

Reframing Development Through The Freedom Dividend: Child Slaves in India's Carpet Industry

ABSTRACT

This analysis provides a brief background into the history and defining variables shaping child slave labor in the Indian carpet industry today. With slavery more prevalent now than ever before, the need to establish a functional anti-slavery movement has become paramount. While the counter-trafficking movement has recently become more active, it has yet to be recognized by the international political community as an immediate priority. The Freedom Dividend theory, coined by Professor Kevin Bales, suggests that, by bringing slaves into freedom, development across all sectors is enhanced. Thus, the anti-slavery movement becomes not merely one of human rights, but acquires the backbone of international economic incentive. By outlining this approach through a discussion of Community Vigilance Committees and human rights education, this paper provides solid background on the essential variables influencing child slavery in the Indian carpet industry – bringing to light an immediate need to catalyze re-direction of development resources into the Development as Freedom movement.

India is the largest democracy in the world, as well as a rising global superpower; despite progressive anti-slavery and child labor legislation, India has the highest prevalence of slavery and bonded labor in the world.

Child labor in India's carpet industry provides a special position to analyze anti-slavery movements; children and child rights are universally accepted as being a global priority, which gives groups working to free children a special advantage. Activists have instigated a global awareness campaign that has brought child slavery within India to international attention as the figurative and demonized 'face' of child labor. Significant steps have been initiated to fight child labor in this field in particular – making child slavery in the carpet industry a sector of the anti-slavery movement that have seen significant positive progress.

As explored using the story of 12 young boys and their journey from the looms to freedom, the methodology of Community Vigilance Committees (CVC's) and human rights education is presented as not only sustainable, but incredibly effective in laying the framework for positive social and economic development.

From the vantage point of this sphere of child slavery in India's carpet industry, the re-construction of development through an anti-slavery framework takes shape. This emerging theory, coined by Kevin Bales, is that of the Freedom Dividend. Using Nobel Prize author and economist Amartya Sen's definition of development as the attainment of individual freedoms, a proposal is made for the re-direction of development resources towards the anti-trafficking movement and Community Vigilance Committee methodology.

In setting up the necessary background information to appropriately analyze the current development framework, this paper proceeds as follows:

The first section gives a brief yet definitive definition of modern slavery, human trafficking, and child labor in India today; I outline the theoretical framework of identified factors known to influence modern slavery.

The story of the Bochi Community Vigilance Committee (CVCs) and the Bal Vikas Ashram is next introduced, acting as the heart of this analysis and the grounding foundation for the use of a human rights framework.

The paper continues by providing a brief background on the history and current political setting of slavery and child labor in India. This foundation is needed for the following synopsis of the traditional positions of exclusionary development and anti-trafficking projects – from economic pressure to corruption.

With the necessary pieces brought together, the theory of the Freedom Dividend is presented, supported by the empirical defense of Robert Smith's HDI analysis, and philosophical backing of Amartya Sen, Kevin Bales, and many others.

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Honors 499: An Independent Study in Human Trafficking

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Introduction

The enslavement of disenfranchised groups has been a horrific, yet omnipresent reality throughout recorded history. Present in a variety of forms, the practice of modern slavery has undergone a dramatic transformation in the past century; while slavery plays a relatively smaller role in the global economy than it has in the past, by no means should the significant presence of modern slave labor be underestimated. There are currently 27 million slaves alive today, more than ever before in human history (Bales, Trodd, & Williamson, 2009). Slavery, as an institution, has been outlawed in every country in the world; this radical shift in social consciousness, developed at large since the turn of the 20th century, has caused a major transformation in the exhibition of slavery. Slaves, once clearly identified, have now been swept into the shadows – targets of exploitation, they have become invisible, unrecorded, and ambiguous to define.

While human rights rhetoric has been announced the new 'lingua franca' of international politics, the exploitation of vulnerable peoples remains a universal reality. Of the many forms of slavery present today – chattel, bonded, contract, and forced labor debt bondage is most prevalent in South Asia (Bales et al., 2009, p. 35). According to the 2013 Global Slavery Index, the vast majority of people impacted by slavery live in India – where bonded labor is still extremely common (Walk Free Foundation, 2013).

While slavery in its legal form has been deemed immoral by all recognized governing bodies – including that of India, there is no debate that slavery, in all its forms, is still widely practiced today. While bonded labor plays an important role in

creating and perpetuating vulnerability amongst families and communities, child labor and slavery within the carpet industry is comprised of mainly contract slavery, and forced labor to some extent. Children are either 'contracted' into bondage in an exchange between slaveholders and the child guardians, or directly kidnapped and confined. While bonded labor is the most common form of slavery world wide, contract slavery is quickly increasing as the fastest growing form of modern slavery (Bales et al., 2009).

