

**CHILD SEXUAL ABUSE : THE
SOCIO-CULTURAL AND ECONOMIC
VARIABLES**

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CERTIFICATE

This is to certify that the dissertation entitled: "**CHILD SEXUAL ABUSE : THE SOCIO-CULTURAL AND ECONOMIC VARIABLES**", submitted by **Mr. ARVIND MANOJ KUMAR SINGH**, in fulfillment of the eight credits out of the total twenty-four credits for the award of the Degree of **Master of Philosophy (M.Phil)** of the University, is a bonafide work to the best of our knowledge and may be placed before the examiners for evaluation.


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SUPERVISOR

..... *to Baba and Maa*

..... *my ideals.*

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PREFACE

The present study deals with the child sexual abuse. Children are the today's buds who turns flowers in the future in the society. Healthier the socialization of the children today, healthier is the future of society. Unfortunately, the picture is not so rosy as the children all over the world are subjected to different kinds of abuses. They are neglected, and discriminated on different grounds. Not one country is completely immune with the problem of child abuse. Child Sexual abuse, is added salt to their already existing wound of poverty and uncongenial living. It has a devastating effect on child and thereby on the society as it shatters the self esteem of the child, violates basic human right of the child and curbs dignified living of them.

Little research has been done on the topic due to conceptual problem, and the lack of exactness of data. Especially in India, studies have been done chiefly on child prostitution or child labour, and not on the Child Sexual abuse as such. My research attempts to explore the dimensions of child sexual abuse, namely child rape, child pornography, child prostitution, child problem and child sex tourism. It is quite obvious that the scope of the topic is vast. My major concern is however, to ponder into the root causes of the child sexual abuse, the extent to the problems in the world, and in India, and the intensity of it.

The present study comprises of 5 Chapters. Chapter I is the introduction which comparing definition of the problems, objective of the study, review of the literature, Chapterization and Methodology, Chapter II deals with the causes of the child sexual abuse which deals the causes of the occurrence of crime in

general than the causes of child sexual abuse. Third Chapter deal with the world profile of child sexual abuse with its various dimensions and vulnerability factors. IV Chapter is on the Indian profile of child sexual abuse which alongwith major dimension includes vulnerability factors. Chapter V summarizes and concludes it.

It is hoped that sufficient light is being thrown in the delicate relationship between the children, socio-cultural factors and the perpetrators of sexual abuse and explains the basic root cause of occurrence of it at national and global levels.

CHAPTER - I

INTRODUCTION

"Lin Lin was 13 years old when she was sold by an agent for work in Thailand. Her father took \$ 480,00 from the agent with the understanding that her daughter would pay the loan back out of her earnings. The agent took Lin Lin to Bangkok. And three days later she was taken to the Radee Prom brothel. Lin did not know what was going on until a man came into her room and forced her to have sex with him. Lin Lin's agent paid the owner \$400 each time. If she refused client's demands, she was slapped and threatened by the owner. On 18 January, 1993 the Thai police raided the brothel and Lin Lin was taken to shelter. She was 15 years old, had spent over two years of her life in compulsory prostitution: and tested for HIV". (Asia Watch)

Lin Lin's story depicts the story of the commercial sexual exploitation of the children. ✓ All over the world, lakhs of the children are sexually abused. Sexual abuse of the children is world wide phenomenon. It is one of the heinous crime which reduces the children to a mere object; disintegrate the personality of children. The basic premise that children have a fundamental right to their, personal integrity and to freedom from exploitation and abuse, follows from an absolute acceptance that such violation of their right damage and vexes the children values yet, the fact is not all of the children have the opportunity of healthy growing and many of them are abused physically, mentally and sexually.

Despite hectic planning, welfare programmes, legislation and administrative action in the past decade, a majority of the children continue to remain in distress and turmoil. In most families, the parents neglect them and employers severally abuse them. Though this problem, especially the problem

of sexual abuse of the children has failed to capture the attention of sociologists and psychologists in countries. Especially in India, The public and government also are yet to recognise it as a serious problem. Public institution and professional concern is yet to be translated into positive and realistic action.

So much so, the malady has acquired the shape of a social problem. Though the recognition of the child abuse as a social problem is of recent origin. So far little attention has been given to this problem. It focuses the neglected area of research due to several reasons. Lack of the conceptual clarity on definitions (like child abuse), lack of reporting of the case and also due to the lack of governmental initiatives. Child abuse indicate maltreatment of children including physical injury abandonment, neglect, exploitation and sexual abuse. Child abuse claim neglect and child battering form the basis of victimization of the children.

Moreover, the importance of this topic of child sexual abuse to an academician emanates the very fact that it poses questions of manifold dimension which has acquired concern. What are the socio cultural causes which favours its occurrence? To what extent it's affecting the various societies? Whether the social control by formal or informal control has been dilate or whether society themselves institutionalize it ? or whether it is individual phenomenon which occurs existential conditions? Does change of value consciousness itself has a share of exploitation to it ? Other questions and obvious problems related to the uses of operational definitions to explain the phenomenon, to gather the reporting of cases and of the methodology implied in it.

1.1 Explanations of the terms

Now coming to the explanation of the thesis. It is better to explain to identity and define the concepts like child abuse, sexual abuse, about problem crime and laws.

Definitions of the concepts: To begin with, it would be congenial to explain what is social problem. I would be dealing with the operational definitions of the social problem to understand the child sexual abuses as a social problem. The social problem has been defined as a deviation from the social ideal by group effort. (Walsh and Fufrey 1961) Two elements are important in this definition.

i) It is something which is less than ideal ii) One which is remediable only by collective effort.

The issue is sort and can't be handled individually are which is considered unnecessary. Fuller and Myrer (1941) have defined social problem as 'condition which is defined by a considerable member of persons as a deviation from some social norms which they cherish.'

Rendart opines it as situation confronting a group or a section of society which promises inflict injurious consequences that can be handled only by collective efforts.

Herbert Blumer (1971) writes that social problems involve actions or patterns of behavior that are viewed by a substantial member of person in the society as being deleterious to the society or is violative of social norms, and about which ameliorative action is seen as both possible and desirable".

So, nutshell, the social problem includes the deviations from the ideal position and are social in origin; also are social in result. Again they require a collective approach for their solution. Now, in the light of this workable

definition, the malady of the child sexual abuse is happened to be serious social problem as it is acquiring a phenomenal ^{extraordinary} proportion in society. Its impact in society as a whole is deleterious as it not only involves the loss of self esteem, of the child, dependency, deterrent ^{विरोधक (deterrent)} behaviour, social and inter personal problems but also isolate him in revictimization process. That is the child once abused will essentially be abused twice and again'.

Now, the child abuse involves ^{excess} plethora of abuses. With the passing of time new dimensions are added to the definition of it.

Garden and Gray (1982) opines that Child Abuse ^{includes} children who have received serious physical injury, caused willfully rather than by accident'.

Burgess defines child abuse as 'any child who receives ~~an~~ accidental physical and psychological injury as a result of acts and commission ^{शुद्ध} on the part his parents or guardian on employer".

Kempe and his colleagues have defined child abuse as "a condition having to do with those who have been ^{जानबूझकर} deliberately injured by physical assault'. So, this definition restrain itself to physical assault. Fo sloan (1983) includes ^{शारीरिक} bruises, burns, fractures, lacerations ^{जखान} and a grasions, abdominal injures and human bite marks.

The national center on child Abuse and neglect (1981) defines child, abuse as physically maltreating children by physically, emotionally or sexually injuring them and neglect as not providing for them basis physical, emotional and educational needs. So, in nutshell, the operational definitions of ~~be~~ the physical abuse including battering violence, labour, emotional abuses, the child neglect and deprivation and lastly the sexual abuse. The sexual abuse of children

by adults especially by parents has always been considered as serious matter not primarily because of the physical or the psychological harm incurred to the children but because of the violation of a major societal taboo i.e. against incest. The extent of the problems in India is though less known in comparison to those of the developed countries, the popular literature is beginning to indicate that it is a much more widespread phenomena than ever thought.

Whether home or outside, the child sexual abuse appears to be distinct from other abuse. Sexual exploitation has been defines as a situation explained by an adult for some firm or other of material reward, a reward given directly to the child or to a middle man, woman or parents/relatives (RANE).

Henry Kempe (1978) defines the child sexual abuse as the involvements of dependent and immature children ^{सुदृढ़ता} in sexual activities they donot fully comprehend, to which they are unable to give informed consent. The Juvenile Justice Act (1986) defines child sexual ^{अज्ञान} abuse as interaction between a child (under the age of 18 for girl and 16 for boys) and an adult in which the child being, are & for the sexual stimulation of the ^{अपराध, अज्ञान} perpetration in another persons'.

Sexual ^{अज्ञान} abuse is not often identified through physical infliction only. Frequently, a child confides is a trusted person in (mother, friends) that she has been severely assaulted. There are, however some physical signs of sexual abuse. There are (sloan Irving 1983) difficulty in walking or sitting, turning, stained or bloody underclothes, complaints pain or itching, barriers or bleeding, venereal diseases and pregnancy.

There are some behavioural indications also. The sexually abused person may appear withdrawn or related, may have power-person relationship, may be or willing to participate in activities; may indulge in delinquent behaviour may run away, or many display bizarre or unusual sexual knowledge.

All these abuses come under the offense of crime. Paul Tappan (1960) defines crime as an intentional commission, in isolation, of criminal laws committed without defence or justifications, so, according to this, child rape, molestation, child prostitution are crimes.

Hall Jerome (1971) has defined crime as 'Legally forbidden and identified action which has a harmful impact on societal interest which has criminal intention and which has legally prescribed punishment for it. Mowrer (1959) maintains that it is 'antisocial act'. Marshall Clinard (1957) however, points out that not all deviation from norms are crimes. He falls three kinds of deviations (I) tolerated (II) mildly disapproved (IV) strongly dispersed. From this definition crime comes under the third category.

The literature on the social problems received synchronously. The content analysis of the literatures reveals the rich sources to deal with the studies.

1.2 Objective of the study

- i) To identify and project various dimensions of child sexual abuse.
- ii) To identify the social cultural and economic factors which lead to child sexual abuse.
- iii) To explore the extent of child sexual abuse in the world. And also, focussing the vulnerability factors of its occurrence.

- iv) To explore the extent of child sexual abuse in India and also focussing the Indian case of vulnerability factors including socio-cultural dimensions.
- v) To ponder into the question of explaining the process of shaping of child sexual abuse into the social problems.

1.3 Review of the Literature

Concern with social problem has been singularly American or Anglo-Saxon. 18th century literature of Sociology began to lodge, what came to be the social problem approach. It came out from humanists, clergymen, philanthropists and middleclass intellectuals.

However, in academic rungs it boomed while American reform movement. Towards the end of 19th century when sociology began to receive formal departmental recognition, it began to focus the social problems. In the writings of Lester P. Ward's teleological philosophy the notion of applied sociology became dominant.

In the middle decades of 20th century, sociologists turned more and more to self conscious discussion of methodology, designs and theories with a growing attention to the European sociology of Max Weber and Emile Durkheim. A kind of ideological commitment to social neutrality came yet during world war II the interests of sociologists turned towards applied research.

The most sweeping indictment of social problems appeared in article by C.W. Mills. The writings of Frank, Waller and Fuller sought to analyse social problems in a general setting of value and value conflict.

J. Bentham urged the substitution of the criteria of utility as a rational

basis for morality and legislation. The logically derived principles of utility became the underlying guide for American writers seeking to define social problems.

Ellwood, Howerth, Kelson and Hart were first to define social problem. Social problems to them were the situations impressing a large number of competent observers as needing remedy by collective action.

Social pathologists made effort to apply a biological model to the analysis of problematical phenomena of society. The problems can be diagnosed on the basis of universal criterion of normality. However, the individual maladjustment rather than societal maladjustment was the key focal point of analysis.

Concept of social disorganization came in the writings of Thomas and Znaniecki and C.H.Cooley. And the relation between the individual disorganisation and societal disorganisation were sought. Chicago school posed the idea of "disorganised areas" in urban communities.

