

Spring 2014

Predicting Social Change: Transforming Victims of Child Sex Trafficking in India and the United States

Kristie A. Weisert

University of Washington - Tacoma Campus, weiseka@uw.edu

Follow this and additional works at: https://digitalcommons.tacoma.uw.edu/gh_theses

 Part of the [Asian Studies Commons](#), [International Economics Commons](#), [International Relations Commons](#), [Labor Economics Commons](#), [Political Theory Commons](#), [Public Economics Commons](#), [Social Welfare Commons](#), and the [Theory and Philosophy Commons](#)

Recommended Citation

Weisert, Kristie A., "Predicting Social Change: Transforming Victims of Child Sex Trafficking in India and the United States" (2014). *Global Honors Theses*. 21.

https://digitalcommons.tacoma.uw.edu/gh_theses/21

This Undergraduate Thesis is brought to you for free and open access by the Global Honors Program at UW Tacoma Digital Commons. It has been accepted for inclusion in Global Honors Theses by an authorized administrator of UW Tacoma Digital Commons.

**PREDICTING SOCIAL CHANGE:
TRANSFORMING VICTIMS OF CHILD SEX
TRAFFICKING IN INDIA AND THE UNITED STATES**

Kristie Weisert
Interdisciplinary Arts and Science: Global Studies Concentration
May, 2014

Faculty Adviser: Dr. Amos Nascimento

Essay completed in partial fulfillment of the requirements for graduation with Global Honors,
University of Washington, Tacoma

PREDICTING SOCIAL CHANGE:
TRANSFORMING VICTIMS OF CHILD SEX
TRAFFICKING IN INDIA AND THE UNITED STATES

Kristie Weisert
Interdisciplinary Arts and Science: Global Studies Concentration
May, 2014

Faculty Adviser: Dr. Amos Nascimento

Essay completed in partial fulfillment of the requirements for graduation with Global Honors,
University of Washington, Tacoma

Approved:

Faculty Adviser

Date

Director, Global Honors

Date

Introduction

Discussions of enormous global issues, like human trafficking, often fail to convey the human aspect of the problem. It is easy to get lost in staggering statistics and constantly changing definitions. For this reason, I would like to start with an all too common story from my own hometown of Seattle, in one of the wealthiest countries in the world:

A 13-year-old girl named Erika is an 8th grader at a Seattle public school. Erika was “sexualized” by her stepfather at a young age and she now has a pimp who she believes loves her and makes her feel important. Her pimp is a 19 year old in a gang and he makes her “work” and give him all of her earnings. She works on Aurora Avenue and often has sex for money with five or six adult men in one day. Erika loves her pimp but she is also afraid of him. She knows that if she does not obey him, he will beat her up, like he has in the past. She has been arrested for the crime of prostitution, but when she leaves juvenile detention, her pimp is waiting (Boyer, 2008).

This is an example of the issue of domestic child sex trafficking, one of the many forms of exploitation in the market for human beings. Perhaps it is more common to recount a story of children from one of the poorest countries in the world, India, in the red light district of Mumbai, Falkland Road:

Minors are starved and beaten when they first arrive. The *gharwali* [brothel keeper] gives them opium so they will have sex. If they do not behave, the *malik* [pimp] makes the radio high and beats them until they go unconscious. Just a few days back a minor came from my village and was sold by her parents for twenty thousand rupees [\$444]. She refused to have sex, so the *malik* broke her arm (Kara, 2011, 41).

My interest in this global topic originates in some of my recent academic experiences. In the summer of 2013, I traveled to Vietnam on a study abroad program. This was the first time I had ever seen children living in poverty conditions. Back in the United States, I started an internship working in the legislative office of Senator Jeanne Kohl-Welles, a progressive Seattle Senator who was tackling difficult social issues such as the commercial sexual exploitation of minors, or child sex trafficking. Before this internship, I thought human trafficking only occurred in poorer countries; maybe it was happening to the poor children I came face to face with in Asia, but not people in my own backyard. I came to learn that the issue of child sex trafficking is happening in every part of the world, and the current debates surrounding the issue are more complicated than I originally thought. It is a global issue, so I chose to use a new human rights theory called the Expanded Original Position, and I found that an interesting social transformation is taking place in the context of the victims' experience in the United States and India. This theory is an empirical way to see if the issue of child sex trafficking is getting better.

Why should we care about Human Trafficking?

An immense amount of research on human trafficking exists today, which demonstrates that this is a complicated and multifaceted issue. The majority of literature on human trafficking primarily is concerned with sex trafficking, which may be due to the fact that sex trafficking has been the most commonly reported type of human trafficking (U.S. Dept. of State, 2014). Many scholars, like Kathryn Farr (2005), take a feminist approach, focusing on power imbalances and violence against women. Discussions of the rise of sex trafficking also acknowledge the existence of pornography and how it is degrading and harmful to women (Longino 1980). Other scholars, like Ron Weitzer (2007), write about the emergence of a “moral crusade” that

undermines sex workers rights. The literature on trafficking is divided among all these questions related to the sex market, which makes it especially difficult to contemplate global solutions.

Human trafficking is widely referred to as “modern day slavery.” In most Western minds, slavery is the transatlantic slave trade of Africans who were legally owned as property. In 1998, the word “trafficking” was added to the United Nations’ definition of slavery (Bales, 2005, 51). Historic slave practices and current human trafficking are both characterized by violent control and economic exploitation. Although abolition in the 19th century eliminated the legal ability to own slaves, the root economic, social, and cultural factors that underpin our understanding of slavery still exist today. To a person with no prior understanding of the evolution of so-called modern day slavery within the international community, the word ‘trafficking’ does not quite capture the abuse, force, and slave element of the phenomenon (Kara, 2011, 4). For this reason, Kara thinks sex trafficking should be discussed as slavery when forming policies as defined as “the process of coercing labor or other services from a captive individual, through any means, including exploitation of bodies or body parts” (5).

