of this trend in the Pakistani film industry, where film producers come looking for fresh finds in the Shahi mohalla, the famous red light area of Lahore, and dancing girls aspire and train to be film heroines and accomplish glamour and wealth (Brown 2006, Said 2006).

Gulabi is referring to the fact that many of the renowned artists in performing arts and Bollywood have roots in the traditional performing communities and the kothas of dancing women, but in the recent times, these occupations have become inaccessible. As the film industry became glamorous and prestigious, women of the higher castes started competing for roles in it. Though, at the beginning, their families and communities only grudgingly accepted it, slowly they came to gain approval and admiration. In fact, Bollywood dance craze has become one of the trendiest parts of globalised India (Morcom 2008: 1-3). The entry of higher caste women had the effect of lending respectability to the industry itself and the labour offered there became valuable, both financially and in terms of social status. The film actresses did not yield enormous pay like they do now, when the lower caste or Muslim heroines reined the films.¹²⁰ Here, I am suggesting a two way interaction between the market for erotic labour – including the cinematic labour of acting, dancing – and the caste system.

In her interview Gulabi mentioned that “Rakhi Sawant¹²¹ said in an interview, “I was very fond of dancing since childhood, so my father used to call me natni. I used to like ‘natana matakna’ (Dressing up, showing off). This creates further inroads into theorisation about caste, labour, culture and globalisation. Natane in Marathi literally means to dress up, adorn oneself. Natani is commonly used in Marathi for girls who like to adorn themselves, wear flashy clothes and jewellery, and spend much time in front of the mirror. In middle class homes, this is considered bad behaviour that needs to be controlled. When entering puberty, many adolescent girls tend to

¹²⁰ Many renowned film actresses in the 1950s and 60s such as Meena Kumari, Nargis came from a family of traditional Muslim entertainers.

¹²¹ Rakhi Sawant is an actress, a model, television show hostess and a celebrity. She started out as an ‘item girl’ in Bollywood, where a sexy song item, mostly unrelated to the storyline, is added to the film to add spice and boost advertisement. More information on Rakhi Sawant on <http://rakhi-sawant.com/> accessed on 15 August 2010.

do this and they are reprimanded by calling them Natni. Yet Rakhi Sawant is saying this proudly in her television interview, albeit mischievously, to stress that she was a 'bad girl' always.

On the other hand, Natani can be seen as the woman of the Nat community. According to Gulabi, "Rakhi Sawant's father must be aware of this connection. He must have known that natani naturally does these things." Here, differential caste normativity becomes clearer; what is bad for an upper caste woman is normal for the woman belonging to the caste of traditional entertainers. The caste system makes sure to keep one set of women in stringent control, while other set of women available for public consumption. The wandering caste groups fit in with this schema (Chakravarti 2003; Rege 1996). Despite her father's remarks, Rakhi Sawant seems to have continued on the path of natni successfully, using it to attain fame through a career in films and television. She has crossed the middle class normative boundaries and has gained success through the beauty market that increasingly keeps up with sexual imagery of the global entertainment business.

If Rakhi Sawant has become famous by being a natni, why can Pinky not be famous or rich as she really is a natni? The answer could be found rooted in the anti-naught movement that started in the late nineteenth century and continues today in cleansing of the public performing space. Nationalist musical reformers in the mid-20th century succeeded in replacing 'bad courtesan' with 'good wives', especially on radio, so that respectable middle class women could perform there (Qureshi 2006: 318, 319). After Independence, the All India Radio banned professional women singers on the ground that 'their private life was a public scandal' (Neville 1996: 170). The respectable women from upper caste/class families came to dominate the stage with their

sedate performing. The *nacche/nartaki* (dancing girl/ dancer), *tamasgeer/kalakar* (performer/ artist) dichotomies intensified as the upper castes displaced the lower castes from their hereditary sphere of the performing arts (Rege 1996: 29). Now the singer, musicians and the audience belonged to the same caste/class. The liminality was gone and the arts moved away from erotica. It became a safe enclave for the respectable women to work in and they can carry on performing even after marriage, as being a wife and being a performer does not pose a conflict. This process is seen in the performing arts, theatre, and now increasingly in the Hindi film industry (Morcom 2010, personal communication). While the traditions of dance and music in which the courtesans specialised remain vibrant, they are taken over by non-hereditary musicians and performed on concert stage. The courtesan tradition is in danger of dying in 21st century India, and its bearers face severe social marginalisation (Maciszewski 2006: p. 333). *Gulabi*, precisely because she is a *Natani*, is thrown out of her traditional occupation by this process in which both art and its performers have suffered a setback.

