

Codes of Misconduct: Regulating Prostitution in Late Colonial Bombay.

By Ashwini Tambe. Minneapolis: University of Minnesota Press, 2009. Pp. xxvii + 179.

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With the state-wide ban imposed by the state of Maharashtra, including the city of Bombay, on women dancing in dance bars (*vide* the 2005 amendment to the Bombay Police Act of 1951¹) still fresh in the feminist discourse on sexuality in India, Ashwini Tambe's *Codes of Misconduct: Regulating Prostitution in Late Colonial Bombay* comes as an apt reminder that laws do not always fulfil their purpose but work in extremely contrary ways throughout their lifespan. In a painstakingly detailed yet engaging manner she traces the history of lawmaking with respect to prostitution in colonial Bombay and establishes that "contrary . . . to restricting or abolishing prostitution, British colonial administrators not only tolerated but also institutionalized sexual commerce" (p. 122). Written with pleasing terseness and a refreshing lucidity, the book also reflects its historical insights onto a contemporary terrain when commenting on contingent international funding for AIDS prevention.

A historical work that analyses the colonial state's policy formulation and enforcement practices, Ashwini Tambe centres it within a feminist theoretical universe. In establishing the colonial state's intent, she goes beyond situating it within just a Victorian sexual restrictiveness, relying on Foucauldian insights into the relationship between sex and power. "Women were sexualized by the very forms of power that appeared to extract their sexuality (p. 25)".

Setting the stage for an analysis of law and prostitution, she lays out the various feminist engagements with the issue (pp. xv–xvi). Radical, socialist, liberal and post-structuralist feminist positions have engaged with the relationship between sex, the body and selfhood. Stating that she does not uphold any one position, the author stresses that sex workers should not be targets of the constant and multiple forms of violence to which they are routinely subjected. In saying this she disagrees with the radical feminist position that all prostitution is rape and hence violence against women, as it does not recognize the diversity of forms and contexts of prostitution. But she quickly issues a clarification that this does not mean an endorsement of the liberal or sex radical position, that sexual activity can be de-linked from selfhood, when seen in performative terms.

She finds convincing the socialist feminist articulation that while non-heterosexual women will not experience a denial of their desire for men in the act of feigning it in sexual transactions, for others this becomes a self-deception consistent with, although problematic to, femininity. She also goes on, I think incorrectly, to consider sex radical *celebration* (emphasis mine) of sex work as being silent on contextualizing a contemporaneous embedding of sex work in the multiple hierarchies of class, caste and race. She placidly glosses over the understanding of sex work as economic exchange that emerges from heterogeneous lived experiences of women who constantly negotiate in their daily lives, charting nuanced pathways through struggles for decriminalization, rights, dignity and citizenship that cannot be just circumscribed by a misrepresented "celebration"!

The book however alerts us to the inevitability of state coercion in all of the state's approaches to prostitution, be it regulation as in public-health action or criminalization that emerges out of anti-trafficking or abolitionist measures. Tracing the history of the city of Bombay as it emerged as a port city and an industrial centre between the early nineteenth and mid-twentieth century, and as also a centre of sex trade, Ashwini Tambe tracks the state's relationship to prostitution through the regulationist phase of the Contagious Diseases Acts from 1860 to 1890, the anti-trafficking

1 Flavia Agnes, "Hypocritical Morality," *Manushi: A Journal about Women and Society* 149 (July–August 2005).

phase from the early 1900s to 1920s, and the abolitionist phase that combined anti-trafficking and nationalist discourses from the 1920s to 1947.

Even as the colonial state went about its legal measures ruling several activities associated with prostitution as offences, there was an increase in the sex trade. This begged the question: were the laws then only a reflection of public anxieties rather than actually intended to curb prostitution; further, could it be that they actually sustained certain forms of prostitution instead of eliminating them? The first example that highlights the gap between the language of the law and law enforcement practices is the various versions of the Contagious Diseases Act (CDA). Enacted in 1870, the Act was intended to maintain surveillance over prostitutes for medical examination to control venereal diseases. It needs to be stated that regulated prostitution in military areas took place after 1857 with the participation of the British regiments that recruited women into brothels. While the newly enacted CDA gave powers to the police, medical officers and magistrates who tried women for evading medical surveillance, it also engineered a colonial production of knowledge about women's bodies and sexual practices evident in the obsessive interest of policemen and medical officers with prostitutes' lives, flowering a "pornographic imagination of the state".

In the 1870s prostitutes were still not criminalized, and the half-hearted attitude to enforcement was evident in the haphazard manner adopted by the police, the leniency demonstrated by magistrates, and bribes women gave to evade medical inspection. The Act also led to the brothel becoming the preferred form of sexual commerce. Brothel keepers cooperated in making women available for screening, enabling easier regulation even as they escaped conviction. The CDA was repealed after one year due to an outcry from middle-class intelligentsia opposing it as an imperial imposition, as well as from the municipal administration's resistance. It was re-enacted in 1880 to be repealed again eight years later. What emerges as interesting in the implementation of the CDA, especially in the colonial context, is the state's racial ordering of sexuality.