According to the United States State Department (2008) and the United Nations Office on Drug and Crime (2000), “human trafficking” is defined by the combination of three factors including a process (recruitment, transportation, transferring, harboring, or receiving), a way/means (threat, coercion, abduction, fraud, deceit, deception, or abuse of power), and a goal (prostitution, pornography, violence/sexual exploitation, forced labor, involuntary servitude, debt bondage with unfair wages, *or* slavery/similar practices). This shows how the definition of human trafficking is broad yet complex enough to be able to identify victims and traffickers in a court of law. For the purposes of this paper, I will be discussing the problem in terms of

trafficking because that is the most widely used term in today's literature, while knowing that at its core we are addressing a fundamental right not to be enslaved.

There are between 21 and 30 million people in slavery today (U.N.O.D.C., 2012, 17). Due to the fact that traffickers go to great lengths to keep their crimes hidden, we will never have an accurate number (Bales, 2005, 88); however, that is not to say that we cannot understand the phenomenon and work to solve the problem as a "global community." Currently, the U.N. is working to collect data in order to understand the international flow and patterns of human trafficking in order to eventually predict domestic patterns. For one, the report shows that 58% of the cases reported on a global scale in 2010 were sexual exploitation (37). Also, children are the majority of victims in Central America, Western Africa and Indonesia (27). People trafficked for their organs and body parts are mainly problems in Brazil, Mexico, Eastern Europe and parts of Southern Africa (38). They found that East Asian countries have overwhelmingly shown to be sources of victims, while countries like the United States and Canada are common destination points, and countries in Eastern Europe are often transition countries (42-43). Ethnic discrimination is tightly linked to trafficking: the Dalits in India, Tamang in Nepal, hill tribes in Thailand and Vietnam, Karen in Burma, Roma in Albania, and Gaugauzes in Moldova are the most frequently trafficked and enslaved populations from their home country (Kara, 2011, 32, Shelley, 2010, 55). This information clearly shows that human trafficking is a broadly ranging, transnational criminal problem that overwhelmingly requires a multilateral, international response.

Sex trafficking is carried out by abusive and deceitful means. Often times, victims are told they must work off a "debt" that is subjected to "deductions for food, clothing, rent, alcohol

and exorbitant interest rates” by having sex with up to twenty men per day (Kara, 2011, 3).

According to Kara, a system of false promises of attaining freedom is a way for brothel owners to control victims; this often time leads to a Stockholm Syndrome where they are “freed” to accepting a life as a prostitute and even mentor new victims (3). In Italy and Western Europe, countless victims are lured into brothels from Eastern Europe and coerced into sex work. One such victim describes this to Kara by saying, “we dream to find a rich and handsome husband to marry us, and love us, and cover us with gifts of diamond. We were stupid” (85). This is a common tactic throughout the world, domestically and internationally.

According to the U.N., human trafficking is now the second most profitable transnational crime next to drug trafficking (2012). Shelley (2010) believes that human trafficking needs to be addressed with the same force as drug trafficking: “Human trafficking undermines state security...it can perpetuate conflicts, facilitate the activities of terrorist, undermine order and the principles of mature democracies” (79). Not only is it a threat to national security, it is largely an economic problem. Kara (2011) believes that the reason trafficking continues to thrive is simple: “immense profitability with minimal risk” (37). It is incredibly cheap to buy a slave today, and despite the fact that slavery is illegal in every country, traffickers are rarely convicted. This is especially apparent in the sex industry: “In Kamathupura, prices have decreased by over 50 percent during the last decade as a direct result of the increased traffic in slaves from Nepal, Bangladesh, and rural India (37).” Expand this on a global level, and it makes sense that one of the best ways to stop trafficking is to decrease the profitability and expand the risk.

Defining Domestic Child Sex Trafficking

This thesis will primarily be focusing on the problems associated with domestic child sex

trafficking. The Victims of Trafficking and Violence Protection Act (VTPTA) of 2000 was the first legally binding instrument with an agreed definition on trafficking in persons. This act made a crucial and debatable distinction when it comes to sex trafficking of children:

When a child (under 18 years of age) is induced to perform a commercial sex act, proving force, fraud, or coercion against their pimp is not necessary for the offense to be characterized as human trafficking. *There are no exceptions to this rule: no cultural or socioeconomic rationalizations should prevent the rescue of children from sexual servitude.* The use of children in the commercial sex trade is prohibited both under U.S. law and by statute in most countries around the world.

Let me repeat: *There are no exceptions to this rule.* It is important to linger on the significance of this 2000 law because it transformed the act of “pimping” or “prostituting” a child or youth into sex trafficking. Therefore, a pimp who prostitutes children (or adults using force, fraud, or coercion) is now considered a sex trafficker. Most importantly, this age distinction has transformed “criminals” in “victims” (Kotrla, 2010, 181).