Social problems as disfunctions were outcome of traditions of European sociology and English Anthropology. They focussed on the functional pre-requisite of social life around which institutions operate mutually supporting each other.¹

1.4 Chapterization

Chapter I deals with introduction comprising occurrence and definitions, review of literature, research methodology and chapterization.

Chapter II explains the child sexual abuse into the question of the broader

1. Charles Ellwood, *The Social Problem : A Reconstruct Analysis* reviewed, (New York, MacMillan, 1995).

question of occurrence of crime. How it occurs and why it occurs are the two pertinent questions come out of it. On the general level and then specifically, the question of child sexual abuse has its different dimensions. The different angles on the crimes; psychological model, structural model, physical model and subcultural model have been included to understand the crime.

Thus it comprises the question of the factors which cause the sexual abuse of the children. Various models try to explain the problem of crime in general. The physical environment model explains it as the outcome of various physical factors-topography, seasons, locations of the countries etc. However, the explanation is indirect than direct. For example, it is not that cold induces sluggishness, which lessens crime against persons, but because human contacts are less numerous during winter periods. However, this aspect can't be denied with other factors.

Physical and mental characteristics of the individual have bearing upon making of criminal. Emotional disturbances, epilepsy are the result of inherent tendency and partly of the relations to his life's experiences.

Again physiological or biological models of deviance explains why particular individuals are more prone to deviance. In the case of the sexual abuse the abuser is paedophilic who is prone to commit crimes.

Again many sociologists argue that delinquents belong to power classes that crime with economic deprivation and unemployment. Economic deprivation by means of relative deprivation create a situation regarding the access to the means of existence. Now, the child sexual abuse exemplify the fact that there is economic factor more directly important which gives rise to the abuse.

So, the various indicators of poverty like unemployment, illiteracy and malnutrition seemed to be linked with the involvement of the child prostitution.

Child pornography and child kidnapping. Powerlessness coupled with the economic dependence on the part of the children pose the condition of handicap. So the immediate interest of an academicians to look into the family backgrounds and employer employee situation. Though the economic model of explanations appear to be right in explaining the phenomenon of socio cultural practices 'said to be prevalent in the different societies which foster the notion of societal norms behind the practice of the Devdasi' or sex tourism. So, the societal norms become the major focus to understand the practices. However there too the [practice of child prostitution or Devdasi] economic factors seemed to be dominating when it is discovered that only the low caste and the family of the economic deprived section of the society are appointed there as the devotees to the temples.

Sociological explanation of differential association and the subculture theoretical model tries to understand the occurrence of the crime due to prevalent societal norms. Cohen, Miller, Sutherland and other sociologists try to understand the phenomenon of crime by acquiring the economic and the physical environmental factors, yet, when it was seen that other factors remaining the same, why some of the economically deprived and socially subjugated people fall prey to the vicious cycle of crime, the theoretical models of differential association come to give light to explain it. Different socio-cultural set ups witness different practices and hence different involvement of people even in the abuses. So, in Thailand, we have sex tourism more accepted and utilized as "tourism" than others. So only in Belgaum district the low caste girls are still appointed as "Devdasis" to adult men and women who sexually exploit children not because of they have focussed sexual interest in children but either because

they are morally or sexually indiscriminate and wish to experiment with child because for them children are those people who match their ideals of physical attraction or certain distinguishing factors are present which allow them to themselves about the child's true age.

All these combine and in totality explain the phenomenon of child sexual abuse. This chapter endeavours to highlight the different situation in socio-cultural set-up.

Chapter III deals with the world profile of child sex abuse. The reports are mainly based on information presented by World congress against commercial sexual exploitation of children, (Stockholm SWEDEN-27 -31 Aug., '96) UNICEF reports, reports of NGOs, the reports of popular literature, journals, magazines and police reports. The data collected gives a holistic picture of child sexual abuse in its different dimensions prostitution, rape, sex tourism, pornography etc.

Commercial sexual exploitation by the children by means of prostitution is a historical fact which continues in different societies. American, European and south-east Asian countries have several red light areas centres for the flesh trade. In India, different towns and villages have the prostitution. The chapter deals with the extent of the child prostitution, involvement of prostitution. My concern is to work out the circumstances of the commercial exploitation of the children. Motivation for child sexual abuse is commercial contents involve question of laws and social conventions, instant access to selections of children states of poverty, indirection, etc. Boy prostitution is again another dimension widely prevalent in American.

Howard Becker's theory of labelling, again, being helpful to explain the criminal behaviour seems to be very handy to explain some aspects of the sexual behavior. The utility aspect of the children in which child is victimized by an abuses is often considered as the criminal/deviant which brings her/him defame. The crucial element of child prostitution involves rape in the initial stages which not only demoralizes the victim but being eroded sanity she/he ultimately accepts the prostitution when she sees she has no way out and there is no body who will be rehabilitating him/her in normal circumstances. The child pornography sheds off the inhibitions of exposure on one hand and being branded as "insane" they fall to prostitution. So, having explained the phenomenon, the conglomeration of various dimensions involve.

The 'congestion' factor which is explained must be the physical environment model also implied to the spatial factors of the population; also responsible for the occurrence of abuses. Child molestation by the relatives of the children themselves replaced to be indent in the reportings.

✓ In nutshell, the different social, economical and cultural factors combined in the abuse of the children. Again, the two aspects of the victims and the victimized had to be taken care off to understand the two points. The aspect of sex exploiter paedophile preferential child sex abuses explains the individual as well as the situational factors respectively.

Paedophile is referred to an adult who has a specific and sexual interest in children. There is pornography on 'contact' abuse, general touching and fondling. The child ^{non-}contact abuse is child sex abuses which includes ~~it~~ pornography. The stigma attached with prostitution nullify the rehabilitation. The

process of commodification of the children takes the cycle emanating from several vulnerability factors like poor education, poor regard for females, treatment as property, weakness, contradicting Legislature etc.

Slums, metropolitan areas with congested paths with red light area are the causes of prostitution which are distinctly identified. Another form is the disguised prostitution which are reported in different popular literatures in which individuals of the low middle classes prostitute themselves in order to get extra perks for some lavish spendings. Aspects of child labour, child marriage, child prostitution explained. Moreover, different cultural and social settings foster the practice of prostitution of the children, like 'Devdasi' in India. Direct or indirect factors related to it have been explained which deal with the causes of the prostitution.

Child pornography is another dimension of child sexual abuse which is rising at alarming rate in American and European countries. The change in sexual behavior to have access to technological advancement like INTERNET has the definite role to the expansion, production and spread of pornographic material. The extent of print and video pornography, and how it affects the children and whether it has the linkages with actual sexual abuse or is it the infliction caused by the paedophile abusers, these are the questions which are addressed. Again the differences amongst the developed and developing/poor countries marks the different levels of practices of pornography. This section is majorly based on the ESCAP reports, with lack of much faithful data. My concern here is to picture out the different aspects of pornography. ʅ

Child sex tourism is another lucrative field of child sexual abuse. It not only brings valuable foreign exchanges for some countries but is continuously

being a fertile ground promoting tourism which is soon going to be the biggest industry/trade world over. Migration, business meetings, for the clients are related with it. The extent of sex trade in tourism -- is seen. Hence the emphasis is the many south-east Asian countries and comparing them with the island nations. Thus, the ways in which sex tourism is led to the question which links to modalities of sex tourism-joyriding, company of business town, organised/unorganised towns as a part of the visiting tourists resorts are the aspects, which had been covered. The conflict of economies of towns, social responsibility of the children needs to focus on the value conflict -- children as the commodity and the children are the valuable entity of the family. So, it needed the focus on commodification process of the children. Thus, the loopholes of the laws and the regulations are indications of the worsening social control. Despite several laws in different countries, it continues. Again the abuser's status on one hand and the status of abused had to be looked upon.

Child rape is another form of the child sexual abuse. It happened to be the initiation of child prostitution; of Individual abuse by the family member or at of the result of conflict. So, the instance of the rape of a 13 year Japanese girl by the American naval army men of the American naval base in Hongkong or rape due to racial conflict between the blacks and the whites are evident.

Chapter IV deals with the child sexual abuse in India. Different types of sexual abuses are prevalent in India. Amongst it, the child prostitution is the major problem in India. The crucial aspect is the unique socio - cultural practices which are prevalent in India. Devdasi system is one of many examples.

Even today the Belgaum dist. of Maharashtra witnesses the practice, of

'Devdasi'. The recruitments by the 'Pandas' selects the minor just reaching the puberty to worship the deity and have training in such. The bidding by high caste people buy them to gratify sexual appetite and the obvious fact is that most of the Devdasi's end up working as prostitution.

History of prostitution in India is very old-which gave it an occupational form. With the passing of time it expanded to several parts of the countries and there were also many controlling factors to control the prostitution, it succeeded partly. Many kings made laws against it. It was prohibited by norms.

In Muslim countries also the concept of 'Haram' witnessed the prostitution in distinguished form.

Now, my objective of study regarding the child prostitution ~~mainly~~^{is} to explore and identify its manifold dimensions in India. Again the different acts, the suppression of immoral traffic Act, 1956 and the out of different association against the prostitution, ~~and~~^{and} the different initiatives on woman and children welfare committee, would be the area of interest.

The nexus of middleman, child kidnappers and redlight sellers again speaks off the story of child sexual exploitation. So, to analyse the trapping of the children into the vicious cycle would be the major area of interest to explain the process. Again the extent of child pornography and the child sex tourism pockets like 'GOA' again is of important concerns. The problem of the street children ~~include~~^{include} sell of the children to other countries ~~on~~^{on} sexual payments again poses the threat of snowballing problem.

Now, in conclusion, in chapter V, I would be dealing with the summary and conclusion. The major concern of the research would be a objective study of the problem of the child sexual abuse in its manifold aspects world over and in

India.

1.5 Research Methodology

As it is evident that there is very less no of reporting on Police records.I had to sought to different NGOs reports UNICEF papers and the reports of the popular literature. The secondary sources this needed to evolve the picture of the occurrence worldwide and India. In India, the mushrooming reports on popular literature (INDIA TODAY, FRONTLINE, etc) symbolise that it is reaching to the growth rate of significant value. Besides other dimensions like child prostitution, pornography, child sex tourism, the child rape is also brought into light. So the socio cultural variables have been the focus.

The plan of research constituted to include quantitative and qualitative analysis of the occurrence of the child sexual abuse world over and in India. I have used the secondary resources of NGOs, UNICEF, ILO and reports on the topic. The available sources things underlying different trends my aim is to explain the several aspects of the phenomenon of sexual abuse of the children.

The use of case studies reports and crime journal has been utilized. These dissertations comprises of the five chapter on introduction, causes. World profile and Indian profile and conclusion.

CHAPTER II

Causes of the child Sexual Abuse

The explanation of the causative factors of child sexual abuse needs prior explanation of crime behaviour. The theoretical explanations of criminal behaviour is a pertinent issue of concern for the sociologists who try to identify the causative factors resulting in crime.

Reid (1976, 163-251) has classified the theoretical explanations as (1) classical (2) physiological, psychiatric and psychological (3) sociological theories. He has further subclassified the sociological theories into two groups: (i) structural and (ii) process theories.

Coming to the question of causes, the making of criminals and the delinquent relates to the very result of the following two factors:-

- i) The native characteristics inherited by the individual from his ancestors, and
- ii) the various external influences that play upon him as he matures. To be more precise, the above analysis of the factors producing the criminal may be further divided into the following sections:-¹
 1. physical environment,
 2. physical and mental characteristics,
 3. hereditary characteristics,
 4. economic factors.

1. Dittener Gillin, Cobert & Kasther, in Social Problems (4th Ed., 1979).

(1) Physical Environment: Early in the scientific study of crime and the criminals, it was noticed that crime vary with geography, climate, seasons and the weather. Lombroso believed that he had discovered that the minimum number of crimes occurred in level country, a slightly greater proportion in areas that were hilly, and the maximum number is the mountainous districts. On the other hand, his statistics indicated that rape was more common in the level country than in the mountain and hills.

