



Sexual Privacy in a Cashless Economy

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Abstract.

Parallel economy or shadow economy has been thriving worldwide. Cashless economy is the aim of world nations to prevent the onward march of black money and its associated evils. Cashless economy, adopted by many world economies, claims it as a fight against black money and parallel economy that begets economic terrorism. This article analyses the relationship between cashless economy and sexual privacy of the people. As an economy moves to cashless economy, what will happen to the sexual privacy of people who seek sex outside the normal mating space of a family? Sex is, even today, a taboo topic. Initiating a political discourse on sexuality and sexual choices is an impossible thing in country like India where patriarchy rules and command. The article tries to make a conceptual clarity of the terms- sexual privacy and sexual rights- based on IPPF declaration on sexual rights and shares some concerns on how shifting to a cashless economy may affect sexual privacy, sexual rights and sexual choices of people, including sex workers and their clients.

Keywords

Sexuality, Sexual Privacy, Sexual Rights, Cashless Economy

Introduction

Countries worldwide have been suffering from black money and parallel economy. Fake currency is competing with legal tender. Global terrorism has also been thriving on black money and parallel economic activities. Large scale intercontinental migration has aggravated not only miseries of the migrants but also terrorist attacks. In this broad perspective, world economies have been striving hard to reduce paper currency and a quick shift to online payment systems. Becoming a cashless economy is the aim of world economies. Low economic development, low internet connectivity, poor signal strength, and low density of internet users are acting as great obstacles to the ambitious plan of a cashless economy. India government, especially, after the introduction of technology equipped payment interphases in our banking system, has been seriously thinking of reducing the use of paper currency and transforming into a cashless economy

gradually and slowly in time-bound manner. What will happen to the sexual privacy of people? when India becomes a perfectly cashless economy is the major focus of this article. Sexual Privacy includes sexual choices, autonomy, sexual agency, sexual rights and the obligation of the state to protect sexuality of people and its manifold forms of expressions in conformity with democratic principles of political economy. Sexual privacy occupies at the central throne of privacy values because of its importance to sexual agency, intimacy, emotional quotients and possibilities of equality well above of theoretical equality.

Sex is a commodity like any other commodity though it has certain physical, emotional and psychological dimensions attached to it. Sex is an essential commodity for every human being. I am not saying that human beings cannot exist or survive without sex, but denying sex is denying life for those who crave for sex. People must have free and safe opportunities to pursue their sexual cravings if they really wish to have it. Sex, like any other commodity has two aspects. It is, sometimes and in some occasions, a free good, but at times it is an economic good. Let us see when it becomes a free good and when it becomes an economic good.

In a strict patriarchal society, like India, heterosexual marriage is recognized as the only legitimate source of sexual gratification. All other possible sources of sexual gratification are considered illegitimate, vulgar, obscene and punishable offense. Sex outside family is a sin and, so it must be prevented in any way is the prevailing norm of the society. As all know, sex is a free good in family. No one is paying his wife for sex though a lot of hardships women undergo in producing sex as a good. They offer their body, mind and soul for the active generation of the good. Sex is absolutely a free good in every family and women have been producing it like slaves since time immemorial. Sex outside our families is, most probably, an economic good. Those who seek sex outside family need to pay. Here we need a little bit elaborations and qualifications.

Female sexuality and male sexuality are not equally valuable commodities. Female sexuality is more valuable than male sexuality. As compared to female sexuality, male sexuality is almost a free good. No one may be willing to pay for it in normal circumstances. Female sexuality is limited in supply and a scarce commodity. So it commands more value than the abundant male sexuality. Men have to actively participate in sexual predatory activities, and along them, they need to pay something in the form of money, gifts, some favours, or considerations in realizing sexual needs outside their family space. As we know, searching sex outside family space is not only cumbersome act but also a deadly act from moral point of view. Such people have to face the ire of family restrictions, community protests, religious resistances, and above all, state oppression and torture. Sexual drive is the strongest basic instincts of human beings, so people pursue it against all odds. Sex industry is one of the largest industries in the world. Millions of people have been engaging in it and seek their livelihood. In some countries sex work is legal and in some other countries, it is illegal. Countries like New Zealand, sex work is legal. New Zealand has removed all legal forms of criminalization related to sex work, sex workers, their clients and all others like brothel owners and pimps. Countries like Sweden, sex work is legal but their laws chase down the clients and

brothel owners. They recognize sex as a human right, but it must be pursued in strict privacy of the two consensual adults is their standpoint on sex work. They criminalize clients but not sex workers. In India, sex work is legal but institutional structures of sex work are illegal. Sex work is legally and morally not accepted in many countries. But millions of people are engaged in it as sex workers, their clients and facilitators. Here lies the relationship between sexual privacy of customers and sex workers on the one side and digitalization and cashless economy on the other side.