Outside of the United States, the age distinction has become less central to the debate around sex trafficking. When we talk about ‘children’ in domestic sex trafficking in the United States, we are most often talking about teenagers. Sheila Jeffreys (2010) points out that “the vast majority of ‘children’ abused in child sex tourism are young teenage girls who are integrated into bars and brothels of destination countries and used by situational abusers i.e. men who neither know nor care how young the girls are” (361). So, the common notions of pedophilia, child abuse, and pointing out that the victims are young, pre-pubescent, ‘children’ are not always relevant. Discussions of child sex trafficking usually draw the line at 18 because it is congruent

with the U.N. Office on Drug and Crimes and the U.S. State Department's definitions, but obviously the line between child and adult can be extremely blurry. Nonetheless, any person under the age of 18 and in the commercial sex industry is considered a victim, *no exceptions*, at least for the purposes of this paper.

I will acknowledge that this definition of child sex trafficking can be difficult to apply on a global scale. However, it is safe to say that most global social problems surrounding exploitation, discrimination, poverty, and inequalities are inherently subject to criticism due to cultural differences. One of the main difficulties that appear when setting a "global" age limit at 18 is that "in poor countries, children are expected to make an economic contribution to their families at much earlier ages and western notions of childhood are not necessarily accepted" (Jeffreys, 2010, 360). This statement is illustrating several much larger issues of justice and human rights that transcend age, culture, and prostitution as a whole. It is clear that children should not be forced out of economic necessity to work in brothels; they also should not be forced to sell their body parts, become child soldiers or beg on the streets, for that matter. Therefore, there is something much larger underlying the current debates around sex trafficking and these are questions that the global community is attempting to answer.

Global Responses: The United Nations and United States Diplomacy

As a "global community," we started off the 21st century with a grand mission: to end "modern day slavery" or trafficking in persons, in all its forms. In 2000, the United Nations met in Palermo, Italy and signed the Protocol to Prevent, Suppress, and Punish Trafficking. Since then, 157 countries have chosen to ratify the Palermo Protocol. Ten years later, the 2013 Trafficking in Person's report by the U.S. Department of State illustrates a clear understanding of the problem and why a global response continues to be necessary:

When we help countries to prosecute traffickers, we are strengthening the rule of law. When we bring victims out of exploitation, we are helping to create more stable and productive communities. When we stop this crime from happening in the first place, we are preventing the abuse of those who are victimized as well as the ripple effect that caused damage throughout communities into our broader environment and which corrupt our global supply chains. We all have an interest in stopping this crime. That's why President Obama is so focused on this issue. And that's why, as Secretary of State, I will continue to make the fight against modern-day slavery a priority for this Department and for the country." (Kerry, 2013)

Kerry stresses that this is a crime that *everyone* needs to be responding to: "we all have an interest in stopping this crime" because this is a crime that shames us all. These huge statements about the necessity for a global response to end trafficking in persons are excellent examples of the global community dealing with the complexities of human rights enforcement. The U.N. also acknowledges the fact that a global approach is extremely complex, but necessary. The introduction to the Global Report on Trafficking in Persons perfectly captures the issue with addressing human rights abuses across cultures and tackling the problem at a global level, nonetheless, this is "a crime that shames us all":

We must, but cannot, catalogue (for lack of data) the different types of slavery: exploitation through child-begging in Europe is different from what goes on in a brothel, or on a street corner in Australia. Preventative measure must also be adapted to take into account that an Asian father sells his underage daughter from what forces an African teenager into a rag-tag army of killers, or what pushes an illegal immigrant into a sweat shop in the Americas (Costa, 2009).

He is describing the problem of being sensitive to the unique experiences of people around the world and the differing manifestations of the fundamental right not to be enslaved. I chose to focus on child sex trafficking because we should be able to apply a global standard based on human rights to ensure children are not exploited in the commercial sex industry.

A multilateral approach has been taken to end this problem. Unilateral approaches, in which certain countries or practices are singled out, simply would not align with a global solution to this global problem. According to the United States Department of State, each nation needs to provide information on the type and extent of human trafficking that is reported in their country, submit data on what they are doing to prevent trafficking, and create laws against trafficking, and this includes the United States (TIP Report, 2013). Although global institutions like the U.N. and the Universal Declaration of Human Rights have very little enforcement power when it comes to stopping child sex trafficking beyond the pressures of these global reports, they are an important beginning.

A Human Rights Framework: The Expanded Original Position

That no human should be held in slavery is a core human right as stated in Article 4 of the Universal Declaration of Human Rights. Clearly, human rights represent how the world should be, but who is responsible for enforcing them and making them a reality? It is for this reason that we discuss critical theories of human rights, cosmopolitanism and world citizenship. These philosophical theories recognize “the need for normative responses to contemporary global challenges” and also the need to “promote an international dialogue on the prospects for a critical theory of human rights in the twenty-first century” (Lutz-Bachmann & Nascimento, introduction, 2014). Normative responses are those relating to human rights, ideals or standard models. The world is full of enormous problems to tackle in the twenty-first century and so we

attempt to interpret and respond to these problems using a set of universal standards or ideals, known as fundamental human rights. Critical theories of human rights try to identify how we go about finding those ideals, what foundations are they based on, why they are ideals and not realities, and therefore who or what institution is responsible for transforming them into realities.

As part of that critical theory, I was drawn to Talbott's (2013) Expanded Original Position (EOP) because its basic principles can be applied to many global issues. Plus, it is fairly optimistic. The theory is based on John Rawls' idea of the Original Position, which updates the Golden Rule of treating others how you want to be treated. Rawls' idea was to create a "device to generate the principles of justice for an ideally just society" (27). In a hypothetical world, citizens of a society come together to rationally create laws and policy in order to better society as a whole. They decide on laws from a place of complete impartiality called the Original Position, in which they do not know anything about their identity (race, gender, ethnicity, sexuality, religious views). In this way, citizens are placed under a *veil of ignorance* and are forced to consider the possibility that they could be any person in their society when the veil comes off, having to live with the consequences of the laws they created (27). Therefore, this motivates the creation of laws purely based on the participants' ability to act rationally and out of their own best interest.