Again, he observed that warm climate have a higher rate of crimes against person, while the cool climates have a comparatively higher rate of crime against property. Again crimes vary with the seasons. In winter, crimes against property become more frequent, while in summer the peak is reached in the crimes against the persons.

Dexter's studies indicated that the number of arrests varied quite regularly with the temperature in any given place. He found that as the barometer fell the number of arrests rose and suggested that this air pressure may affect the nervous condition of people. He found that assaults vary inversely with the degree of humidity and explained this on the basis of the depressing effect of a high degree of moisture in the atmosphere.

Much more extensive investigations will have to be made, however, before these conclusions can be accepted at their face value. It is now generally agreed that the effects of these physical factors are indirect rather than direct. For example, it is not cold that induces sluggishness, which lessons crimes against person but it is because of human contacts being less numerous during winter season.

Thus, in general the physical environment affects a man's conduct largely through its influence on his ways of earning a living, its influence on his recreation, the form of occupation that the climate makes possible, the unemployment and therefore the pressure of need due to seasonal occupations.²

(2) **Physical and Mental Characteristics of the Individual**

Human conduct is the result of his physical, emotional and intellectual nature. Society has set up certain standards which can be met only by an individual having a fairly well developed physique this physical organisation must function in certain specific ways in order to meet these requirements. If one is physically unfit it may be impossible for him to hold a job. Economic pressure may become too great, and it may be the reason, for him to turn into a thief. Juvenile physical overdevelopment seems to result in sexual maturity before judgement and self control have developed equally, often leading to sex delinquency .

The chief mental characteristics of the individual that seem to have a bearing upon the making of the criminal are mental defects, epilepsy, the insanities, and certain emotional disturbances which are the result partly of inherent tendencies and partly of the individual's reactions to his life's experience.

Mental defect as a characteristic of delinquents and criminals has received marked attention in recent years. It was observed that prisoners had lower IQ than non prisoners, although, it is important in individual cases, in the aggregate

2. J.L. Gillin, Criminology and Penology (1947).

it is of less importance in criminality than in social conditions.

In Chicago, in a study of 1,000 young repeats found 7% that were known to be epileptic, while in general population probably less than half of 1% were afflicted.


Perhaps even more important are the emotional disturbances that are result from unhappy life experiences of the young. Recent studies show that a great many young delinquents are suffering from mental conflicts and emotional frustrations which have result^{ed} from unpleasant experience.

(3) Heredity/Physiological Characteristics

Physiological or biological explanations of deviance argue that particular individuals are more prone to deviance than other because of their genetic make up. Genetically inherited characteristics either directly cause or predispose them towards deviance. Such theories are similar to 'common sense' notions contained in phrases such as "the born criminal" and "he can't help it because he is made that way.' Cesare Lombroso, an Italian army doctor claimed to have identified a number of genetically determined characteristics which were often found in criminal. These included large jaws, high cheek bones, large ears, extra nipples, toes and fingers and insensitivity to pain. Sheldon and Eleanor Gluck claims to have found a causal relationship between physical build and delinquent activity. They argue that stocky, rounded individuals, a body type "mesomorph" tend to be more active and aggressive than those with other builds.

Physiological theories of deviance share certain similarities with biological theories. First, they see the deviant as different from the population as a whole, second, he is abnormal in normal population. "The defective socialization" involves emotional disturbance which leads to the foundation of maladjusted personality traits. John Bellboy's forty four juvenile theory is a pioneering work in the psychology of deviance. He argued that a child has certain basic needs, the most important being emotional security, which can be provided most effectively by a close intimate relationship with its mother. If the child is devoid of maternal love, particularly during its early years, a psychopathic personality can develop who can turn into a criminal. Though sociologists tend to dismiss psychological explanations of deviance as it ignore social factors, problem of measurability of personality characteristic and the emphasis given to childhood experience; the psychiatric treatment for those who revealed the criminal tendencies are on rise.

(4) **Economic factors** : Many sociologists opine that delinquents belong to the poor classes, that crimes increase with economic depression and unemployment, and that crimes against property increase in a capitalistic organization of society. Some girls enter a life of prostitution by pressure of necessity. Unemployment and distress doubtless put upon some individuals strain that it is impossible for them to bear. On the otherhand, some people in deep distress do not commit crime, and some girls even in the great need donot stray from the path of virtue. Therefore, in most cases economic factors act independently. In 1938, a British

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criminologist Cyril³ Burt analysing juvenile delinquency found that 19.0% juvenile delinquents belonged to extremely poor families and 37.0% to poor families (1944, page14). He concluded that though poverty is an important factor in crime but it is not the only factor. In 1915, William Healy Studied 675 juvenile delinquents and found that 5.0% belonged to the destitute class, 22.0% to the poor class 35.0% to the normal class, 34.0% to the comfort class, and 4.0% to the Luxury class. Thus, since 73.0% delinquents belongs to classes which were economically normal or well off poverty can be considered to be a very important factor in delinquency.

Karl Marx's view of economic determinism advocated that private ownership of property results ⁱⁿ bipolarization of classes which distinguishes those who own the means of production from those whom they exploit for economic benefit. Thus, though Marx didnot specifically develop a theory of criminal causation but he believed that the, economic system was the sole determinant of crime.

(5) Sociological explanation :

The social circumstance of life affect one's conduct. Like the economic conditions, they are factors in the total environment in which personality develops. If the social circumstances of such a native are such as to bring out the individuals inherent qualities that are adapted to social life and to inhibit there characteristics which tend to antisocial conduct; experience leads us to believe that the individual will develop conduct in accordance with the standards of society.

3. Mentioned in "Social Problem", Landis. P.H., S. B. Lepincott
Co, Chicago, p. 285.

The social factors surrounding the individual in our society may be classified broadly as follows; the home; recreational agency; the school; the community; customs and beliefs, and religions. Frequently social conditions within these areas of social life are inimical to the development of socially desirable personality and conduct.

The home as the fundamental social institution has an enormous influence upon the development of the personality of the children. In the case of immigrant family, it frequently occurs that the children become Americanized more rapidly than their parents and thus a great chasm opens between the social habits of the children and those of their parents. At the sametime children from well-to-do family may be overdeveloped Recreational programmes in recent years have been heralded as vital device to help in combating crime and if properly developed, they can be a strong deterrent to the development of criminal tendencies. Idlism is conducive to criminality unless recreational facilities are skillfully administrated so as to be accepted by individual children or adolescents.

The relationship of education to crime has been studied. Very few college graduates are found in our prisons. This means either that education results in a course of conduct which does not end ⁱⁿ a prison or it may mean they donot get caught. The uneducated man usually has greater difficulty in making a living. He has to take lower wage; usually he doesnot have as wide a range or employment opportunities open to him, he is less likely to have varied use of his leisure time and therefore may easily drift into bad companionship.

The "companionship" factor invited many subculturalist and structuralist theorists to explain, the criminal behaviour. Amongst them are Albert Cohen, Walter B. Miller, Richard A. Cloward and Lloyd E. Ohlin are prominent.

Albert K. Cohen's work is a modification and development of Merton's position. Mertonian thesis argues that deviance results from the culture and structure of society itself. He begins from the standard functionalist position of value consensus, that all members of social share the same values. However, some members of society are placed in different positions in the social structure. The social and cultural structure generates pressure for socially deviant behaviour upon people variously located in that structure. The over emphasis upon cultural goals in American society at the expense of institutionalized means creates a tendency towards anomie. This tendency exerts pressure for deviance, a pressure which varies depending on a person's position in the class structure. The way a person responds to this pressure will also depend upon his position in class structure. Merton thus represents a sociological theory of deviance.

Cohen argues that delinquency is collective than individual. Again he points out that Merton fails to account for 'non-utilitarian' crime such as vandalism which do not produce monetary rewards. Lower working class boys hold success goals of the mainstream culture but largely due to educational failure and the dead-end jobs which result from his class position. So they have little opportunity to attain them. This failure can be explained by their position in the social structure. Cohen supports the view that "cultural deprivation" accounts for the Lack of educational success of members of the lower working

class. So the result is "status frustration" which they resolve by turning crime paths to success.

Walter B. Miller rejects Merton's view that it represents an alternative means of achieving mainstream goals. Secondly, he rejects Cohen's argument that it results from a delinquent subculture which is a reaction to failure to attain mainstream goals. Instead, he sees lower class delinquency simply resulting from class subculture. There is a "distinctive cultural system" which may be termed 'lower class'. It includes focal concerns like.⁴

1. "Trouble" - various forms of unwelcome or complicating involvement with society's agents, such as police, or welfare organization.
2. "Toughness" - skill in physical combat plus a surrounding set of values that emphasizes the ability to "take it".
3. "Smartness" - being able to outwit, dupe and in general outsmart others.
4. "Excitement" - a value placed upon skills taking chances.
5. "Fate" - a value that assures most of the "important events in life are beyond one's control and governed by chance.
6. "Autonomy" - an emphasis on the importance of not submitting to other's demands, a resentment of external conflicts.

However, Richard A. Cloward and Lloyd E. Ohlin while largely accepting Merton's view of working class crime deviance, differ that Merton has only dealt with half the picture. He has explained deviance in terms of the "legitimate opportunity structure" but failed to counter the "illegitimate

4. Walter B. Miller - "Lower class structure as a Generating Milieu of Gang (Journal of Soc. Issues).

opportunity structure". Thus, just as opportunity to be successful by legitimate means varies, so does opportunity for success by illegitimate means.

Moreover, one should consider the influence of customs and conduct patterns that are at variance with traditions, standards and ideals of the society in the midst of which new groups of citizens may live. Thus, crucial to the subject is the public opinion of his own class rather than that of the general society of which he is a member. With the social and economic development of a population, classes inexorably rise both social and economic and class hatreds are likely to develop. So, there occurs violence.

In social factors interactionist perspective directs attention upon the interaction between the deviant and those who define him as deviant. The interactionist perspective examines how and why particular individuals and groups are defined as deviant and the effects of such a definition upon their future actions.

Howard S. Becker argues that "social groups create deviance by making the rules whose violation constitutes deviance, and by applying those rules to particular people and labeling them as outsiders. From this point, deviance is not a quality of the act the person commits, but rather a consequence of the application by others of the rules and sanctions to an offender. The deviant is one to whom the label is applied which overrides other statuses of the individual like father, worker, friend, etc. A negative characteristic is attached with such labels. This may encourage him for further deviance.

Edwin M. Lemert emphasizes the importance of societal reaction - the reaction of others to the deviant - in the explanation of deviance. Lemert

distinguishes between "primary" and secondary deviance." Primary deviance consists of deviant acts before they are once publicly labelled. Secondly, many so called deviants act may be so widespread as to be normal in statistical terms. Lemert suggests that the only thing 'known' deviants probably have in common is the fact that they have been publicly labelled as such. Thus Lemert claims that societal reaction can be seen as the major cause' of deviance.

Aaron V. Cicourel's important study entitled, "The social organisation of Juvenile Justice", looks at the interaction between the potential deviant and the agents of social control to discover exactly how and why the Label deviant is applied to particular individual. Cicourel argues that delinquents are produced by the agencies of social control. Certain individuals are selected, procured and labelled as deviant.

Now after explaining the causation of crime in general we come to the problems of child sexual abuse. Different theoretical models of crimes enable us to understand this social malady. In fact, not one theoretical model appears to be explaining the child sexual abuse to its fullest. In fact if we try to understand the problem of the child sexual abuse from one theoretical model there is the danger of denying the other significant factors operating behind the concurrence of it. So, an integrative approach is needed to understand this social problem.

In the backdrop of the theoretical models it is easier to identify the causative factors. The major pressure behind the integrative model is the interdependence between the parent, child and situation. This model focuses on four factors in child sexual abuse

- (i) Family environment
- (ii) Structural stresses (Economic model)
- (iii) Individual characteristics of parents
- (iv) Subcultural Learning

Family environment is the prime reason of vulnerability of a child to be exploited sexually. Amongst the factors involved in the family environment i.e the family breakdown, Lack of parents, patterning, lack of education and employment of family members are the main factors.