Early efforts of to bring human rights and sexuality rights together suffered from an initial focus on protecting people from sexual harms in the case of girls and women, and from extreme abuse and killing in the case of persons then identified as gay or transgendered. While, initially justified as necessary, the abuse focus contributed to a lack of coherent rights-based claims that affirmed diverse sexualities. It has only been in the last few years that scholars, NGO advocates and some UN experts have reached agreement that the term 'sexual rights' helps them to work together and move past the ad hoc, often scattered development of activity on violence against women, sexual and reproductive health, HIV/AIDS, children's rights, and LGBTQ rights. Ignacio Saiz suggests the concept of sexual rights has appeal because 'people are entitled to respect for their private lives. The state cannot demean their existence or control their destiny by making their private sexual conduct a crime. It is a promise of the constitution that there is personal liberty into which even government cannot enter. Sexuality is still something not to be discussed in public. Ordinary people and academicians are not willing to bring sexuality and associated issues into their everyday discussions or academic deliberations. Political dialogues on sexuality and sex work are, virtually, impossible in countries like India where patriarchy rules every walk of life. So the questions regarding human sexuality are still lingering in human psyche unanswered. Such discussions, academic deliberations and socio-political interventions may help us to address the intersections between sexual orientation, sexual discrimination and other sexuality matters such as restrictions on all sexual expressions outside hetero normality, sex outside family, etc. It also offers strategic possibilities for building coalitions or bridge between diverse movements so as to confront obstacles more effectively [such as religious fundamentalism] and explore how different discourses of subordination work.

Sexual rights make a strong claim to universality, since they relate to an element of the self which is common to all humans; their sexuality. The concept, therefore, avoids the complex tasks of identifying a fixed sub-category of humanity to whom these rights apply. By proposing an affirmative vision of sexuality as a fundamental aspect of human being, as central to the full development of the human personality as freedom of conscience or physical integrity, sexual rights offer enormous transformational potential not just for society's sexual minorities but for its sexual majorities too.

The phrase sexual rights has recently gained substantial acceptance in the human rights community. Paul Hunt, then the UN Special Rapporteur on the right to health, wrote in 2004 that he had.....no doubt that the correct understanding of fundamental human principles, as well as existing human rights norms, leads ineluctably to the recognition of sexual rights as human rights. Sexual Rights include the right of all persons to express their sexual orientation, with due regard for the well-being and rights of others, without

fear of persecution, denial of liberty or social inheritance The content of sexual rights, the right to sexual health and the right to reproductive health need further attention, as do the relationships between them.

What does the term sexual right mean? The most commonly cited definition of sexual right is one found on the website of the World Health Organization [WHO]. Though it illustrates the somewhat anaemic nature of the current conceptual framework, many groups use it because it appears to bestow the imprimatur of an authoritative intergovernmental body. The definition, which originated in 2002, reads; sexual rights embrace human rights that are already recognized in national laws, international human rights documents and other consensus statements. They include the right of all persons, free of coercion, discrimination and violence, to;

- 1) The highest attainable standard of sexual health, including access to sexual and reproductive health care services.
- 2) Seek, receive and impart information related to sexuality.
- 3) Sexuality education.
- 4) Respect for bodily integrity
- 5) Choose their partners.
- 6) Decide to be sexually active or not.
- 7) Consensual sexual relations.
- 8) Decide whether or not, and when, to have children.
- 9) Consensual marriage.
- 10) Pursue a satisfying, safe and pleasurable sexual life. The responsible exercise of human rights requires that all persons respect the rights of others.

Amnesty international identifies following as benefits of recognizing sexual rights as human rights; [1] Freedom from discrimination, [2] Universal access to education, [3] Control of one's own fertility, including choice of whether and when to marry or have children, and protection from forced sterilization, [4] Respect of the sexual orientation and gender identity of all individuals.

International Planned Parenthood Federation [IPPF] declaration on sexual rights, 2008 says "comprehensive and integrated human rights based approach to sexuality and sexual health will promote the realization of sexual rights as an aspect of global justice, development and health." The document affirms certain principles. They are [1] Sexuality is an integral part of the personhood of every human being, for this reason a favourable environment in which everyone may enjoy all sexual rights as part of the process of development must be created, [2] The rights and protections guaranteed to people under age

eighteen differ from those of adults, and must take into account the evolving capacities of the individual child to exercise rights on his or her own behalf, [3] Non-discrimination underlines all human rights protection and promotion, [4] Sexuality, and pleasure deriving from it, is a central aspect of being human, whether or not a person chooses to reproduce, [5] Ensuring sexual rights for all includes a commitment to freedom and protection from harm, [6] Sexual rights may be subject only to those limitations determined by law for the purpose of securing due recognition and respect for the rights and freedoms of others and the general welfare in a democratic society, [7] The obligations to respect, protect and fulfil apply to all sexual rights and freedoms.