Talbott (2013) takes this idea further by expanding it to a global level and using it to retroactively understand the social forces that have already occurred and have led to the creation of laws based on human rights throughout history. In retrospect, Talbott says this test could have predicted the end of slavery, along with the civil rights movement, the Indian Revolution, as well as the current marriage equality debate (33-37). In all of these cases, there was a certain practice, circumstance, or belief in government that was unfair to some parties in society, and by going

behind a veil of ignorance and deciding on laws from an impartial viewpoint, governments were forced to change purely out of rationality. Because of this, it makes sense that we can also use this device to predict change that is currently happening, and change that will occur in the future, based on the same idea. Talbott believes that “the EOP provides us with a way of measuring social forces that have a profound effect on history” and these forces “result from the fact that judgments based on empathy and concern for fairness (modeled by the EOP) actually motivate people to incur some small cost to promote fairness” (34). This is a test attempting to measure social forces that have led to increasingly more just laws that reflect a deep concern for promoting human rights. Then, he uses this understanding to predict a similar trajectory of transformation into the future (29).

When it comes to the social movement that I see working to end child sex trafficking, I think the EOP test can be applied. In theory, the global fight to end human trafficking does illustrate this social force that has the power to ultimately change the course of history. For example, the organization *Free the Slaves*, cofounded by Kevin Bales (2005), has a three-step plan for eliminating modern day slavery that governments are actually taking seriously. The steps include supporting local organizations that liberate slaves, encouraging business and corporations to stop buying slave-made goods, and simply raising awareness (172). For example, we all have the ability as consumers to research the global supply chain and hold businesses accountable for how their products are made. We can choose to buy products from companies that do not use slave labor and respect human rights by providing fair wages and safe working conditions. The organization, social movement, and interactive website “Made in a Free World” provides a unique way to understand how to take action and alter the global supply chains (2014). All of these steps would incur at least slight cost to people everywhere, yet a moral drive

to promote fairness and eliminate slavery would ultimately prevail, which is in accordance with the EOP.

However, I find some contradictions in the EOP test, especially when it comes to predicting the social forces that are actually working to end human trafficking. Talbott talks about how participants must be able to empathize with people with different life circumstances and backgrounds, but they should also be impartial in their views. It seems to me that empathy and impartiality are on two different levels of understanding. Hoffman's (2000) research and analysis has shown that many factors motivate how people decide to act when faced with a moral dilemma, for example, when an innocent bystander witnesses someone suffering, will they help and "how does one feel when one does not help?" (3). He discusses empathy in terms of "an affective response more appropriate to another's situation than one's own" (4). On the other hand, some synonyms of the word impartial include "open-minded," "unprejudiced" and "fair." Impartiality often also means "disinterested," "detached," and "dispassionate." In a way, using the words empathy and impartiality together does not make sense because, on one side, the participants of the EOP have to be able to share the feelings of another person in order to imagine themselves in the position of this person; while on the other side, they have to be able to close their eyes to the differences and become detached from other people. This makes me think that these two characteristics are more of an either/or situation: either people in government need to be able to empathize, or they need to be impartial. However, impartiality is not what starts the social movement in the first place, or what drives it. Empathy does. Therefore, my correction to the EOP implies the assumption that people will base their concern for fairness on an empathic relationship to others.

Applying this less impartial version of the EOP in relation to eliminating the complex issue of child sex trafficking offers us some interesting perspectives. As previously discussed, a huge moral change has recently taken place in government. The fact that all minors engaged in the commercial sex industry are no longer seen as criminals under the law represents a huge moral shift. Instead, minors in the sex industry are to be treated as victims of human trafficking. Talbott's (2013) discussion of the presence of "false stereotypes" applies to this situation very well (35). In order for this redefinition to occur, social movements had to engage with issues related to sex trafficking and prompt the government to undermine the stereotypes surrounding sex that keep minors in the sex industry, which allowed them to be classified as criminals instead of victims in the first place. People in government had to put aside their moral views about these girls, coming from a place of impartiality, to vote on these laws in favor of victims of child sex trafficking. To propose changing the law in the first place took more than impartiality. It took having the ability to empathize, understand and actually feel what it is like to be a victim of child sex trafficking. In order to see the implementation of the law outside of government will take people who can empathize. Maybe here I am proposing that we *expand* the EOP, outside of the law making apparatus, to all of the other parts of society that are contributing to moral transformations. It is not enough to simply have ideal laws and principles for governing; corporations, nonprofit organizations, and non-governmental organizations all have profound impacts on solving today's social problems.

Now, it is time to examine the prospects for creating that ideal, and test the EOP, in two radically different cultures: India and the United States. I chose to focus on India because it is widely known as a sex trafficking hub of the world, where between 10 and 20 million Indian slaves exist, numbers that "blow away estimates for the rest of the world combined" (Skinner,

2008, 207). Next, I chose to focus on the United States because it is widely known as the “land of the free,” the wealthiest country in the world, home to the United Nations, and leader in the fight against human trafficking. It would not be called a global problem if it only occurred in poor countries and not in the United States. Domestic child sex trafficking occurs in both countries, but under different social, cultural and economic circumstances; however, they share similar emotional experiences.