Divorce factor is an important one which cause child neglect. The breakdown of the families by remarriage and poor relationship between children and step families, children going missing from home, children being alienated from careers or being cared for by some one other than parents are the prime factors.⁵

Kewalramani's study on child abuse, approached the problem of sexual abuse with a "system mode" and perceived it as behaviour "influenced by factors at several different levels, that is, behaviour influenced by cumulative impacts of a set of factors. In fact, this study used the system approach not only to study sexual abuse but also physical and emotional abuse. The four variables related sexual abuse were; family environment, family structure, individual predispositions and situational factors.

The analysis of family environment revealed that congestion in family was not related to sexual abuse but conflict between parents and weakening of

5. Kewalramani G.S., Child Abuse : A sociological study of working and non-working children, Journal of Sociology Rajasthan, U.P.

inhibitions leading to rejection of the children, absence of affectionate parent-child relationship within the family that fails to give support and protection to child, alcoholism of the earning male member, his lack of accountability, lack of adequate control on the children, illicit relations of the mother with some man and paramour's hold on his mistress, dominance of step father and social isolation of the family (that is, family not participating in social networks or community activities) were factors which were more important in sexual abuse.

✓ The environment in the workplace also contribute to sexual molestation. Several cases of assault by employers and molestation by co-workers of the young victims when they were all alone in the house/work place/,class were found in Kewalramani's study. The loneliness of young girls make them more susceptible to the overtures of the perpetrators.

Kewalramani findings show that more than half of the abuser's parents (55%) had low income (less than Rs 1000 per month). However, it has now come to be believed that child abuse occurs not exclusively in a lower socio economic status situation, though it is predominately a lower socio economic problem. 'Deficient' parental control was found by Kewalramani in 52% cases and intergenerational transmission of maltreatment was discovered in 79.0% cases. However, he didnt find alcohol as an important factor in child abuse. He found that only 26% parents as alcohol users.

Sushella Ban opines that factors related to the child would include being unwanted, being separated from the mother on account of illegitimacy or other reasons, parental disappointment with the child on account of handicaps or

unwelcome sex of children resulting is hyperactive or other forms of behavior patterns that make it difficult for parents to handle them. Children who are different from the rest of the family also tend to become targets of abuse.

Predisposing factors reacting to parents have a wider range. Young and inexperienced or (uneducated) parents lacking resources and family support, can become unreasonably fearful of caring for their children. There are parents who have poor impulse control and low tolerance of frustrations unable to care and manage the child. Ignorance of the process of child's development and unrealistic expectation from the child unrelated from his particular stage of development also result in frustration and consequent abuse of the child in general.

Parents who might have experienced family disruption and abuse in childhood also tend to abuse their children. Kaufman and Ziegler (1987) estimate that 30% of the abused children grow to be abusers. The severest abuse is however inflicted by parents/relatives who are psychopathic personalities (paedophilic), emotionally unstable, deprived and disorganised individuals leading disruptive lives. Parental relationship which include patterns of aggression, assault, submission-domination, merited record, separation and divorce are other vulnerability factors. Parent - child relationship which cover bonding attachment problem, parental stress defective child rearing style, scapegoating large families and unwanted children are additional factors that create stress in the child's environment.

Socially structured stress that contributes to the malady relates to an unhealthy social environment in which a family operates. Large families and

over crowded housing arrangements, non-availability of work and chronic unemployment of parents resulting in poverty, alcoholism and financial crisis generates tensions and pressures that the family is unable to cope with; lead to the abuse of the child through sheer frustration.

Scholars have linked child abuse to socio cultural attitudes and norms of societies, cultures and subculture approve of different practices of violence and sexual abuse.

Susheela Ban outlines the child abuse in terms of relationship of the organism with the environment and its quality and the interacting and overlapping system in which human development occurs. The implications being that above arise out of a mismatch between parent/child /community. It is important to note that child abuse may be found in all socio economic groups. However disproportionate number of crimes come from low income families (Dalton 1978, Straus, Gelles and stainmetz1980) but there is always a possibility that lower class families are vulnerable to get involved in abusing behaviour as against other socio-economic groups.

However, Ban holds that none of the factors responsible for child abuse can conclusively explain the presence of absence of child abuse, much less then levels of its intensity and expanse.

After the family environment, the next factor of child sexual abuse is the economic deprivation. Lack of alternative source of opportunities of income drag the children to self propelled prostitutions. In many cases though it involves the children being sold into brothels. Repayments of the debts is another important factor which result in flesh sale. The commodification of

individuals alongwith, attraction of material rewards has also contributed to flesh trade. Poorly educated and marginalized sections of society which provide a steady source of children who can be coerced, forced and tricked into flesh trade. Self selling for whatever purpose, is also a factor in prostitution both of boys and girls. In the case of poor families, it is often the oldest daughter who will sacrifice herself in order to help and support the family. The notion of quickmoney is learned by children by their parents.

✓ Prostitution as from of child labour is a product of poverty and debts. Money borrowed from local money lenders must usually be paid back at very high interest rates: Desperately poor parents sell their children into various types of labour including child prostitution. Now, working conditions such as bars, massage parlors, hotels, such conditions often expect the children make themselves available when sexual services are demanded. The conditions of the street children speaks of the double edged deprivations i.e. lack of proper family background and economic dependence. They are completely left to their own resources, with very little contact with their families are where who are the most easily involved in prostitution. They again involve in pornography.

And, it is due to the relative economic disparity sex tourism flourishes, especially when prostitution to intentionally used as apart of package tourist attraction. Sex tourists are individuals who enter into sexually exploitative relationship with local man/children for leisure purpose. These people range in age from 18 to 80, and are of different national and ethnic origins and socio-economic backgrounds.

Lower class subculture and the subcultures times in different classes in societies witness the practice of child sexual abuse. Institutionalization and the social acceptance of Devdasi's system in India is one of the glaring examples in which lower caste girl child are still trained for temple worship and serving the high caste people by satiating the sexual need. Their fate result in the prostitution. Similarly prostitution in a way gets official approved in many countries as it accrues the heavy foreign exchange earning. Culture of dominance on the part of male over female also gets manifested in parent child relationship and many times girl child is sold/enforced in prostitution.

Conflict situations also witnesses the crime like rape and widespread violence. Group conflicts between castes group in the states of Bihar also witness women rape as well as child rape, War time situations reveal instance of rape cases. In the case of the rape along with the models of explanation such as structural, subcultural, family environment one additional models are implied. i.e Psychopathological model which focuses on the aggressor's personal characteristics. The socio-psychological school make us understand that criminal insolence can best be understood by analysing the interested environmental factors that exercise an impact on the individual aggressor. So models of frustration—aggression, the perversion model, self attitude model and motive attributes model fall in the purviews of socio psychological level of analysis.

The perversion model implied when the exploiter (sex) sublimates his sexual release' by indicting sexual release by rape, molestation, pornographic materials. Motive attributional model explains that how the sex

exploiter voices sexual desire in terms of needing rather than wanting; often believe that prostitute use is necessary to their physical and psychological well being, and to them use of child as sex object is a matter of chance or a situation. Again the notion of malebonding' also operate in prostitute visiting. As sexual access is cheap so a sense of control and command is attached with it. Now child becomes the sexually objectified human being. The motive of generalised hostility towards woman also brings some men to commit rape or bring them to the brothels. The labeling model explains the vicious cycle of a child turning from an occasional prostitute to a full sex worker because of the stigma attached with the victims. The victims are seen with suspicion and a degree of approval or imitations is always imposed by the people on them. School drop outs of prostitute children narrates the story of the trauma, of labellings to a great extent. The fact that the child is identified as a prostitute as opposed to being seen as prostituted; allows the sex exploiter to tell himself that the children he abuses are responsible for their own abuse.

The psychologically inapt paedophils are the chronically observed disordered personalities which involves a specific and focussed interest in prepubertal children. With contact (fondle, touch, sodomise) or non contact (pornographic) they reacting other model in female child. The contact offenders are motivated by a form of narcissism, seeing some lost part of themselves in the innocent child, and they manipulate the child. Second kind of above (non contact) engage themselves in verbal abuse with children. The least common are the sadist offenders who not only have a sexual interest in child but also derive sexual pleasure from the infliction of physical suffering of their victims.

So, in nut-shell the integrative model enables us to understand the child sexual abuse in its manifold dimensions. In fact, each model is inseparable from the another model and are inextricably interwoven both with perpretor's personality and victim's personality. However, it a evident that the economic factors play major role deciding the vulnerability of a child to get explored sexually. However, not many of economically deprived family engage their child is prostitution. That occurs only when the practice is family born or culturally born. And in non commercial sex explanation such as child rape the perpretor's individual characteristics operate yet that too seem to be related to his subcultural aspect and child's powerlessness.

CHAPTER III

Child Sexual abuse: The World Profile

3.1 Child Prostitution

Child population world over constitutes over two billion in number which constitute 40% of the total world population. Out of the two billion of children about half of them live below poverty line which again suffer several abuses. Out of margin abuses child labour constitutes a major chunk of 1000 million in developed countries.

Child prostitution Amongst the victims of sexual abuses children one involved in prostitution in producing pornographic materials. Victimization by means of rape is also quite evidently reported by media.

The report say that girls are more victimized.

1. The ratio of girl to boy victimised is 2.3:1
- 2) A high proportion of children become victims of sexual abuse when they are 14 or above 14 years of age. The ratio of victims below 14 years to victims above 14 years is about 1:5.
3. There is a strong association between sex and the number of abusers. Males are usually abused sexually by one person while girls are generally assaulted by more than one person.
4. There is rarely an application of force or bodily harm. Victims are usually psychologically enticed by the assaultors by loyalty to, or affection for; and the dependence upon them.
5. The victims of sexual abuse are generally from the lower socio economic families.

6. Sexual abuse of children does not demonstrate a religion and caste membership. There is evidence that the lower caste women are more frequent victims of sexual assault than higher caste women.
7. Age distribution of victims are heterogenous.
8. In about two third cases (66.7%) the perpetrators have secondary relationship with the victims (employers, co-workers, teachers, tenants etc.) Person having blood relationship constitute a small category of perpetrators. A significant percentage of child sexual abuse (93%) occurs outside home.
9. Boys are generally the victims of employment-related abuse while girls are generally the victims of acquaintance related abuse.
10. Of the employment-related sexual abuse, 2/3 is by the co-workers and 1/3 by employers.

The above picture give out the general status of child sexual abuse of the world. Prostitution of children go alongwith women prostitution. World over we find the sex industry in European, American and Asian countries.

The gigantic international sex industry now exists in the integral part of the society, primarily in south East Asia - i e Thailand, Philippines, Sri Lanka. In all three countries both girls and boys are prostituted. According to police statistics about 1,200,000 minors under the age of 16 are kidnapped, bought or sold in sex market each year.¹

1. International Policies Organisation (1985)

Because of different social and cultural practices boys account for 90% of the child prostitute in Sri Lanka. While in Thailand 90% are girls. In the Philippines 60% of the prostituted children are boys.² There is conscious resentment of young girls and boys from poor village by pimps and club agents from urban centres.

Because of the profit realized from the booming sex tourism business in Thailand, competition has become fierce among procurers. As a result, younger and younger children are being procured. Despite government concern, evidence points to an ever-increasing number of men, women and children caught up in it. In Manila alone, there are at least 20,000 boys and girls under 18 years of age in some form of prostitution.³

In Sri Lanka, "prostitution" really means boy prostitution. The country has established an international reputation especially in Germany and Scandinavian as a resort for homosexuals. There are approximately 8,000 boys prostitutes in the coastal region between Negombo and Hikkaduwa. According to a study of child prostitution in Brazil, among them more than 30 million abandoned prostitutes at a very young age. From the age of six or seven years children become available for sexual relations with men. The little girls do not often reach the age of twenty.⁴

2. Tourism and child prostitution 1989 "report of a certance less 16 May 1989 Bangkok (UN DOC E/CN/4/5.2/82/1989/6)

3. Ove Nar Vsen "Sexual Exploitation of children in developing countries Oslo, June 1989.

4. Rough estimate It is probable that many more children are involves in prostitution, especially organised prostitution which takes place away from the sheets, often underground.