IPPF affirms that sexual rights are human rights. Sexual rights are constituted by a set of entitlements related to sexuality that emanate from the rights to freedom, equality, privacy, autonomy, integrity and dignity of all people. The ten sexual rights enshrined in the document are:

Article 1-The right to equality, equal protection of the law and freedom from all forms of discrimination based on sex, sexuality or gender.

Article 2-The right to participation for all persons, regardless of sex, sexuality or gender

Article 3-The rights to life, liberty, security of the person and bodily integrity

Article 4-The right to privacy

Article 5- The Right to personal autonomy and recognition before the law

Article 6-The Right to freedom of thought, opinion and expression; right to association

Article 7-The Right to health and to the benefits of scientific progress

Article 8-The Right to education and information

Article 9-The Right to choose whether or not to marry and to found and plan a family, and to decide whether or not, how and when, to have children

Article 10-The Right to accountability and redress

All the sexual rights stated in the IPPF declaration are included in Indian constitution too. Sexual rights are human rights. Every individual is entitled to have consensual sexual relations with other people and pursue a satisfying, safe and pleasurable sexual life. It is the responsibility of the state to protect sexual choices, autonomy, agency and sexual privacy of people, happen within the strict limit of ‘‘consensual sex between adults’’. All may not be willing to be husbands, wives or parents. All are not supposed to have family just to satisfy their sexual urges. They must have opportunities to fulfil their sexual gratification outside marriage and patriarchal families. It is not rational or justifiable that all adults must be in wedlock. Patriarchal men and women have been constantly abusing sex workers and their customers. They miserably fail to acknowledge that customers and sex workers are alike coming from the same so called glorified

families. They must know that they can live in the protective zones of their families because millions of sex workers are toiling outside day and night to satisfy the sexual needs of people. Sex work is not the cherished and the most favourite passion of anyone. Historical conditions and circumstances may lead people to sex work or someone may choose it with the utmost conviction that it is good for the best interest of them. We have no right to deny people's opportunity to find a living through sex work just because of our whim that sex work is not fitting into our moralistic and consensus paradigms.

Cashless economy will directly affect the privacy of sex workers and their clients. Cashless transactions will expose the identity of people involved in sexual trade. Online transactions are not good for the interests of poor street sex workers who are not part of any institutionalized sex trade. Cashless economy will surely curtail business of sex workers' and surely it will reduce their choice and autonomy. Time is already up for establishing safe sexual avenues for those who seek sex outside wedlock and family ties. Cashless economy will surely bring digital divide among poor and rich and the divide will ultimately affect the interests of the poor people negatively. Institutionalised banking sector may be well integrated to the protocols of a cashless economy within no time, but integrating poor people into it as quickly as the system moves may not be that much easy and may be an impossible thing at India's present technological capabilities. Reckless shifting of a bigger economy with millions of poor illiterate people to a cashless economy is not only, not feasible and desirable from economic point of view, but also suicidal from social point of view.

Conclusion

Do you really think that people must get married just to satisfy their sexual needs? Are you sure that all men and women are designed to be good prospective husbands and wives and model parents? What about unmarried persons, separated, divorcees and people, dissatisfied with their partners? Does the state have no responsibility and obligation to take care of sexual needs of people who live outside the family norms and power structures? What are they supposed to do with their sexual urges and cravings? As common man says, a bit climbing on thorny tree will do and serve their purpose? I don't think so. No rational man will support such opinion burdened with patriarchal value judgements. Those who know the negative power of sexual frustration and sexual jealousy will never support such inhuman moral propositions. Here lies the crucial role of the government in making sex trade a legal profession and industry. It is statistically proved that countries which decriminalized sex work and all activities associated with it give sex workers more economic freedom, sexual choice and social acceptance. There is nothing to hide or no stigma attached with it. I conclude that cashless economy is detrimental to sexual privacy of people so it harms the interests of both sex workers and their clients. The state has no authority over its subjects' private life that includes sexuality too. The state is not entitled to peep into the intimate private life of people just by the virtue its authority or to satisfy the whims and fancies of moral hardliners. Sex is a basic instinct. It is a human right. Every person is free to have it under the strict framework of "consensus sex between adults" without breaching the privacy of others. The world is big enough to accommodate the interests of all, so we should not limit it with our primitive puritanism.

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