Case Study: India

Trafficking in India is unique because “ninety percent of trafficking in India is internal, and those from India’s most disadvantaged social strata, including the lowest castes, are most vulnerable” (TIP Report, 2013). The Dalit Freedom Network UK states, “Of the 3 million prostitutes in India, 1.2 million are children. Most of them are Dalits, trafficked into brothels” (2010). Talbott points out that the Indian independence movement led by Gandhi started as a movement to end discrimination, and therefore participants of the EOP would have driven [or would have to drive] the success of this movement. The power of the EOP rests in the fact that social change occurs when millions of people begin to make judgments based on empathy and fairness, and that is why India, the world’s most populous democracy, is a great example (34). Talbott’s discussion of the Indian Revolution was about ending British colonial rule, which is a very concrete, measurable, goal: Indian state sovereignty under a democracy. However, he does not mention the social movement of the Dalit people in his discussion on India, which is also about ending oppression based on ending discrimination and inequality. In her book, *Dalit Visions*, Omvedt fully exemplifies the complex ideological challenge in Indian society between the oppression of the Dalit people and the fight against Hinduism, the ideological root cause of their oppression (2006, 5). This issue is different than the Indian revolution because it is not

about overthrowing a colonial government, something measurable, but rather fighting a deeply engrained ideological, religious and social problem that has led to oppression. Although he led the revolution against the British, “Gandhi had his biggest aspirations, confrontation, and failures on the issue of caste” (Omvedt, 8). If participants in Indian society were to go behind a veil of ignorance and decide on laws from the original position, they would rationally decide to get rid of any caste system because no one would want to end up in the lowest caste once the veil comes off.

Another example of a similarly difficult problem for the EOP to address in India is the overwhelming amount of poverty. Kara’s (2011) interview with trafficker in India showed a certain “banality” when it comes to poverty. This man appeared completely ordinary, but his job was to transport female children for sex work in Mumbai and New Delhi:

His business was simple and efficient, and he had no moral qualms because many parents approached him to send a child for work...I realized [traffickers] were not employed by slave owners to whom they sold women and children, but by a far more malevolent criminal: poverty (Kara, 2011, 64).

This trafficker has no moral qualms because even if he knows it is wrong and illegal to bring children to brothels to be sold for sex, and even if he is empathetic to the plight of these girls, he participates because of devastating poverty, where parents are desperate enough to send their children away for “work” in the cities. The EOP can explain the social forces that make such actions illegal: It is clear that by going behind a veil of ignorance, both the actions of these parents and the traffickers would be considered illegal, because under the ideal circumstances of a well-ordered society no person would want to be a child who is forced to work in a brothel

This hypothetical test cannot explain why the existence of an ideal law is not enough to solve the problem. In Kara's example, poverty forces people to ignore the law, and their own morality, out of desperation.

A final example from India is the social stigmatization and isolation that surrounds victims of sexual abuse. Sunitha Krishnan's TED Talk in 2009 illustrates this problem best. In her talk, she tells the audience how she was shunned from society after being sexually abused as a child, which made her vulnerable to becoming a victim of child sex trafficking. Somewhat boldly, she describes the problem to her listeners in this way:

It's very fashionable to talk about human trafficking...It's very nice for discussion, discourse, making films, and everything. But it is *not* nice to bring them [victims] to our homes. It's *not* nice to give them employment in our factories, our companies. It's *not* nice for our children to study with their children. There it ends. That's my biggest challenge.

She is infuriated with the culture she sees in Bangalore that victimizes victims of sexual abuse by shunning them from society. This is what perpetuates the problem, but also makes it hard for victims to get the help they need. It is certainly not fair to shun these girls from society, it is not a problem of "rights," but how would participants of the EOP even approach solving this problem? Again, if participants go behind a veil of ignorance, they would decide on laws to favor these victims, who are least favored in society. However, changing the law cannot make people be "nice" to one another, and let go of their cultural biases.

Case Study: The United States

First, the fact that American teenagers in the United States are trafficked domestically is

considered an anomaly in the Western developed world; this is due to a general lack of social services and family support systems for homeless youth (Shelley, 2010, 31). This lack of social services in the United States contributes to the issue known as “survival sex.” Survival sex is one of the greatest dangers to youth living on the streets in the United States, which involves trading sex for sustenance needs, including shelter, food, drugs or money (Greene, Ennett, Ringwalt, 1999, 1408). After interviewing street youth and shelter youth across the United States, Greene et al. found that approximately 28% of street youth, and 10% of shelter youth have engaged in survival sex (1999, 1405). Participants of the EOP test should be able to empathize with these youth and decide on laws from behind a veil of ignorance that would benefit them, such as the creation of more social safety nets and homeless youth shelters. Rationally, no person would want to end up as a homeless teenager, so an ideal society would decide on laws to benefit these citizens. Theoretically, we can predict that there will be more social services for homeless youth in the future.

On another level, lesbian, gay, bisexual and transgendered (LGBT) youth are increasingly becoming victims of commercial sexual abuse in the United States. For example, Dale (2012) shares the story of a gay teenager who was kicked out of his home after his father found out that he was gay:

Having nowhere else to turn, Sam loaded up his car to leave for Chicago. When he arrived in ‘Boy’s Town,’ a hub of sex industry for homosexuals in the city, his first pimp snuck up behind him, put a rag laced with sedatives over his mouth to knock him out, and literally dragged him off the street.

Participants of the EOP test surely would not allow this abuse predicated on the existence of false stereotypes against homosexuality to exist in society. The EOP predicts marriage equality because it is unfair for gay couples not to have equal rights to marry under the law (Talbot, 36). If we test this situation using the EOP, it would lead participants to rationally create shelters, protection and social services specifically for LGBT youth. Would the EOP test lead participants to create a law against parents abandoning their children because of their sexual preferences? Again, this example illustrates the limits of law and government. The law cannot make parents love their children for who they are, just like the law cannot make Indian society receptive to victims of sexual abuse. Social change, expanded outside the realms of an “ideal” government, needs to take place in order to see justice for these victims.