7.6. CONCLUSION

“The women who were being affected, whose husbands were going to the dance bars and throwing money, have they made their husbands sit at home now? Are they happy now?”
 – (Komal Sunday Bar, Vashi 23 November 2008).

This chapter has viewed the effects of the ban on bar dancing in Mumbai through the perspective of women working in the bars. Through my research I have shown that the ban effectually stopped the dance and the occupation of dancers, but did not put an end to the era of bars that combine wine and women for the paying customers. Since the ban was apparently based on the logic of stopping men from throwing money in the bars, this objective does not seem to have

been achieved. The bars exist and men frequent them, but their form has altered. My research indicates that the ban changed the site of the bar from an artistic entertainment zone to the place dominated by straightforward sexual offerings. This has made the position of workers highly vulnerable, negotiation and choices restricted, thus, branding and punishing the women already at the lowest level of the social, economic hierarchy in India. The ban on bar dancing has resonance with the anti-nautch movement of the early 20th century that pushed the once prominent courtesans out of the cultural sphere by stripping them of their art, music and dance (Nevile 1996, Qureshi 2006). The ban on bar dancing has thrown the traditional dancing women out of the popular cultural sphere of Bollywood dancing (Morcom 2008). In the absence of a comprehensive policy of alternative employment, education and opportunity creation, this group of women are forced into a desperate existence.

While globalisation is said to have the effect of further marginalisation and sexualisation of labour, the emergence of dance bars in Mumbai could be seen as a process of disturbance of the traditional hegemonies. The dance bar marker was, to some extent, a space of negotiation and accommodation of new opportunities of social mobility for the dancing women. For this, the ban on dancing in the bar of Mumbai has acted as a closure.

8. CONCLUSION

The Mumbai dance bars were an outcome of the process of globalisation in India. The market forces in the current format of global capitalism have created demand for sexualised entertainment of varied kinds, some of them quite lucrative. On the one hand, it has become harder for women to access the market for jobs and made their labour cheaper, harsher and less paid. On the other hand, the avenues for sexual economies are more visible, relatively easier to access and better paid.

The Dance Bar market was one such market where women of the lower caste, class background from all over India were absorbed as dancers, singers, waitresses and quasi sex workers. It was a sexual occupation but differently viewed than sex work as sexual intercourse was not the main transaction or the main consideration in the bars. The dance bar was the space that offered Bollywood type entertainment, dance, music and hospitality for consumption. The customers of dance bars – representing the new rich Indian men – threw unprecedented cash in the dance bars for an opportunity to feel a royal identity, a sense of adventure, drama, fantasy and intimacy.

Some sections of the Bhatu caste cluster, especially the Bedias or Rajnats, have been traditionally involved in dancing, musical theatre and sex work. Bar work could be seen as a likely expansion or continuation of their work in the globalising urban centres. These communities possess the ‘caste capital’ (i.e., the cultural knowledge and skills of hereditary occupations that might give an edge for similar professions in the new economic systems), for occupying the space and opportunities of sexual economies that have opened up by the globalising markets and so they excel in this site. They are performing their caste based

occupation in a new setting and marking the new occupation as their own realm. This situation can be seen as a furtherance of the caste patriarchy – as these women remain within their orbit of caste and gender – but it can also be seen as loosening the connection of caste with class as the bargirls enter the middle class. The relationships between the bargirl and the customer, although a transaction between the lower caste/class female performer and the upper caste/class male patron, was governed through the market and was not rooted in birthright and obligation. The interviews of bar dancers explaining the ‘freedom’ experienced because of the bars, could be the testimony that these women had come to occupy a space of high economic gains and shifted the gender, caste, class borders by ‘performing caste’ in globalisation.

This thesis has viewed the legal ban on bar dancing in Mumbai through the lens of caste hegemony as theorised by Jotirao Phule, India’s first systematic theorist of caste. I view Phule’s Bramhanshahi as Bramhana hegemony, drawing from Gramsci’s conceptualisation on hegemony and dominance. Caste hegemony affects culture, education, labour and sexual morality, and caste dominance is seen through the violence against the lower castes, sexual aggression against the lower caste women.

The demand for the ban came enfolded in cultural discourses of nationalism, culture, dignity of women which can be recognised as the ideological tools currently acceptable in Indian society. The accusations of obscenity and easy money for bargirls were used to create a harsh public opinion towards the bargirls who had overstepped their boundaries and were earning more money, power and status than their caste positionality allowed them. The bargirls became the ‘bad women’ who danced before men and seduced them by obscene attire and gestures, while the

film actors, who they imitated, are celebrated in contemporary India where Bollywood dance is consumed voraciously. Bargirls were accused of avoiding honest, hard labour, unlike the toiling good poor women and of earning easy money. The state was called upon to protect the family and the good wives, the helpless youth and the Maharashtrian/Indian culture from the dangerous lure of bargirls. In the Maharashtra legislature, the need for the new law was justified as a need to discourage men from going to the bars and throwing money. In this scheme, the upper caste/class men seemed to need the protection of the state from the lower caste/class women.