The discourse on trafficking in the early twentieth century strengthened the moral panic around white slavery and trafficking. However, the conflicting dimensions of racial anxiety, preserving British national prestige, as well as the need for sexual recreation of the British soldiers, were resolved by tolerating non-British European prostitutes, who were brought to the city by networks of suppliers bringing women to brothels in the colonies. S. M. Edwardes, police commissioner of Bombay from 1909 to 1917, concedes that, "the growth of European populations, and the government's disapproval of liaisons with Indian women made authorities accept European brothels as a necessary evil. No direct steps were taken to curb [them]" (p. 57). In fact brothels remained legal entities until the 1930s.

It was also between the 1880s and 1920s that Kamathipura emerged as a designated red-light zone in Bombay, one reason for which was the enforced segregation of Eastern European prostitutes there and the coercive protection provided by the police and the administration. There was also a gap between the international discourse on trafficking and the prototype of a victim, and the perceptions and actions of the police. Foreign prostitutes who were prostitutes in their own countries were not considered victims of trafficking when they arrived in Bombay! Missionaries and local social work organizations disagreed with the police, causing situations where the "European prostitutes complained to police of the annoyance caused to *them* by missionaries and requested that missionaries be warned against interfering with their private rights" (p. 70). Police response to such situations indicated the specific commissions and omissions in the official approach to European prostitution in Bombay.

Indian prostitutes, however, remained invisible in official documentation on trafficking. Ashwini Tambe proves that Indian prostitutes lived with tremendous violence inflicted on them not just by the police but by brothel keepers as well, which indirectly was engendered by the policies of the colonial state, such as colluding with brothel keepers to preserve order in the brothels and the red-light area. This she does by reconstructing their lives through court testimonies at the murder trial of one

prostitute, Akootai, supplemented by census records and reports of the Committee on Prostitution that was formed following the public outcry in the aftermath of the trial. This consolidates the transition to the phase of abolition.

For someone engaged in and following the debate, post the ban on women dancing in the dance bars of Bombay in the early twenty-first century, the uncanny similarities to state actions as well as society's responses in the abolitionist phase of the early twentieth century is unmistakable. As far as society was concerned residents did not want prostitutes in public view, while nationalists did not even consider them as legitimate nationalist actors. In 1902 the Bombay Police Act ruled brothel-keeping and soliciting illegal, making Bombay the first city in the subcontinent to outlaw brothel-keeping; although it was the 1926 version that effectively made it so. Weak implementation meant that brothel keepers escaped the net, while prostitutes were imprisoned in large numbers. The 1930 version of the Act, by becoming harsher on brothels, dealt a serious blow to organized prostitution, transforming it into a system of renting by prostitutes. Even though all versions of the Act focused on punishing brothel-keeping, soliciting, procuring and pimping, significantly it was women who solicited that continued to be targeted. The public presence of women seemed a greater problem to the colonial state than forced prostitution leading to their continued criminalization.

In conclusion, the book cautions against simplistically approaching legal reform even as it endorses decriminalization as a way to end violence.

The Proletarian Gamble: Korean Workers in Interwar Japan.

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Ken Kawashima's book *The Proletarian Gamble* is a much needed and long overdue contribution to the fields of labor history and *zainichi* 在日 (resident-Korean) studies in Japan. Setting out to explore how the state took advantage of the "contingencies" of Korean workers' labor and life conditions in Japan, Kawashima offers a richly informative, often compelling account of Korean working-class struggles during the period between World War I and World War II. As Korean workers were for the most part unattached to the Japanese factory system, which has long remained the focus for historians of labor in Japan, Kawashima concentrates on what he calls a highly complex "network of commodification" in which state power and labor's struggle against it took shape. His book's strength lies in the wealth of empirical research it offers based on an examination of the archives at the Ohara Institute, research that allows Kawashima to offer his readers a highly nuanced, eye-opening account of the experience of Korean day labor, and the role that particular institutions played in shaping that experience.

In his first two chapters, Kawashima offers a helpful, if not novel, explanation of the "ongoing precondition" for the commodification of Korean labor in Japan – the Japanese state's establishment of a system of private property in the Korean colony, whereby tens of thousands of Koreans were severed from their landed property. A cadastral survey carried out in the 1910s (which paved the way for the privatization of public land and provided the basis for a modern monetary tax system) and then a program of increased rice production (meant to lower the cost of rice in Japan) constituted the institutional preconditions for the immiseration of Korean farmers, mostly in the southernmost provinces of Korea. These conditions in the colony, coupled with an intense, but short-lasting boom in Japanese manufacturing during World War I, set the stage for an intensified recruitment of Korean peasants and then the emergence of an "uncontrollable colonial surplus" of Korean labor, at a later point, in a