As in India, the culture of silence surrounding sexual violence in the United States is a major part of the problem. A recent news article perfectly captures this issue:

A pimp kidnapped Tami on her way home from school in Los Angeles. He held her captive for six months, raping, beating and starving her. At night, he sold Tami for sex with other men. Tami tried to escape by telling every john who purchased her that she was only a kid. For months, Tami pleaded with her buyers: “I’m only 15. Can you please take me to a police station?” But none did. When she finally encountered police officers, they did not rescue her; they arrested her (Saar, 2014).

She ends with a call to start addressing domestic minor sex trafficking as what it really is: “serial, systematized rape.” The men who abuse these girls are almost never seen as perpetrators or criminals of rape. She ends with a powerful call to action: “we must care for these girls, too often invisible to society, as victims and survivors of child sexual abuse because there is no such thing

as a child prostitute.” Based on the EOP test, going behind a veil of ignorance to decide on laws, we can predict that more men will be prosecuted, and more girls will be helped. The problem is generating political will to act, and challenging the culture that silently allows it to happen.

At this point, the differences in culture between India and the United States become obscure and irrelevant. Sunitha Krishnan showcases this point in her response to a question after her talk that assumed only sexually exploited girls in India feel immense social stigma:

Actually, I think the kind of isolation I felt is something very global. I don't think it's very cultural. Of course the cultural context has different manifestation but the isolation a victim of sexual violence goes through I think is a global phenomenon. It's the manifestation of it or the face of it that may change in different countries” (Krishnan, TED, 2009).

In the United States, one manifestation of that isolation is the problem that surrounds domestic violence. Krishnan discusses how it is difficult for a victim to report sexual abuse because somehow a victim always has to prove how it was not her fault for wearing too short of a skirt, and why she was out so late at night. Instead of going after the abusers, we instead interrogate the victims. The manifestation of that reality in the United States is reflected in the fact that only approximately one-fifth of all rapes in the United States are reported, according to the National Coalition Against Domestic Violence. Both these examples show in order for sexual violence and sex trafficking to occur, a large part of society has to be silently allowing it to happen.

Transforming criminals to victims to survivors

During my internship at the Washington State legislature, I was able to witness first-hand the creation of laws based on empathy, fairness, and impartial or unbiased political decisions and therefore social change when it comes to protecting minors from commercial sexual exploitation. Since 2002, 37 bills related to human trafficking have been signed into law in Washington State, many of which are now national laws. In 2007, SB 5718 created the crime of commercial sexual abuse of minor which replaced the crime of patronizing a juvenile prostitute (*RCW 9.68A.100*). This shows a major shift in Washington State law that transformed “juvenile prostitutes” to victims of commercial sexual abuse. In 2010, Senate Bill 6479 strengthened the penalties for this crime and required law enforcement to be trained on identifying the commercial sexual abuse of minors (*RCW 9.68A.100, .105, and 9A.88.140*). First, these two laws show how recently this social change has occurred that transformed criminals to victims in Washington State, and how it became vital for law enforcement to understand this shift as well.

Because this shift has occurred, where criminals are now victims, I think the EOP can predict another change for these victims based on empathy. In my opinion, the most promising example of social change in the United States, India and all over Southeast Asia is the transformation of victims of child sex trafficking to survivors of child sex trafficking. There is a fundamental understanding that it is amazing for a child to be able to survive the horrors of sex trafficking at all (Cecchet, 2013, 27). In this way, they are not just victims, but they are survivors who have been able to learn from their experiences and become stronger. One participant from her study reflected:

‘We’re victims. We *were* victims should I say, even if we victimized ourselves. But we are survivors, and we’re overcomers. It’s one thing to survive, it’s another to overcome’” (27).

From this psychological perspective, survivors have “resilient” personalities classified by a “desire to live, positive thinking, and motivation for change.” I think this trait can be found across the globe in the overcomers of all forms of human trafficking, especially those who survived child sex trafficking.

One obvious example of this transformation is Sunitha Krishnan. Her organization, PRAJWALA, is working to change the culture in Bangalore by focusing on prevention, rescue, rehabilitation, reintegration, and advocacy work. On top of rescuing and empowering girls, she has started schools for educating the public, and especially men, about the dangers of prostitution and child sex trafficking. She teaches the girls at her school trade skills for doing work usually done by men, like welding and construction. She chose this route of reintegration because these girls have overcome overwhelming obstacles, abuse, and social ostracism. They are strong and unafraid to compete with men. Having more girls in occupations traditionally held by men, challenging stereotypes, and education has the potential to have profound effects on society.

Moral transformations, government and beyond

The results of the historic 2014 Indian election show that India’s government has the potential to create enormous social transformation in favor of human rights. In a recent news article by the Asia Foundation, the Bharatiya Janta Party (BJP) and its leader Narendra Modi won the election with a landslide victory after having been the opposition party for the last ten years. This new report points out a crucial social factor to realize:

In this election alone, an estimated 150 million people between the ages of 18-23 were eligible to vote for the first time. This is a post-liberalization generation that is cosmopolitan, tech savvy, entrepreneurial, and bursting with raw energy. Less interested in issues of caste, region, and religion-based politics, this generation is more invested in what India's political parties can do to create more jobs, opportunities, and a better future...The electorate did not vote for dynasty, caste, region, or religion – it voted for a strong, stable, and decisive leadership and government (Surie, 2014).