The legal justification for the new legislation concentrated on the illegal activities and crimes due to the dance bars. The scrutiny of the existing criminal and civil laws related to the dance bars shows that the government was sufficiently equipped to curb crime and revoke licences of the bars involved in misconduct. Rather than implementing existing laws or proposing monitoring and better functioning of the dance bars, the government proposed a ban that stopped women dancing in the bars.

The interviews with women show very little presence of the State as a welfare agent in their lives. Most bargirls interviewed for this thesis had received little education or health care as children. They had not availed protection of law against child marriage, domestic violence, rape or being prostituted. In their life stories, the law was mostly the faraway criminalising agent to be feared and to be avoided. The only time the state entered their lives, with its overarching strength and presence, was when it banned their livelihood and pushed them into penury. The effects of the ban show that the bargirls have suffered loss of livelihood, sexual exploitation, and harassment from police and society. Bargirls are desperate to earn money to meet basic necessities of food, health and education of children, and have become amenable to offering

sexual services. The ban was successful in bringing down from their once high position, and pushing into prostitution, the women who dared to ask for and managed to get money for their sexuality.

The process through which the ban came about shows resonance to Stanley Cohen's framework of moral panics. The times of social, political, economic upheaval during globalisation in India generated an atmosphere of insecurity. The fears surrounding the visible changes in habitat, lifestyle, normativity were expressed as an attack on culture. Bargirls came to be identified as attackers on the very fabric of Indian culture, the family, the community and the nation. As an easily identifiable, visible marginalised social group bargirls fitted the profile of folk devil in this moral panic. The politicians and the media were arguably the social control agents that successfully drove the agenda of running a full-fledged moral panic that resulted in making many people famous and pushed the legislature to pass a legislation that would deal with the 'problem' of dance bars.

While the state intervention had a declared agenda against the dance bars, rather than wiping out the dance bars per se, it sought to make bar dancers disappear from the dance bars. The law did not ban the bars or even women in bars in their varied forms from offering female company or sexual services. It banned dance. By banning the musical power that performer has over her audience and patrons, the ban on dancing closed this space of the erotic to the lower caste women. The obscenity and easy money, then, can be seen as apparel of the politics of caste and gender that determines the value of labour of the lower caste women. While banning dance in bars, the state has allowed prostitution to continue, effectively encouraging women to replace

dancing with prostitution. In this scheme, the government reinforced the right of the upper caste men to have sexual access to lower caste women, and for free. The real objection was not to men accessing sexuality of these women, but to men having to pay for it. The state's action is for the maintaining the traditional caste-based status quo between upper caste men and lower caste women.

The court case against the ban can be seen as a space where the legislative decision and the cultural discourses about the bargirls were resisted. The High Court invalidated the ban. While the case remained pending in the Supreme Court and the ban, though declared illegal, continued. This effectively left the bargirls out of work and persisted the government's agenda.

The legal ban on bar dancing can be seen as the 'caste governance' of our times. In keeping with the argument that caste system is not a voluntary social system but is established and governed by force by the state, Maharashtra government can be seen as working to establish the proper caste order in the face of upheaval caused by globalising market in Mumbai.

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ANNEXURE ONE: POLITICAL PARTIES IN MAHARASHTRA

Congress (I)

Nationalist Congress Party –NCP

Bharatiya Janata Party (Indian People's party)- BJP

Shiv Sena (Shiva's Army)

Maharashtra Navnirman Sena (Maharashtra Rebuilding Army)- MNS

Janata Dal (People's squad)

Communist Party of India – CPI

Communist Party of India (Marxist)- CPM

Shetkari Kamgar Paksha (Farmers and Workers party)

ANNEXURE TWO: QUESTIONNAIRES

Interview with Bargirls

Personal information

Name

Age

Community/ caste

Place of birth/ location where the family stays, comes from

Education

Hobbies / entertainment

Expenditure patterns

How much do you earn?

What do you spend your money on?

Savings?

Family life (to understand the socio- economic background)

What does mother and father do?

Where did you spend your childhood? Did you like school?

Brothers and sisters? Who lives at home? Who does not?

Were there any tensions at home?

Who runs the household now?

Who else earns money? How much? What occupations and educations?