In India, it is claimed that there are between 15 to 20 million persons involved in prostitution, approximately 20% of these may be considered as minors.

Most of the studies cited indicate that child prostitution is a growing problem. Largely because it has reached the proportion of a large and profitable industry for its operators. In that industry, the younger the child, the more money she (he) earns for the adult manager involved. Children are bought, sold and traded for profits by adults.

Hundreds and thousands of children whose lives and future prospect are being distorted by the dreadful phenomenon of prostitution. NGOs, various writers and commentators have suggested the following stature of this issue.⁵

SL	Countries	Year	Victims (children)
1.	Thailand	1986	200,000
2.	Taiwan	1987-95	1978
3.	Nepal	1986	100000-200,000 girls
4.	Philippines	1985	60,000 children
5.	Brazil	1992	500,000
6.	Chile	1986	50,000
7.	U.K.	198-93	1,800
8.	S. Africa	1986	8,000 (app)

The study based on the respondents from the countries *has* given broad outlines of the factor which create climate locally and nationally which allows or consider the sexual exploitation of children and their families.

The report speaks out the vulnerable factors who are the children that are victimised and abused through commercial sexual exploitation. What social,

5.WCAC SEC report, Stockholm 1996.

political characteristics and cultural ethos combine to produce a situation in which the sexual abuse of children occurs.

At macro level, in providing details of demographic, social, economic, ethnic and cultural matrix of the national and local contexts of the projects, certain macro scale features have been identified.

1. Poverty both absolute and relative. The large number of population that are chronically disadvantaged economically and for whom there is little access to opportunities for an alternative source of income, create a group for whom mere survival can prepare their involvement in the sex trade. In many cases though it involves children being sold in brothels by parents. This may be repaying debts or provide absolute essentials (India, Nepal) or as a means of providing luxury items (Thailand Cambodia)

2. Poorly educated, marginalised, sections of society which provide a steady source of children who can be coerced, forced and tricked into flesh trade (Brazil, India, Thailand). This may combine with the existence of other ethnic groups, or different nationalities whose access to resources is lumped and whose esteem, or standing within the country makes them particularly vulnerable (Nepal, Taiwan, India, Brazil, Venezuela), for this group, the protection means to women and children based as a broad national consciousness or principle is deemed irrelevant.

IV) A low regard for females, and the view that they are and can be treated as a form of property. They are denied a voice and equality in terms of protections (Nepal, Thailand, Brazil, Chile). In Nepal the combination of their status and the demand from commercial of their status and the demand from

commercial sex trade in neighbouring countries has resulted in widespread trafficking of women and girls who are sold into brothels. 70% of girls interviewed in brothel had been sold once, with 25% sold for a second time and 50% for a third time.

V. Weak confusing and contradictory legislation framework that may contain provisions for the protection of children, but where the sexually exploited child may be viewed as a criminal rather than a victim, or somehow treated as outside the category of children for whom protection is warranted (U.K. Ethiopia)

V. Weak political will coupled with cultural beliefs

VI Government benefiting by the combined exploitation economically or through demanding sexual services.

The demand for sexual services created by unattached man e.g. in military installations or construction operation (Philippines, Brazil) which attracts both vulnerable individuals for whom such opportunities may mean survival and those seeking to act as intermediaries for profit.

The methods employed to induce children into sex trade range from rape to threats of violence, to imprisonment and maintaining children in conditions of slavery.

VII The AIDS pandemic has created a demand for younger children for sexual services in belief that they are less likely to carry the HIV virus (Uganda, Thailand).

At micro level, family and individual factors are operative in prevalence of the child sexual abuse. Family breakdown including remarriage and poor relationship between children and step parents (Chile, Ethiopia), or children

bring alienated from careers from home U.K.) or being cared for by someone other than a parent (Uganda), and at an early age, abandoning their home and family and trying to survive on the streets..

For some children, home is a place of danger and disparagement rather than a haven of love and protection. Many of today's street children have left their homes where violence and neglect prevail find difficult to survive, push to large cities; so thousands of the children are thrown out to the cities. The street children left completely contact with their families are those who are the most easily involved in prostitution .(Uganda, Chile, Ethiopia etc.)

Existential conditions where survival becomes questionable, child's vulnerability increases. Parenting pattern inconsistent with child result in physical, mental abuses, drug abuse and alcoholism, unemployed, mobile, instable conditions.

Children may have to leave the family as a result of physical (sexual) abuse from a family member.

"The girl belonging to household in financial and social crises , through parental, and social and cultural marginalisation, is exposed to high degree of intrafamilial violence" (G.A.N. Chile)

"These youth must cope in isolation to deal with the emotional trauma of abuse, rejection and neglect which may have led them to leave home."

Children, not in education are vulnerable . Working outside home ,they are disadvantaged often from a very young age in terms of access to education. For many, employment as domestic servants is one of the few opportunities for work.

Or another family member involved put less inhibition on the part of younger siblings to imitate their old ones (Thailand).

Moreover, some children (near puberty) are involved into the sex trade, as a means of financing their drug habit so they become dependent on others.

No part of the world, from the back streets of Latin America to the richest European capital, can claim to be immune .

There are 10,000 child prostitutes in Zambia, 200,000 in Thailand, 40,000 in Venezuela, 25,000 in Dominican Republic are 500,000 in India. In America between 100,00 and 300,00 children are sexually exploited through prostitution and pornography of every year.⁶

In eastern Europe, the situation is acute. Even Estonia, with a population ^{of} a quarter the size of London's employs 1,500 minors some as young as 10, in its sex industry. Experts pin point western style consumerism has combined disastrously, with traditional belief that young children are properties.

Several legislations had been done by countries. Australia has led the way in extra territorial legislation which allows its national to be prosecuted at home for sex crimes against children. By contrast, Sweden is almost alone to fail to legislate on this topic. During the past three years, about 160 men, mainly from America, Germany, Australia, Britain, Sweden and Switzerland, have been arrested in Asia for sex offenses against children. Sex tourism is no longer promoted as explicitly as it was in the 1970s and 1980, but men seeking sex with children will go in thousands to Asia, Latin America and more recently eastern Europe.

6. Jon Henley "The Guardian (pagoan) 8 Sept 1996.

However, mere legislations are not enough. The UN convention on child rights speaks of the child care and education as the basic issues to be dealt with to meet basic conditions. In 1959 declaration on the rights of the child bases itself in three premises participation, protection and survival. It is the first intentional legally binding instrument which provides that states parties shall take all appropriate, national, bilateral and multilateral measures to prevent coercion, exploitation and pornography. (Article 34)

3.2. child rape

Gerry D. LaFree in his article.⁷ "Male power and female victimization - Towards a Theory of Interracial Rape " unfolds the dimensions of rape. He has expanded the research on sexual stratification by comparing the characteristics of interracial rapes . The purpose was to determine whether the behaviour of rapists unlike the behaviour of agents of the law, depends on the victims race.

Sexual assault of black men to white women or white men to black women were the legacy of American slavery that had frequently survived. The emperical studies have shown higher rates of black offender white victim rape.

Issue coming out of it is the child rape as due to the inter group rivalry. The rape of the Japanese teenage girl (13 year) by American Naval men in OKINAWA spells out that minors are made a scapegoat of the rivalries (1995).

Rape of a minor happens to be in home by the relatives or inside in situation of employment, schools or isolations. Two factor is powerlessness of the child and irrisistance on the part of the child make their vulnerable to be -----

7. American journal of sociology 188 no.(w) 1982
(September)

victimized. Paedophiles and the psychopathic people happened to be involved in the rape.

Rape is demoralizing to a child. Fear psychosis, physical harm and emotionally disturbed personality is the outcome of the rape.

Little genuine data is available on the number of the rapes all over the world on child. However the occurrence is widespread.

3.3 Sex tourism: involvement of child

Another factor of commodification of the child by dualizing them as sex object is by the sex tourism industry is a crucial factor in discussing child sexual abuse.

Travelling has become a part of everyday life in many societies of today's world. Crossing a border has lost its magic for many people thus, making foreign and domestic travel in their minds more and more alike. However, this does not change a basic reality namely that travel to a foreign country is not a neutral action. International visitors should therefore enter a foreign country with sensitivity towards cultural, social, economic or religious differences between the country of origin.

Historically travel and prostitution have often been associated. The earliest tourism destinations were religious towns, or trade centers as in the ruins of ancient cities such as Ephesus, Babylon and Pompeii. Prostate quantum are still clearly visible and in surprisingly large nos.

The sex tourism environment (sex tourist motives. economic interests, sex oriented profile of tourist destinations, of advertising etc) provides significant encouragement for persons inclined to exploit children while travelling.

The flow of sex tourist is mainly from the economically developed world (Western Europe, Scandinavian nations to poorer countries of South East Asia, Africa Latin America and the Cambodian. However, some wealthy individuals from under developed nations such as Mexico, Argentina and India are also known to practice sex tourism and there are few sex tourist destinations Amsterdam, New or lands etc.

Some nations in Eastern Europe are also now beginning to attract sex tourist and export child prostitutes to other countries. There is enormous variation between the receiving nations in terms of the degree of national travel involvement in organising sex tourism. Many receiving countries are under economic and political pressure to promote tourism as a means of generating foreign exchange reserve. In some cases, there is what amount to official acceptance of the fact that tourism means sex tourism. Some govt. officials have spoken of sacrifice in generation of women in pursuit of eco development,.

In most cases, however, organised crime represents the only covenanted organisation of sex tourism at the national level. There are also numerous local individuals who involve themselves in prostitution including child prostitution in opportunistic ways e.g. pimping and processing, taking payment from either prostitutes or clients for the use of norms. As in all other markets, their behaviour is a response to an existing demand for prostitution from tourists and partly a proactive attempt to generate such demand by creating and promoting an effective supply function.

(a) Ways of International Sex Tourism:

First there are individual men and group of men who appear to view the sexual exploitation of people in third world countries as a hobby and dedicate themselves to providing information for like minded individual in a non-profit making basis.

Some small nations which promote and facilitate sex tourism by identifying resorts where prostitution is widespread; by negotiating deals with local-by arranging female guides.

Thus, there are individual and companies that write and publish travel guides which promote sex tourism at least by implication. Some guide cater simply and solely to a sex tourist market and provide a wealth of information for preferential child abuses.

Finally the broader tourist industry at least provides the vehicle for the movements of sex tourist. The fact remains that the travel arrangements of the vast majority of sex tourist are arranged by reputable travel agents and package tour operators and sex tourist are all transported around the world by airlines.

(b) The Economics of Tourism vs. **Social** Responsibility:

Since 1960, worldwide travel has increased more than seven fold. The no. of international tourist agents in 1995 was estimated at 567 million to increase by 2010 to 967 million, with as many as 200 m. jobs in travel and tourism, this industry is the biggest employer in the world. Every 60th job in the world on average is somehow dependent or related to travel and tourism (WTTC).

For some nations, sex tourism (including child sex) is seen as an unfortunate but necessary part of tourism development. There is a frequent admittance of the fact that certain entertainments which are found to be disgusting are prevalent. Tourism developers have been taught that the provision of every kind of sexual service to foreign tourist was a necessary part of tourism development.

Apart from economic compulsions, the sale of children can also be a reflection of greed on the part of the parents selling a child, or greed on the part of the individual in the middle who abducts or seduces a child into prostitution.

By treating child as a commodity which can be purchased, hired, sold or thrown away the issue is no longer just a question but rather of one of values and is particularly the values of consciousness.

Thus it is of subtle distinction but of considerable importance for the way in which tourism is marketed. Tourism advertising promotes the values of consumerism and hedonism as the Central God of tourism experience. It is attaining the same values which make prostitution of children possible.

(c) **LAWS** :

In recent years laws to control sex abuse of children in tourism have been passed in Germany (June 94), France (Feb. 94), Australia (July 94), U.S.(Sept. 94), Belgium (Mar. 95), Newzealand (July 95), with several other nations considering similar measures.