It is too soon to tell what effect this new government will have, but it is clear that this new electorate, in general, has the potential to create lasting social change because caste and religious discrimination do not appear to matter to them as much or in the same way as previous generations. This government seems to be better able to create ideal laws from a place of empathy and impartiality because they are not as concerned with maintaining the social hierarchy and religion in the first place.

Beyond government, the *Half the Sky Movement* is a powerful campaign that is working to transform the oppression of girls into opportunities through raising awareness about the importance of educating a girl (2014). It started as a book, then became a film, and now it is a worldwide movement that is working to change the low status of girls. Many American celebrities are participating by using their fame to shine a light on the lives of girls in developing countries for viewers everywhere. This is one way that the global community is using the power of media to challenge norms and address one of the root causes of slavery. Telling the stories of these girls may cause viewers to empathize with them, which could lead to a global social change based on the principles of the EOP. The creation of laws from an impartial viewpoint relies on the participants' ability to empathize with the least favored people in society. Sharing

the stories of girls allows people to better empathize, as opposed to simply responding to statistics and government reports. These campaigns that tell the personal stories of girls in developing countries have the ability to make people want to act by investing in education for girls everywhere, for example, by giving money to charities or schools in those areas. This is certainly not the only way to inspire mass amounts of people to act.

Another approach to end human trafficking, beyond government, is an economic solution. The ideas of Muhammad Yunis, “Banker to the Poor” and Nobel Peace Prize recipient, are extremely promising when it comes to eradicating human trafficking. As my two case studies have shown, the problem is closely tied to poverty and lack of social services. Yunis (2007) has pioneered the use of microcredit, based on the successes of the Grameen Bank where he began loaning money to poor people in Bangladesh (47). He expanded on this idea of a separate banking system for the poor into the creation of an entirely separate stock market for “social businesses.” Yunis says, “A social business is a company that is cause-driven, rather than profit-driven, with the potential to act as a change agent for the world” (22). Social businesses are based on empathy, a concern for fairness, and making the world a better place. The ideas of Mohammad Yunis are outstanding examples of the EOP in action outside of law making and government policy. It is clear to see that if every multinational company shared the objective of creating “social benefits for those whose lives it touches” it would be much more difficult for human trafficking to exist. Perhaps, if a poor family in India could take out a loan to start a business in their community, parents would not hand over their children to traffickers to be exploited in the sex market.

Finally, the Oscar-winning documentary film, *Born into Brothels* (2004), and now the organization *Kids with Cameras* is great example of how empathy beyond government is

changing the world. This documentary shows how if children are “born into brothels,” and grow up in brothels, they have very few options besides working in the sex industry when they are adults. Zana Briski, a New York-based photographer, spent years in the red light district of Calcutta teaching children of prostitutes how to use photography to capture the world through their eyes, and share their stories with the world. This film has inspired a movement, with the help of the human rights group Amnesty International, to help these children in a unique way, through photography. This solution, and the mission of Kids with Cameras, is based on empowering children by giving them self-confidence and hope for a better future (2014). Briski herself shares the importance of this work and the power it has to change the world:

It has been my dream, since the beginning of the project, to inspire others to feel, to notice, to challenge, to take action. Some of the most inspiring moments I have had are at screenings of *Born into Brothels* at schools across the country. American children are riveted by the kids from Calcutta. They connect with them through the film in a way only kids can. Kids want to share, to know more, to get involved...

The success of this film shows how change occurs based on people’s willingness to empathize with others, or “to feel” and to ultimately “take action.” She continues:

In the film I say that I am not a social worker, or even a teacher. I am someone who follows my heart and puts myself in the 'shoes' of others. This is something we all can do. You don't need to go to Calcutta to notice what is happening around you, who needs your compassion, be it an animal, a friend, a stranger. After all, it is up to us to make the world a better place (*Thoughts from Zana Brinski, 2007*).

This kind of mindset is what is needed to not only create law and policy that benefit the least favored, but also in order to think outside of the box and come up with unique solutions to problems. Brinski lived in the brothels of Calcutta for two years before filming, deeply understanding the issue, and then was able to take action from the perspective of the children that would benefit them the most.

Conclusion

If anything, this paper was able to show that human trafficking is more complicated than one may initially think, especially when it comes to child sex trafficking. Sex trafficking is characterized by violence and control; the torturous chains can be physical or psychological. Minors are trafficked across borders, but also within the borders of their home countries. I have examined case studies from the United States and India to show how culture and societal differences play a huge role in how and why children become victims of sex trafficking. In the United States, lack of social services lead to a unique problem for a Western developed country. In India, a complex caste system and the oppression of Dalits contribute to the sexual exploitation of children. Although both countries have unique social problems, both American and Indian victims share a very common experience of social stigma and feelings of isolation just for being a victim.

Because it is a global problem, I decided to use a Human Rights theoretical approach as a way of providing a global answer. The problem with human rights is that they are moral, idealistic, guidelines for how the world should be. Often times, these problems seem hopeless and unsolvable. The Expanded Original Position (EOP) is an effective way to show how social change is occurring and it is completely based on empathy and a concern for fairness. The EOP does a good job in describing how political social change occurs, but I think it does an even

better job to show how change beyond government occurs. Once empathetic laws favoring the least favored are created, it is up to the citizens to make them a reality. Who else in society is uniquely suited to start that change than the survivors themselves? At the local level, survivors like Sunitha Krishnan are creating major changes in their communities through advocacy work and education.