Who makes the decisions at home?

Does the family know of your occupation?

How did they become dancers? (this set of questions tries to understand their agency, migration, choice of work)

How did you come here?

Did you leave your home to travel far?

At what age?

What was your first day at work was?

Was there unease then? Now?

Do you like your work? What part do you like the best; dancing, dressing up?

What they think of the profession (their opinion/ understanding of their profession and the law)

Are you a worker?

What work do you do? Why are you paid for standing?

What is banned by law currently?

Why have they banned dancing in the bar? Are they right?

Are bar girls good women or bad women?

Have you had experience of police? Arrest, bribes, threats?

Are you member of the bar girls union? Did you go for demonstrations?

Are you aware of the court case? What is happening there?

Customer Interview:

Why do you go to the bar?

Why do you give money? What kind of pleasure is it? Sexual, entertainment, ego?

What is the ban? What is currently banned by law?

Are the bar dancers good women?

Should there be a union of bar dancers?

Will you be comfortable living next to a bar dancer?

Can you be friends with a bar dancer?

Does your family know that you go to the bar? Would you take your wife along, just to show her?

Interview with the police

What is banned by law?

How do you make sure that the law is upheld? What do you do in your daily duties?

What happens when they find girls dancing in a bar?

Are customers arrested?

Are bars places of crime? Have they arrested gangsters in the bars?

(What does the ban signify?)

Interview with the bar owners

Personal information

Name

Age

Community/ caste

Place of birth/ location where the family stays, comes from

Education

Hobbies / entertainment

What was the ban on? What was the legal case about?

Why do you think the gov'n issued a ban on bar dancing?

Do you think you and the bar girls belong to the same side? When are you against each other?

Where do you get the girls from?

Why do you think they come to work in the bars?

Are the good women? Is it true that they are easy girls trying to earn easy money?

What castes, communities do they belong to?

How much do they earn per night? Per month?

Are the girls unionised?

Are they paid fair wages? What portion of the earnings do you keep?

How do you control mischief? If someone tries to touch a girl?

ANNEXURE THREE: INTERVIEW SCHEDULE

Date and time of interview	Name/ pseudo name	Occupation/ position of the interviewee	Place of interview	Language of Interview
15 September 2008 7.00- 8.00 PM	Motabhai (p)	Customer, a shop owner	Bandra East	Hindi
19 September 2008 6.40-7.20 pm	Sharmaji (p)	Customer, a businessman and Share Broker	His office in Bandra East	Marathi
13 October 2008 5.00- 5.45 PM	Anil Naik	Inspector of Police, Crime Branch, Mumbai police	Mumbai Police Commissioner's Office, Crawford Market	Marathi
16 October 2008 8.00- 9.00 PM	Pravin Agarwal	Bar owner, Hotel Ellora, Boriwali	In his bar office Boriwali	English
17 October 2008 11 AM -12.30 PM	Justice Dharmadhikari	Retired Judge, Mumbai High Court	His home - Samata Building, Churchgate,	Marathi and English
24t October 2008	Manjit singh Sethi	Bar owner, Karishma Bar	In his bar at Dadar	Hindi and English

4.00 – 5.15 pm				
26 October 2008 4- 4.45 pm	Neelam Gore	Member of Legislative Council, Shiv Sena	Shiv Sena Bhavan, Dadar	Marathi
1 November 2008 4.00 – 6.00 pm	Gulabi (p)	Bargirl	Her home in Chembur Camp	Hindi
Many visits, interviews b/w October 08 to February 09	Varsha Kale	President of the Bharatiya Bargirls Union	Her home in Badalapur, two hours from Mumbai	Marathi
16th November 2008: 6.00- 8.00 pm	Tina / Babli (p)	Bargirls in Mayur Bar, Vashi	Vashi	Hindi
20 November 2008 10-10.40 pm	Anna Shetty (p)	Bar owner, Crazy Boys Bar	Panvel, standing outside his bar	Hindi
22 November 2008	Mr. and Mrs. Ghagaria	Shop Owners, who designed and sold costumes for bargirls	Arshi corner- their shop in Vashi market, Sector 7	Hindi
23 November	Amit Pradhan	Bar manager of Sunday	Sunday Bar ,	Hindi