On 22 Oct. 1996, CAIRO, the 11th general assembly of the world tourism organisation passed the WTO resolution. The General assembly accepted the following major WTO statement on the prevention of sex tourism :-

- Whereas the WTO tourism Bill of rights and Tourist Code (SOFIA, 1985) calls on states and individuals to prevent any possibility of using tourism to exploit others for prostitution purposes;
- Having committed international and national organisations concerned; both governmental and non governmental as well as the representation of the tourism sector.
- Considering the pre occupation of the international community over the persistence of organised sex tourism which for the purpose of the statement can be defined as trips organised from within the tourism sector, or from outside the sector but using its structures and networks. With the primary purpose of effecting a commercial sexual relationship by the tourist with residents at the destination.
- Aware of the grave health as well as social and cultural consequence of the activity for both tourist receiving and sending countries especially when it exploit gender, age, social and economic inequality at the destinations visited.

Resolutions had been passed on prostitution tourism by international Hotel Association reinforcing the fact that immediate measures are nevertheless indispensable to fight prostitution tourism and child prostitution. It underscores the key responsibility of govt. in this struggle, both in most countries and in the home countries of tourists. It also urge the govt. to intensity their efforts aimed at enforcing human rights. In particular as for children, by enacting appropriate legislation that makes it a crime for individuals or business to promote or engage

in business involving child prostitution, and by providing support and social integration structures for the children.

Again in International Hotel Association also resolution on Jan. 26, 1995, recognised the universal purpose of travel.

1. An anonymity which releases him or her from the usual social restraints which determine behaviour in the home country. A man who would have contemplated visiting a brothel in his home town will often do so in a foreign country where there is little likelihood of detection.
2. It is common for those tourists who sexually exploit children to explain their behaviour by saying that sex with children is more acceptable in their culture, and the people here do not have the same sexual hang up we have in our country.
3. It also reinforces prejudices. Visitors who hold strong views, whether explicit or obscure, about the integrity of people other than their own usually have their racist attitudes reinforced in foreign countries.
4. The experience of economic superiority in poorer countries tempts some visitors to sexually exploit and abuse local people.
5. With traditional privileges of patriarchal family
 - It condemned all forms of sexual child abuse.
 - Strongly supported the efforts of the following organisations
 - ECPAT (End child prostitution in Asian tourism)
 - Universal federation of travel agents association
 - INTERPOL
 - CHINA Tourist Hotel Association

- Tourist Hotel Association of Switzerland
- THAI Hotel Association

In Jan. 1991 ESPAT developed a clear set of strategies

1. To lobby politicians and persuade them to enact laws which will protect children.
2. To find mechanisms which will ensure that the laws are enforced.
3. To initiate educational programme which will.
 - a. Convince parents and community leaders in villages and urban towns that selling their children for prostitution is not good for them or their children.
 - b. Inform children of their rights.
 - c. Dissuade tourists from sexually abusing children when they are visiting another country.
4. To provide research and accurate documentation which will assist the media and other international groups to deal with the issue with honesty and sentiments.

So lucrative has the abuse of children become that there are now many routes by which children are being trafficked from one country to another by cultural networks. In some cases several thousand children are being smuggled from one country to another every year. The two centres of major movements in Asia from Burma, China and former ^{Indo} ~~Indo~~ China area into Thailand and from there to Japan and other Asian and European countries. And several area is from Nepal and Bangladesh into India. About 7,000 Nepali girl enter India every year.

3.4 Child Pornography : Subsidiary Industry

Child pornography is an international problem. Most of the data exist regarding the extent and nature of problem has focussed on North America and Northern Europe regions which have played a key role in production, distribution and consumption of child pornography. In developing countries the reality of child pornography is drafted by magnitude of other problems such as poverty, infant mortality, illiteracy etc. and often there is little reliable data on subject.

(a) Identifying victims :

Due to lack of data of uniform definition and production and consumption the task of identifying is challenging. The development of home video equipment and complete technology has revolutionised the production of pornographic materials.

FBI personnel estimate that over 50% of all child pornography used in US depicts boys than girls. Canadian puts 4.75% in Japan, female minors are exploited.

Street children, poor families, broken home and disabled minors are vulnerable sections. Sex exploiter target neighbourhood children of these backgrounds. Additionally, pornography is common to the teen prostitutes. In some countries, own parents use in their children. Again sex rings expand their networks. They include publishers, videographers, distributors.

(b) Use of Pornography:

It serves purpose for the paedophiles and child molesters, preferential child molesters often possess large collections of child pornography.

(c) **Global Production and Consumption**

Asia, Japan are the most important center of production of pornographic materials. In Japan young student are the target in which girls depicted in having sex in school uniform California reports seizing materials of exposed genitals of children.

Denmark, Holland, Sweden were the centers of Europe. The children photographed in USA. Some materials produced in Europe included children from India and Mexico too.

Some distribution of pornographic materials were done by sex-tourist who travel to other countries to have sex with minors. Most of the child victims of sex tourism reside in the developing nation of the world. In March 1996, a court in Thailand convicted a German of child molestation and production of pornography seizable portion of material seized in Sweden and Netherlands. According to US Justice department, military personal in Germany and Philippines have been prosecuted for possession of child pornography.

(d) Introduction of Computer technology.

Remarkable global network can be made by INTERNET for pornographic purpose Pulses scanned and videochips can be captured into computer without any loss of quality. Now there is possible of attaching images to chips.

Then, friendly software has the potential of providing altered image or juxtaposed. The internet can be used to make contacts with paedophiles and uses to distribute home made systems.

The Internet can be used to make contacts with paedophiles and uses to distribute have made systems.

Faster transmission is possible which can be used to aroused/gratification of sexual stimulations. It is uses to shed off inhibition of child towards nudity and sex. Blackmailing and profiting are again potential threats.

Connection between child's pornography and child sex abuse:

Some social scientists interpret to indicate that the use of child pornography as a processor to other sex crimes and that child pornography fuel to feed paedophile obsession.

Law enforcement agencies observe that a significant number of arrested child molesters are in possession of child pornography. "Child watch" in England found that 70 child molesters arrested, 25 were, using pornographic materials.

(d) **Laws against Pornography:**

In Asia, Australia, Europe, N. America there are laws against it. In Japanese Penal code Art 175 forbids, portrayal of adult genitals, inter course. Srilanka (286 A.P. code) have similar legislation in 1995. In Europe legal measure vary considerably but there is prohibition to distribute or possess indecent photography of a child. Some countries have strong penalty against the culprits.

In N. America (18 USC 2251) prohibit the production, reception, distribution, possession, transportation making and advertising of any visual depiction involving the use of a child under 18 years of age in sexually explicit condition.

Yet the regulation of computer pornography is not false proof though it has reduced the publishing of materials.

So, computer pornography is a real and pressing problem that exists at local, national and international levels. Directing educational campaign and tracing towards parents, teachers, students, legislators, avail servants child welfare agencies the private sector and law is important steps to solve the problem. Technical expertise and governmental willingness is paramount factor.

Pornography in a way adds to the blisters at exploitation as we have observed the direct link with it to the sexual abuse. Access to technology potential threat to the law enforcement process. When crafting national legislation, a delicate balance needs to be reached between a legitimate concern for the protection of freedom of expression and protection of child. It must be targeted at preventing the sexual exploitation of children who are among the vulnerables. The establishment of an international resources organisation involving specialists in areas of investigation, law inforcemnt behavioural science of law and computer technology could be an invaluable resource for the global community.

CHAPTER IV

Indian Profile of the Child Sexual Abuse

4.1 Child Prostitution in India

Talking on the Indian plane, child prostitution is the ultimate denial of the rights of the child. The eminent French Jurist, Renee Bridet said of prostituted children that even if they are alive, they are dying within.

The very basis of the child sex industry designating of a child as a commodity for sale and purchase - demeans and dehumanize the child. It also serves the sexual device of the sexually perverted men who seek emotional release by exploiting & completely powerless slave child.

The sexual exploitation of children does occur in a vacuum but involves & were widespread exploitation, sexual or otherwise. Poverty and ignorance are the underlying causes of this world wide phenomenon, as families role on his youngest members to constitute to the household income. The child is prohibition a reveling of paedophile who poses as tourist, and if traffickers who force their into their trade.

Child prostitution is a term in popular usage but is inaccurate because it implies consent. And a child doesnot consent. He/she is rather victimized into sexual slavery.

Madan Modi, Fellow of child Relief and you (CRY) Udaipur, Rajasthan noted that in the last few year sexual abuse of children has increased considerably and every 10th child in India was sexually abuse. The number of such cases that the police had registered had steadily increased as the figure show:

Year	Cases
1990	20194
1991	20614
1992	20385
1993	20911
1994	21422
1995	21500

He mentioned that child abuse was rampant on the national highway between Udaipur and Gujarat. The village in his region were backward and under development, and illiteracy was high.

About 85% of the prostitute in Delhi and Calcutta were registered in the trade when very young. Entertaining about seven to eight clients in one day. Often during heavy menstrual periods she is used and they are forced to receive clients.

Dr. John Rhode, UNICEF representative in India, in his opening speech observed that with the exception of outright death, child prostitution is the ultimate denial of the rights of the child transforming his entire life.

The government of India's Central Advertising Committee consisting of Government officials and representative from NGOs, first attempted to assess the magnitude of child prostitution, and found no reliable statistics either on the number of prostitutes in the country, or the number of child prostitutes. However, the NGO's estimates that roughly 12-15% of the prostitutes are children. The survey conducted by the Central Social Welfare Board 1991, in

six cities of the country (red light areas) found.

1. About 86% cases from A.P., Karnataka, T.Nadu, West Bengal, Maharashtra and O.P.
2. The total prostitute in the country is between 70,000 to 100,000.
3. About 30% are of them below 20
4. In case 15% enter the profession between the age of 15 and 25% enter between 15 to 18 years.
5. Economic driven is the major reason.
6. 2.6% of the India's population are Nepalese, 2.17% Bengaldeshis.
7. About 60% of the prostitutes belong to the SCs, STs, backward classes.
8. Illiteracy high 71 %
9. Families of prostitutes are mostly unemployed
10. Prostitutes generally have one or two children.

From this report it is evident that the children of independent peoples and ethnic minorities are especially vulnerable to trafficking. They often donot share the languages, educated access, in even the right to citizenship of the majority of the population.

Dr. K.K. Mukhopadhya from Delhi School of Social work, UNICEF of Delhi, in his presentations bond on the survey, he has conducted for the subcontinent of India, said that the young girls in India were taken from their parents in paper backward and droughts affected district of the country for purpose of trafficking. There were also states with gender inequality and low literacy rates. The trafficking network was well organised in these areas. He focus in his survey that 80% of the girls who were in this profession entered it as

children and due to difficult circumstances such as poverty, ignorance and deception.

Children are often hired out or sold by their families to agent who may or may not reveal nature of the work offers. The agent may promise a for in a domestic servant or factory worker of a wage many time higher than is existing in the areas.

Economic condition with debt bondage is common, A sum of money which is large to the eyes of the family, may be handed over to them, and the child obliged to work to pay off the debt. Some young girls are also deceived by mean of fake massager brought in the cities and are sold to brothels!

Contributing to vulnerability everywhere is the absence of an adequate social and economic safety net to catch families or children is difficult before they are caught.

Now, after getting trapped into vicious cycle, it starts engulfing generations.¹ The closest role-model for a female child is her mother. Most female children by the time they have reached puberty have been exposed to sexual experiences. Many a time the girls fall in love with the customers who came to the brothel and are later abandoned by them while they get pregnant. Knowing fully well that they have ruined their chances of marriage and with the stigma attached to unmarried mothers, the other alternative open is to take to prostitution. And in the absence of rehabilitation and the securities for them, their scope for other profession is dead.

1. Ennew Jo The Sexual Exploitation of Children, Cambridge, Polity, 1986.

Mr. O'Grady² in his presentation pointed out the problem of finding reliable data on the subject of child prostitution. Governments structures have vested interest in making the figure seem less than it really is, while at the other end there are sensation seeking formalists and agencies who want to draw attention to the problem by asserting that the number of children involves in much higher than the facts suggests.