In the end, I have shown that forces beyond government are working to transform society in the fight against child sex trafficking. For one, media campaigns and nongovernmental organizations such as *Half the Sky* are working to transform the low status of girls all over the world through story telling. Microfinance and social business are tackling the economic side of the child sex trafficking debate. Lastly, individuals, like Zana Brinski, are realizing the power of empathy to create unique solutions to global problems, which transcend borders and inspire people across the globe to get involved. Imagine what kind of change is possible when billions of people use this ability to empathize, understand problems, create solutions, and inspire others to do the same. There are countless places to start. So, let's start changing the world!

Works Cited

- Bales, K. (2005). *Understanding Global Slavery: A Reader*. Los Angeles, CA: University of California Press.
- Boyer, D. (2008). Who Pays the Price? Assessment of Youth in Prostitution in Seattle. City of Seattle Human Services Department Domestic Violence and Sexual Assault Prevention Division.
- Briski, Z. (2014) Kids with Cameras. Retrieved from <http://www.kids-with-cameras.org/education/>
- Cecchet, S., Thoburn, J. (2013) The Psychological Experience of Child and Adolescent Sex Trafficking in the United States: Trauma and Resilience in Survivors. (Accepted for publication 12/2/2013 to *Psychological Trauma: Theory, Research, Practice, and Policy*).
- Dalit Freedom Network UK: End Dalit Trafficking: Prevention through education. (2010-2012) Retrieved from www.dfn.org.uk/dfnuk/india/42-information/slavery/92-sex-trafficking.
- Dank, M. (2014). Offenders, Former Sex Workers, Law Enforcement Detail Inner Workings of US Underground Commercial Sex Trade in New Urban Institute Study.” *Urban Institute*.
- Dillon, J. (2014). Made in a Free World. <https://madeinafreeworld.com>
- Farr, K. (2005). *Sex trafficking: the global market in women and children*. New York, NY: Worth Publishers.

Greene, J. M., Ennett, S. T., & Ringwalt, C. L. (1999). Prevalence and correlates of survival sex among runaway and homeless youth. *American journal of public health*, 89(9), 1406-1409.

Hoffman, M.L., (2000). *Empathy and Moral Development: Implications for caring and justice*. Cambridge University Press.

Jeffreys, S. (2000). Challenging the child/adult distinction in theory and practice on prostitution. *International Feminist Journal of Politics*, 2(3), 359-379.

Kara, S. (2009). *Sex Trafficking: Inside the Business of Modern Slavery*. New York, NY: Columbia University Press.

Kotrla, K. (2010). Domestic minor sex trafficking in the United States. *Social work*, 55(2), 181-187.

Krishnan, S. (2013). PRAJWALA website. Retrieved from <http://www.prajwalaindia.com/trafficking.html>

Krishnan, S. (2009). *The Fight Against Sex Slavery*. TED Talks. Retrieved from https://www.ted.com/talks/sunitha_krishnan_tedindia

Kristof, N., WuDunn, S. (2014). *Half the Sky Movement: Turning Oppression into Opportunity for Women Worldwide*. Retrieved from <http://www.halftheskymovement.org/pages/movement>

Longino, H. (1980). Pornography, oppression, and freedom: A closer look. *Take back the night:*

Women on pornography, 40.

Lutz-Bachmann, M. (2014). The Idea of Human Rights and the Realities of World Politics: A Reflection on the Relationship between Ethics and Politics. In M. Lutz-Bachmann & A. Nascimento, *Human Rights, Human Dignity, and Cosmopolitan Ideals: Essays on Critical Theory and Human Rights* (9-22). United Kingdom: Ashgate Publishing.

National Coalition Against Domestic Violence. Domestic Violence Facts. Retrieved from www.ncadv.org/files/DomesticViolenceFactSheet%28National%29.pdf.

Omvedt, G. (2006). *Dalit visions: The anti-caste movement and the construction of an Indian identity*. Orient Blackswan.

Orchard, T. (2007). In This Life: The Impact of Gender and Tradition on Sexuality and Relationships For Devadasi Sex Workers in Rural India. *Sexuality & Culture*, 11(1), 3-27

Polaris Project: For a world without slavery (2014) Retrieved from <http://www.polarisproject.org/human-trafficking/sex-trafficking-in-the-us/internet-based>.

Saar, M.S. (2014) "There is no such thing as a child prostitute." *The Washington Post*. Retrieved from www.washingtonpost.com/opinions/there-is-no-such-thing-as-a-child-prostitute/2014/02/14/631ebd26-8ec7-11e3-b227-12a45d109e03_story.html

Shelley, L. (2010). *Human trafficking A Global Perspective*. New York, NY: Cambridge University Press.

Skinner, B. (2008). *A Crime So Monstrous: Face to Face with Modern Day Slavery*. New York, NY: Free Press.

Surie, M.D. (2014). "Decoding India's Historic Election Results." The Asia Foundation. Retrieved from <http://asiafoundation.org/in-asia/2014/05/21/decoding-indias-historic-election-results/>

Talbott, W. J. (2014). Human Rights, Human Dignity, and Hypothetical Consent. In M. Lutz-Bachmann & A. Nascimento, *Human Rights, Human Dignity, and Cosmopolitan Ideals: Essays on Critical Theory and Human Rights* (25-44). United Kingdom: Ashgate Publishing.

United Nations Office on Drugs and Crime. (2009). Global Report on Trafficking in Persons. Retrieved from http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf

United States Department of State. (2013). 2013 Trafficking in Persons Report. Retrieved from <http://www.state.gov/documents/organization/210739>

Weitzer, R. (2007). The social construction of sex trafficking: Ideology and institutionalization of a moral crusade. *Politics & Society*, 35(3), 447-475.