2008 9 - 9.30pm		bar	Vashi	
23 November 2008	Komal (p)	Bargirl	Green room of Sunday bar, Vashi	Hindi
6 December 2008 6.00- 7.00 pm	Jitendra Awad	Member of Legislative Council, Nationalist Congress Party	His political office in Thane	Marathi and English
9 December 2008	Nargis (p)	Bargirl	Her home in Vashi	Hindi
11 December 2008 4.00-5.15 pm	Vivek Patil	Member of Legislative Council, Peasants and Workers Party	His Sports academy in Panvel	Marathi
12 December 2008 1.00-2.30 pm	Pravin Patker	President of Prerna, an NGO working with prostitutes and children	The office of the organization	Marathi and English
15 December 2008 2.15- 3.00 pm	Neeru Sharma	Social Worker, The Special home for women and children	Her office in Trombay	English and Hindi
6 January 2009 4.00-4.45 pm	Dr. Ashish Bhosale	Medical doctor and manager of Clinique for bargirls	Outreach office of Astha project run by Sanmitra Trust	Marathi and English

			Malavani, Malad	
17 December 2008 3.30- 4.15 pm	Suresh Inamdar	Assistant Commissioner of Police	His office in Dadar	Marathi and English
20 December 2008 6.30-7.20 pm	Pratima Joshi	Journalist and activist	Times of India office, VT, Mumbai	Marathi
5 January 2009 3.00-4.00 pm	Prabha Desai	President of Sanmitra Trust	Ramabai Nagar, Ghatkopar	Marathi
7 January 2009 12.00-3.00 pm 13 February 2009 3.10- 4.00 pm	Asha (p)	Bargirl	Ruby Anthony's home and outreach walk Astha office, Malvani	Hindi
7 January 2009 2.00-3.00 pm	Dolly (p)	Bargirl	Her home in Malvani sector 7	Hindi
9 January 2009 11.45- 1.45 pm	Calcutta di (p)	Bargirl	Her home in Malvani sector 4	Hindi
11 January 2009 11.20- 12.00	Kamlesh (p)	Bargirl	Astha office, Malvani	Hindi

pm					
14 January 2009 12.10- 12.50 pm	Nootan (p)	Bargirl	Her home in Malvani Sector 7	Hindi	
14 January 2009 2.45- 4.00 pm	Seema (p)	Bargirl	Astha office, Malvani	Marathi and Hindi	
16 January 2009 4.05- 4.20 pm and 13 February 2009 4.10- 4.30 pm	Illa Thakur (p)	Bargirl	Her home in Malvani sector 7	Hindi	
23 January 2009 12.20-1.40 pm	Savita (p)	Bargirl	Her home, Malvani sector 5	Marathi	
24 January 2009 5.30-6.30 pm	Vivek Gupta (p)	Manager, Bulbul bar, Kurla	Office outside his bar	Hindi	
2 February 2009	Kanak (p)	Bargirl	Astha office, Malvani	Hindi	

2.10-3.00 pm				
2 February 2009 3.00-3.30 pm	Prabhakar Dandawate	Advocacy worker with the Astha project	Office in Malavani	Marathi
7 February 2009 12.25- 12.55	Mehru (p)	Bargirl	Her home in Malvani sector 3	Hindi
10 February 2009 7.15-8.00 pm	Veena Gowda	Lawyer at the Family Court, Mumbai	Her office in Bandra west	English
13 February 2009 7.00-8.30 pm	Sunil (p)	Customer, Marketing Executive	The bandstand walkway, Bandra west	English
15 February 2009 5.00-6.00 pm	Anand Grover	Lawyer, High Court Mumbai and head of the Lawyers Collective, an NGO	His office in Churchgate	English
17 February 2009 6.00-6.50 pm	Mihir Desai	Human Rights Lawyer and scholar	His office Churchgate	English
19 February 2009	Sajiida apa (p)	Bargirl	Astha office, Malvani	Hindi

12-12.40 pm				
19 February 2009 2.30-3.10 pm	Ranu (p)	Bargirl	Astha office, Malvani	Hindi
25 February 2009 8.15- 9.00 pm	Saleem (p)	Customer, a small businessman	Restaurant in Bandra East	Hindi

*(p) signifies pseudo name

* The timings of the interviews are not always perfectly recorded, as many interviews were taken while visiting homes and conversing with people or on outreach walks with NGO workers, and not all interviews were taped.

Group Discussions

Date and Time	Position	Location	Language
16 November 2009	Rickshaw men union- who provide transport for bargirls	Dombivali railway station	Marathi
22 November	Male staff, Madhuban bar	Vashi	Hindi
23 November	Sunday bar-	Vashi	Hindi

2008 Many conversations b/w 10pm to 1AM	male staff		
26 December 2008 9.00- 12.30 AM	Bargirls- trans gender dancers	Kurla	Hindi
24 January 2009 6.30-7.40 pm	Bargirls in Bulbul bar	Kurla East	Hindi

ANNEXURE FOUR: ETHICS APPROVAL