Allowing for a family large margin of error he said we could still claim some validity for the belief that there were at least 1,000,000 children in prostitution in Asia of the 1,000,000 Asian children in prostitution the largest number is probably in India or China. The most comprehensive survey by the government of India suggests that at least 25,000 children are in prostitution in the six main cities (Delhi, Calcutta, Mumbai, Madras, Bangalore and Hyderabad).

India Today magazine in 1990 quoted a figure of 500,000 children in prostitution.

The synopsis of the micro study on Girl Children in prostitutions in Kawathipira Mumbai³ gives out the major findings of the personal interview with child prostitutes.

1. The families of the girl are very poor and unable to provide well for the children. They are rural based and often reside in remote areas. Parents are often illiterates. A good number of prostitutes come from

2. Indian Social Problem J.R. Madan, Vihar Problem Jawahar Nagar 1994.

3. Study by PRE RNA, NOGs.

dysfunctional families where is either no father (being dead) or having deserted.

2. Most girl are illiterates.
3. The age of becoming prostitutes as under 18 years for 90.3% of the girls.
4. Deception about the job, addition to false promise of marriage led to prostituting.
5. The number of clients ranges form two to 7 per night, which drastically pushes the chances of infected by HIV.
6. Older Nepali prostitutes say tat young Nepali prostitutes suffering from HIV infections have been departed to Nepal with the collaboration of the police.
7. Most of the brothel hired girls donot have any direct access to their earnings. Most of them are indebted to the brothel keeper for the cost of their living expansion. These girls live almost as bounded labourers.
8. The living conditions of the brothel based sex workers are pathetic. They are crowded unhygienic - with shortage of water and insufficient number of toilets.
9. Over half of the respondents expressed their desires to leave the profession, but also expressed their helplessness and their usability to do so.
10. Beer bars, where the waitress also work as independent prostitutes are drawing girls from how socio-economic back grounds looking for remunerative employment.

11. Some of minor girls in prostitution already have a child, and many of them aborted.
12. None of the girls trust the police to help them in any way. Bribes are the causes.
13. None of the girls have confidence in politician, but some of them said that social workers are helpful.

Age categorization o the focus

Groups category of the Group	Age Group	No. of Group	Girls
A	11-14	6	32
B	15-18	4	17
	11-18	10	49

Highlight of the focus group interviews with the children of Prostitutes.

1. 12 out 49 children of prostitution were motherless 40 said that they have or had illiterate mothers. Most are unaware of their mother's daily income. (1-3 siblings)
2. The majority of the children in category A go to school. In category B may have dropped out only one is presently studying and three are reappearing for X and XII class examination.
3. Economic problems alongwith dislike of school or Lack of interest on the part of child (because of humiliation).

4. The adult occupation roles liked most by category A were teachers and social workers follows by nurses.
5. The children in category A said that they wanted to study hard and get out of Kamathipura.
6. 5 girls in category B are named of there, one is separated, and another has an unwanted pregnancy and a bad marriage.
7. TB and sexually transmitted disease when major health problem recorded, which didnot get proper attention.
8. Young girls one subjected to humiliating remarks.
9. Despite dislikes for mother's work, some of the children denied that their mothers worked as prostitutes.
10. The working girls (bar) said that their employ as knew their background, but behaviour of the employer was not affected by this.

The case study of Kawathipura explains out the conditions and the circumstances which drag the children to the prostitution.

Under the law, sexual intercourse with a child is rape, and the police presents such cases regularly. The number of prostitution that have taken place are

Year	Cases
1992	261
1993	235
1994	245
1995	193

Deputy commissioner of police, Delhi, Maxwell Pereira (1995) in his presentation demand that more teeth should be given to police in dealing with inter-state gangs trafficking children for prostitutes.

In 1923 the Bombay prevention of prostitution act was passed. It bars the high as the profits by prostitutes, to get such prostitute to establish brothels or helping to establish brothels are supposed to be crime. Again the bound of Laws passed in other states also Madras (1930), Bengal (1933), U.P. (1933), Punjab (1935) Bihar (1940) M.P. (1993).

In 1947 MADRAS Devdasi Prevention of Dedication Act 1947 passed. In U.P. Naik girls protection Act 1929 passed. IN Bombay also Bombay Devdasi protection Act was passed. Despite several laws, the social acceptance is still negligible and which aggravates the situation. The governmental legislations and programmes are insufficient as far as eradication is concern:

Most of these children have never gone to school or have ~~dropped~~ dropped out. After a long myths when, the mother spends her morning catching up with her sleep. Mother get very little time to take the children to school. It is common for children to doze off in the class room. Being first generation ~~learned~~, there is no one to supervise their studies at home, hence they end up being scolded by teachers.

The school also exposes them to the children of respectable families and they begin to discover the reality of "socially acceptable children" If they get moved in fights or quarrel though with their fellow mates they are condemned as

"randee ki Aulad",⁴ This result in children going through severe psychological pressures and emotional complexities. And ultimately they end up by dropping schools and going to their mothers profession.

For the male children, closest role models are the pimps, the smuggler, the corrupt petty policemen and the drug addict. Due to lack of employment, illiteracy and any bound of commitment recreated activities, the male children are dragged into playing the suppling role in the flesh trade .

That was the story of victimization within home. Cases of child sexual abuse within home have in India also is quite visible in popular literature. Children may became victims of crisis in a family due to broken homes marriages, parental neglect etc. Children are known to suffer physical and mental cruelty and inhuman treatment at the hands of parents often leading to physical or psychological harm to them.⁵

When parents fail to find work in a city's overcrowded slums, children are often expected to feed for themselves. In a may out of cases, children are required to be involved as adults, in procuring cash or kind for their survival. It may also lead to prostitution. The children are used for raping, fondling, hiring out, used for pornography etc. Mehta (1979) in a study in kidnapping observer that most of the kidnapped children were girls in the age group of 3 to 16 years, and that motives behind kidnapping were prostitution, selling, begging, sexual gratification ,unemployment, abject poverty, broken homes with social surroundings.

4. Ketkar Priti - Gird Child in Redlight Areas, Pioneer 1992, 6 July.

5. M. Mehta, in "Kidnaping : Absent girl" Helfer Kempe and Kempe. 1983.

In an article written by Shahnaz Anklesaria Aiyar⁶ reports of growing child sex business are there where nearly 5 lacs children are prostituted before they are 15 years old. Ironically, the case of killer AIDS virus has translated into a rise in demand from prostitute areas for supposedly "uninfected" children.

Illegal but high systematic organized trafficking network run by experienced individual who buy transport and sell children into prostitution. A sizeable number are castes and tribes from Andhra, Karnataka, TamilNadu and Maharashtra and West Bengal.

Posing as prospective grooms or employees those in the child prostitution network target parents in traditionally drought prone area or region of endemic poverty. With urban prostitution being more literature than rural survey show the bulk of children in city brothel are brought from the rural areas surrounding the cities. Elsewhere the National Crime Records Bureau reported a 100% increase in kidnappings in the last two years. 60% of these children are forcibly "married" and then hidden by the brothel owner until they reach "profitable" ages of 9 to 13 years.

Survey & also show that as many as 8% of children in brothels flee from incest at home, find themselves on the street and then into prostitution. Of the rest, it is daughter of women prostitutes sent into the trade by their mother as "insurance policies" for their old age.

6. The Times of India, New Delhi, 16 April 1997.

4.2 Child Rape in India

Child rape, which is the most heinous crime continues to be reported significantly from various states. The following table provides the detailed information on child rape victims and the percentage share of the total victims for the year 1990-94.

Victims in Child Rape (1990-94)

Sl.No.	Year	AGE GROUP		% of Child Rape
		Below 10 Year	10-16 Year	
1	1990	394	2105	24.8%
2	1991	1099	2630	35.8%
3	1992	532	2581	26.5%
4	1993	634	2759	27.8%
5	1994	727	3259	30.2%
6	% change on 1994 over 1993	14.2%	18.1%	
7	% change in 94 over 1990	84%	54.8%	

It is very untorturate and sad to note that of the total victims in rape case, children alone accounted more than 25% share. The table presents a disturbing trend and has become a source of concern. An increasing trend is witnessed since 1990 with the passage to time in cases of child rape.

compared to the previous year, 1994 saw an increase of 14.2% in child rape victims in the age group below 10 years and 18.1% victims in the age group

below 10 years and 18.1% victims in the age group of 10-16 years. When compared to the figures of 1990, the percentage increase in victims of child rape for the above group, were 84% and 54.89% respectively.

State where evidence of child rape is reported Numerically state such as M.P. (809) U.P. (538), Maharashtra (491), A.P. (360), W. Bengal of (359), Bihar (221), Rajasthan (205) and Delhi (200) reported significant number of cases of child rapes. The above 8 states together contributed a share of around 80% of the total such cases reported at All-India Level. Compared to the reports evidence in last year (1993) the following state M.P. (684), M.P. (571) A.P. (301), Delhi (187), West Bengal (142) and Rajasthan (137) have shown a significant increase in cases of rape overall, there is child rape victims in the age group below 10 years during the year (729) compared to previous year (654).

A recent study covering girls studying in 12 schools and colleges in Bangalore revealed that 83% of them had experienced some form of sexual abuse. Thirteen percent of them were below ten when the abuse took place.

Further, hardly one out of 20 child abuse gets reported to police and even fewer get punished. For instance out of 288 such cases registered in Delhi in 1988-89, only four have been convicted. Vindhava Singh, a reporter give case of raping of cousin (13 years girl) father incest violation by raping of his daughter are the degenerated or sex mania cases who may come under paedophilic behaviour. However, psychiatrists say that the paedophiles - are normal individuals, neither obsessed with sex nor having 'fixations' to child. The unbelieving on the part of public of such overcame aggravates the victim's conditions.

It is no wonder that some cities agents keep scouting around India, Pakistan and Bangladesh for children, invariably below 5 years of age cases of 11 year old Ameena⁷ caught in Delhi airport who was escorted by a sheikh to Arab for Nikahnama. The fact that it links with Bangladesh and the middle east countries in regular basis.

According to the National commission for women out of 10,068 cases of rape during 1990, girls below the age of 10 were 21105. In Delhi of 10-16 years were 21105. IN Delhi alone, out of total 1,068 cases in 1990, 400 cases involved girls below the age of 10. So far as 115 cases reported. Rape puts the child in trauma. She gets severe injuries or fall to prostitution as stigma attacked to the fall of virginity in India debars them of being rehabilitated.⁸

Now the condition of the street children is of double neglect. They come from village, small towns or slums. They are vulnerable to being exploited, misused and cheated by adults and runs the risks of getting into clutches of antisocial men and gangs who sell them to brothels (girls) 1974 report of UNICEF claims 18 million of the torts.

NIMHAS, the country's premier institute in psychoanalytic care in Banglore gets only five to ten cases a year. The factor identified by them of the child rape were, first, the powerlessness of the child and, second, the developing of consenting relationship for the child adopt least resistance. Again, without penetrating child sexual abuse is possible by fondling, the genitals, says Pinewal

7. A.S. Negi - National Herald 1 July, 1995.

8. Indian Express : N. Delhi : 1989, 19 July.

of Sakshi. Naina Kapoor, a trained lawyer is certain that there can be no legal solution to such abuse. Lack of understanding of sexual abuse, besides a strong bias against the mother is the major deterrant here. Mumbai based social activist Sheela Barre observes that the innocence of the child's language and articulation can transpose the guilt from the abuse to the child. Amod Kanth, AC Police, Delhi admitted that child rape has been so far been dealt with as a peripheral crime.

In fact, all over India child rape has registered a 59.5% rise, from 2,499 cases in 1990 to 3,986 in 1994. The share of child rape victims to the total number of rape cases was 30.2%.

Crying need of protect child's right so had to precondition the treatment of raped as 'victim' and not consented victim. The media can play role in safeguard the child from the vulgar intentions. Ultimately, the stigma attached to the family dishonor have to be shed off.

Cases of sexual abuse of women are being an every day news. Perpretors often include someone know to the victim. Infact, of all the registered case of rape in Delhi during he last three years more than half involved minors.⁹ A study conducted in Bombay revealed that among the 150 case of rape of indeed, the youngest was six month old child. The owner of pimps are making money by implicating a widely prevalent myth that having sex with a virgin would rid a man of diseases. This is to a large extent explains why more than half the prostitutes in Ramatiphans Red light areas of Bombay are minors.

