

Paradise for pedophiles: The flesh trade in India

by [Dean Peerman](#) in the [July 24, 2007](#) issue

When actor Richard Gere kissed Bollywood star Shilpa Shetty last April, a judge in Jaipur signed an arrest warrant. The charge? Committing “an act of obscenity” in a public place.

The occasion was an AIDS awareness rally in New Delhi attended by 4,000 truckers. In what Gere describes as an unsuccessful parody of a scene from his film *Shall We Dance?* he embraced Shetty, then bent her over and kissed her. Though the impromptu kiss wasn’t even a lip-lock, just a peck on the cheek—well, several pecks on the cheek—he did it in a rather exuberant and forceful fashion that, in the mind of Judge Dinesh Gupta, “transgressed all limits of vulgarity.” (The magistrate issued a warrant for Shetty too because she failed to resist Gere.)

Under Section 294 of the Indian Penal Code a person convicted of public obscenity “will be punished with imprisonment of up to three months or fined”—or both. That particular law doesn’t say just what constitutes obscenity, but India has a longstanding tradition against public displays of affection. That taboo is gradually losing ground, however, especially in urban areas. A few of the country’s attorneys have come to Gere’s defense, calling the judge a publicity seeker. Shetty characterized the “adverse reaction” to the incident as coming from a “lunatic fringe.” (Elements of that fringe had staged demonstrations, burning Gere in effigy and shouting “Death to Shetty!”)

Still, Gere should have known better; as a frequent visitor to India, where he has promoted both health issues and—as a devout Buddhist—the cause of Tibetan exiles, he can hardly be unaware of Indian customs. He apologized profusely for his gaffe, both to the country and to Shetty. Of the actress he said: “I feel terrible that she should carry a burden that is no fault of hers. The burden is mine and no one else’s.” (Some people in India wish that his apologies had come *before* the court order, not after.)

Shortly after the incident, Gere left the country. No doubt he hopes that the controversy will die down and that the case will quietly be dismissed. He would like to return to India without having to go to jail. The case against the pair is still pending, but on May 15 the country's Supreme Court suspended the criminal proceedings until it decides on the proper jurisdiction for the case. Shetty had sought a change of venue to Mumbai (Bombay), where she lives.

Behind the scenes, however, is a much greater scandal, one that is less public but at least implicitly tolerated by Indian authorities—a highly lucrative flesh trade that involves thousands of children. The commercial sexual exploitation of children is a serious problem throughout the world, but India's record is one of the world's worst. Of the country's more than 2 million sex workers, a conservatively estimated 300,000 are children, according to UNICEF and other sources. Most of these youngsters are native to India, but some 10,000 are trafficked each year from Nepal and about the same number from Bangladesh.

In some brothel areas, at least half of the children are HIV-positive. These large numbers are in part a reflection of India's very large population, but they are also a result of legal laxity, particularly on the enforcement side; the tenacity and strength of organized crime; and a society in which gender discrimination is still deeply entrenched.

In 1989 India ratified the UN Convention on the Rights of the Child. It also endorsed the Yokohama Global Commitment 2001, the declaration of a world congress focusing on ways to protect children from sexual exploitation and abuse. Moreover, India periodically reviews and revamps its laws pertaining to prostitution. But protocols and legislation mean little without proper implementation. While numerous NGOs and state agencies struggle valiantly to deal with the prostitution problem, so far it has been a losing battle, and it is likely to continue to be, given India's extreme poverty and police corruption and collusion.

Writes columnist Nicholas D. Kristof about sex trafficking in developing countries: "The problem is typically not so much that laws are inadequate; it is that brothel owners buy the police and the courts" (*New York Times*, April 3). This is certainly true of India, where bribing the police is standard operating procedure in red-light districts. In addition to hush money in exchange for not making arrests, the police often get sexual favors.

Some of the children forced into prostitution have been kidnapped, some have been caught in the debt-bondage system, and some have been sold outright by their desperately poor families. In some cases the parents may realize what's in store for their daughter, but often they naively believe the go-between's promises of an arranged marriage or a well-paying legitimate job.

Many of the child sex recruits are as young as nine or ten, a few as young as seven or eight—and these fetch the highest prices, partly because many clients mistakenly believe that younger girls are less likely to have AIDS. Brothel children may be subjected to severe physical as well as sexual abuse, especially if they try to resist the client or to escape from their virtual enslavement. Corrupt police return runaway girls to the brothels, while honest police who would like to conduct rescue operations are often stymied because of a dearth of suitable rehabilitative and protective facilities.

A public peck on the cheek may be prohibited in India, but child prostitution is tacitly permitted, with many police moonlighting as pimps. *That* is truly obscene.

Westerners should not indulge in feelings of self-righteousness or moral superiority; tourist customers from the West—including more than a few from the U.S.—are a mainstay of India's burgeoning sex industry. Kusumbar Choudhury (Save the Children India) estimates that nearly 70,000 youngsters are abused yearly in Mumbai alone—a city where prostitution is a multimillion-dollar enterprise. As Choudhury says, "The child sex tourism trade is as invisible as it is efficient."