9. Hindustan Times 4th May 1988.

Now, an irony of the tourist sex industry is all its manifestations is that the poverty which drives a child to offer sex for money, offers the sex tourist an easy opportunity to expiate guilt. By paying for a child services, he can convince himself that he is helping her and her family to escape economic hardship. Researchers claims that there are at least 1,000,000 children in prostitution in Asia.

Different kinds child sexual abuse occurs in India. The crime reports and formulated reports show different area wise and year wise occurrence. The following table provides the details of boys and girls arrested under the preventive Act during 1990-94.

S.No.	Year	Below 16 Years		16-18 Years		% of arrest
		Male	Female	Male	Female	
1	1990	1	9	21	229	1.3
2	1991	7	11	408	192	4.1
3	1992	16	0	8	156	1.3
4	1993	6	26	9	146	1.2
5	1994	0	0	104	77	1.3

On the children below 16 years is not much prevalent and mostly carried by age of 16-18 years. If we include the factor of above observation. we see that female children more abused. (30:46) , <16 years and 550:810 <16-18 year.

4.3 Child Sex Tourism in India

Sex tourism in several countries with the emergence or expansions of the sun tourist industry. According to the world Tourism Organization, tourism will be the world's largest industry by 2000.

Many child abusers are known to have settled in south-East Asia. Some come as businessmen or retirees, and will establish relationships with local families in poor areas to facilitate access to children. Others have set up guest houses or orphanages where they offer services to visiting members of their networks. As the technology becomes cheaper, the photographing and videotaping of children engaged in sexual acts is on the increase.

In India, the demand for children comes mainly from the local population. However, India and other South Asian countries are slowly replacing South East Asia as the venue of choice for foreigners, as there are fewer laws against child sexual abuse, and South Asian children can be bought. Another reason is the belief among European tourists that AIDS in India is not rampant as it is in South East Asia.

It has been acknowledged that a larger number of sex tourists are now seeking out India but the problem has not yet reached the dimensions of the trade in South East Asia. The main destination in India for tourists seeking child prostitutes is Goa with its combination of beaches and lax security at the airport for chartered flights. A case involving a child abuse in Goa was widely reported in 1990. Brother Freddy Peat was arrested on suspicion of involvement in sadistic and homosexual activities and child abuse. Brother Peat had claimed to have been running an 'orphanage'. Photographs of children in the nude were

seized along with sedatives and aphrodisiacs. He is alleged to have supplied little toys to German, French, British, Swiss and Scandinavian tourists. He is the only offender to have been put on trial in India as most offenders are never even booked.

The recent trial in Stockholm, Sweden is one indication of how Goa is fast out-rivaling Bangkok as the new sex capital for paedophiles. When Lena Pernes and her Lover were put in trial along with other most of them dissolved that they had chosen Goa over Bangkok because the Thai capital had become 'too hot'. Another popular destination appears to be Kovalam in Kerala. A German tourist was recently caught in net.

4.4 Religious and Cultural practices promoting child prostitution in India :

From the ancient temples of Delhi to the modern Hindu temples of India, the regular sexual abuse of young girls as temple prostitutes has been a way of obtaining religious merit. The term who commonly used for these prostitutes to 'Jogini' or 'Devdasi'. Theoretically the devdasi served a god to whom they were ritually married by dancing and singing in that god's temple. The devdasi tradition today, despite the 5,000 dedication a year that take place in A.P. Maharashtra and Karnataka, is almost completely lacking in either religious meaning or ritual. There dedication ceremonies give religious sanction to a family, decision to prostitute a daughters who is included into this prostitution at puberty.

The practice of devdasi is well known one in Karnataka of where the daughters of lower castes are dedicated prior to puberty to the goddess Yellamma and Lata actually made available to priests and other than (for Sexual

exploration) as recent as Feb. 9, 1990 on purnima over 20000 young girls were dedicated to goddess Yellamma at Saundatti Hill the Belagaum district. A fairly high percentage of there such were sold as prostitutes in the sex bazar of Bombay.

A "Devdasis are caught in the same prolonged mechanism of oppression; squeezing first their families and then the daughters within these families" writes Helen Chermicaff, UNICEF. 95% of the girls who became devadasis are impoverished Scheduled caste families who might depend on the income generated by prostitution. A family with no sum might force a daughter to become & devdasi to request a son, or to prevent her from marrying and draining family resources with her need for dowry.

It cannot be denied that more than religious devotion it is the economic conditions that are prevalent in the most families decision to push a daughter into prostitution via the devdasi dedication ceremony. The initiation ceremony is celebrated with a feast which is passed for by as uppercaste man who has purchased the right to her virginity. The economic benefits for the family are immediate. They secure a lump sum from the girls first master, often place at least some of her earning and also secure gifts from caste Hindus who worship her on those days that are dedicated to the devdasi's goddess.

Surveys have claimed that 50% of all the prostituteⁱⁿ the Maharastra state began an devdasi from the devdavi system^{and} have been estimated to account for 20% of the total girls in child prostitutes A network of traffickers operating between the sites of intense devdasi activity and neighbouring urban areas work easily with family wanted to move the girls into the cities.

There are some caste that love traditionally accepted prostitution as their prostitution. The 'Rajnat' tribe the Rajasthan to economically arranged around a system of child prostitution. The tribe is only one of many such in Rajasthan. The system of prostitutions practice by this tribe is inherently child prostitution, as the girls enter prostitution by puberty. This tribe, earlier patronized by the Rajput monarchy has now settled itself on the highways and practices prostitution there. The eldest daughter range being fully aware of that tribe's income depends on her labour as a prostitution. The Tribe's economic and social organisation ensure that there girls do not question their fate. When a Rajput girls reaches puberty, she undergoes an auction like ceremony in which the highest bidder purchases the right to the virginity.

"Dehrehar" is a community that has attached great unprotance to the art of singing and dancing" writes Dr. Mukhopadhyay. Girls from this community are introduce to their arts from early age, followed by there actual entry into the flesh trade. Girls from the Grandhama community enter into prostitution following a single decision by the community, and a high caste Hindu is then selected to have physical relations with her. She is expelled from the community if she refuses to accept the decision. The "Bedias" and "Karijuars" are some of the other communties that have tradituually accepted prostitution as a source of livelihood.

CHAPTER V

CONCLUSION

Child sexual abuse is a complex social problem involving various socio cultural and economic variables. The observation reveals the fact underneath the occurrences of the child sexual abuse there always used to be presence of vulnerability factors. ;It hardly occurs in isolation. Rarely it acts as the independent variable. Social and economic deprivations always used to be related with victims (child) or health the victimizer (abuser) or with both sides. In sex tourism , it is quite evident that economically powerful travellers buys the services of the prostitutes even that of the children, of humble backgrounds. Child prostitution in red light areas are established centres of "Culture of poverty", where different job are sold in different rates. Amongst them the children are the cheapest commodity for sale. Infact, indifferent situations different *forms* of abuses take place.

So sometimes we have the care of child rape, sometime prostitution, sometimes pornography and sometimes child molestations.

The rape of the children is a complex issue. Rape cases occur in the home and away from the home. the gruelling examples of child rapes by near relatives in home involve the question whether the socio cultural factors are relegated to the background or in one way or in another it is because of these factors only it occurs. Infact, the root cause lies in the personality disorganization which itself emerges out of social situations. The incest violation by rape depicts the case of paedophilic behaviour, though the psychiatrists refuse to consider that

paedophiles are attracted to the children. Exposure to pornography and laxity in sexual discipline again provoke the abusers. The powerlessness of the children invite the abuse to overpower them sexually. The situation of societal conflict again happens to be a dimension to the child rape. Racial hatred, inter group rivalry and caste factions (Bihar,U.P.) are the situations in which abandonment , rape and killings of the minors (along with the adults) are frequently observed.

The child prostitution is the form of child sexual abuse which involve parent, relatives; to enforce the children into the flesh trade. Prostitution in world of the extent of tens of lakhs and in India 25000 ~~are~~ there only in metropolitan cities. Again ~~in the~~ rural area the form of practices like Devdasi and tribe prostitutions reveal the fact that it is much more spread than ever imagined. 1,20,000 minors under the age of 16 are kidnapped brought and sold in sex market each year. Sex industry is established in poor developing to developed countries. World over, statistics show the sex industry are in European, America and Asian countries. Sometimes it expand in number by increase in the number of prostitutes, by inclusion of the new recruits i.e. the children or by gigantic sex tourism, expanding in S.East Asian countries. There is conscious resentment of young girl and boys from poor village by pimps and club agents from urban centres. Despite government concern, evidence points to an ever- increasing member of men women and children caught in it. In India out of 2 million persons

involved . prostitution, 20 % . constitutes are minors. The *cause* of it is the cheap rate of accessibility and the myth of safe sex worth children. Now, it is the well established fact that under the prevalence of prostitution lies the low income unemployment, literacy and belonging to the lower class of the society. However, people engage in the flesh trade for the extra perks also (Thailand) to buy luxury items. This again may combine with the existence of other ethnic groups, or different nationalities whose access to resources is lumped and whose esteem, or standing within the country makes them particularly vulnerables (Nepal, Taiwan, India, Brazil). Again social indicators were evident in cases of (Chile, Ethiopia) like family break down, stepfatherly treatment. Or in Uganda where males abandon their family.

Parenting patterns, alcoholism, unstable families drug addictions are the social situation which involve the children into the prostitution. Again the socio cultural practices like Devdasi in India represents the cultural acceptance of the phenomena. So, the child prostitution happened to be the multifaceted phenomena prevailing in different circumstances.

The importantly children in sex tourism is the another fact of the child sexual abuse which includes migration of people from under-developed countries to developed countries.

Number of international tourist agent in 195 5 was estimated at 567 million, and ^{is} estimated to cross 967 million by 2010. With as

many as 200 million jobs in travelling and tourism, the tourism industry would be the biggest employer in the world. For some countries sex tourism is a necessary part of tourism development.

Apart from the economic compulsions the sale of the children can also be a reflection of greed on the part of the parents.. By treating child as a commodity which can be purchased, hired, sold or thrown away, the issue is no longer just a question but rather of one of values and is particular the values of consciousness. Tourism advertisement promotes the values of consumerism.

Considering the pre-occupations of the international commitment over the persistence of organised sex tourism where for the purpose of the statement can be defined as pimps organised from which the tourism sector. Or from outside the sector but using its structures and networks.

Racist attitude towards foreign countries, escape from their own social norms, the experience of economic superiority in poorer countries tempt visitors to exploit and abuse local people.

The Child victims who are engaged in pornography were of different backgrounds. Street children, poor families, broken home and disabled minors are vulnerable sections. Sex exploiters target neighborhood children of these backgrounds. Additionally, pornography is common to the teen prostitutes. In some countries, own parents use their children. Again sex workers expand their networks. They include publishers, videographers, distributors.

Depiction of children in nude in video and print magazines are the part of pornography, is widely prevalent in Japan, Denmark, Sweden and USA.

Now, there used to be direct link back between the use of pornography and the child sexual *abuse*. The paedophiles who use pornographic materials generally involve in child sexual *abuse*. Computer technology advancement gives rise to the pornography. The alteration of images, superimposition enables the child fare with female body.

Deficient laws against pornography, rapes, sex tourism again paves the less numbers of convictions. Conflicting laws on, rapes and different laws regarding molestation are impediments to be resolved. Stigma attached to the once convicted person involved in prostitution, again reinvolve them into the flesh trade.

Child as a value of future citizen been diluted. The problem of child sexual *abuse* is such a widespread and multifaceted problem that it require multi integrated efforts from law making agencies, administration NGOS, media and the *rehabilitation* centres to support a child. Laws and administration to a Large extent can prevent the occurrence. But in order ^{to} reduce it to the minimum level, the societal attitude towards children has to be changed. However, all these changes depends upon the very well being of the family in which the child gets socialised. So ultimately it is the socio economic well being of the children's family which will be the deciding the fate of the children.

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