Zooming Out: Anti-Trafficking Efforts as the Solution

The Development as Freedom theory proceeds from the basic recognition that freedom is both (1) the primary objective, and (2) the principal means of development (Sen, 2006, p. 160). While poverty has traditionally been identified as the root of social 'backwardness' - the methodology of approaching development through a strictly economic framework has proven in many ways ineffective. The Freedom Dividend campaign initiated and explored by the counter-trafficking organization Free the Slaves has proven both sustainable and effective in both eliminating slavery and child labor, increasing literacy rates, and cultivating sustained development to its full capacity across Sen's five classified freedoms: *economic empowerment, political freedoms, social opportunities, protective security and transparency guarantees* (Sen, 2006) This budding movement is built upon the recognition of the two-way relationship between sustained development and Sen's outlined freedoms, and is essential to this framework. While poverty is often cited as

holding exclusive responsibility for social injustice, the influence of human trafficking and exploitation on the ability of a country to develop provides new insight to the proposed mechanism of development. As approaching development through the traditional method of isolationist economic programs has proven itself ineffective, the ability to analyze the second degree of this two-way relationship becomes critical. As proven by the success of Community Vigilance Committees like that found in Bochi, Bihar, approaching development from a human rights based anti-trafficking framework is not only sustainable, but extremely effective.

Defining Slavery

Words have been heralded mankind's most dangerous weapons, and the distinction between 'acceptable' exploitation and slavery crosses a vital line in the generalized understanding of fundamental, and necessarily defensible, human rights.

Of the more than 300 international anti-trafficking treaties passed since 1815, no clear and uniform definition of human trafficking or modern slavery has been cemented as standard (Bales et al., 2009, p. 27). For the purpose of this piece, I will utilize the definition of modern slavery outlined by Kevin Bales¹; this definition has been excessively referenced and further utilized in human rights and human trafficking literature, and fits the working definition of slavery by encompassing the most essential components of the trafficking industry. Bales' definition is comprised

¹ **Kevin B. Bales** is the Co-Founder and President of counter-trafficking NGO Free the Slaves. He is the Author of several works; the influence of Bales is apparent throughout a significant majority of modern slavery literature. While a respected source, this influence should be noted.

of three essential criteria: 1) complete control of one person by another 2) hard labor for little or no pay, and 3) economic exploitation (Bales & Soodalter, 2009, p. 13). These three criteria, though broad, provide a deep fundamental understanding of the nature of modern slavery. Though perhaps more ambiguous than initially comfortable, one must take into account the extreme diversity in the form and practice of slavery across the globe today.

Dimensions of Control

In regards to the first and most recognizable component of this definition, elaboration is necessary. The power dynamics associated with the complete control of one person over another entails a multidimensional, structured framework. As outlined by Stephen Lukes and reiterated in *From Trafficking to Human Rights* – power may be described as belonging in three overarching ‘dimensions’: overt decisions, non-decisions, and structural power (Brysk & Choi-Fitzpatrick, 2012, pp. 18–19). More simply put – power is manifested within physical, psychological, and cultural dimensions. While the use of physical repression and abuse is most often emphasized in the discussion of slavery, it is important to bring attention to these underlying dimensions of control – particularly in the discussion of the Indian carpet industry. While young boys are often kidnapped and locked into small compounds forced to work, the instruments of power at play reach far beyond explicitly physical coercion. Structural violence, cultural pretexts such as gender, caste, class, and religious identity all play determining roles in the exploitation of

these children. Where many anti-trafficking efforts have failed – and where Community Vigilance Committee’s find their strength – is in addressing abuse across all three of these underlying dimensions. While culturally reinforced power dynamics work to ‘preclude the thought of resistance’, through a focus on rights and representation rather than merely reintegration or development, resistance becomes a lasting and sustainable effort (19).

Slavery in Numbers

Bales provides a global estimate of 27 million slaves alive today – India, the largest democracy in the world, is home to a significant portion of those in bondage – an estimated 18,000,000-22,000,000 (Bales, 2005, p. 184). The International Labor Organization (ILO) estimates that, as of 2009, there are 8.4 million child slaves worldwide – 5.7 of which are in bonded or forced labor; 300,000 of these young slaves are captured in India’s carpet industry (Bales & Trodd, 2008, p. 69). The Bal Vikas Ashram, has managed to rescue and care for approximately 400 of these children since 1999 – 12 of whom this analysis revolves (Bales & Trodd, 2008, p. 69).

Defining Child Labor in India

The Child Labor Prohibition and Regulation Act of 1986 played a crucial role in outlining the definition of child labor in India, as well as where and how children can and can not legally work. Industries designated as restricted include the handloom and power loom industry. The act defines a child as any person 14 years or younger

(*Child Labour Act 1986, 1986*). Part III of the Act details the conditions in which a child may work – including workshops where a child may be working with the help of his family. However, the number of hours a child is allowed to work is detailed in regards to the class of establishment:

The number of hours of a particular kind of establishment or class of establishments is to be set and no child can work for more than those many hours in that particular establishment. Children are not permitted to work for more than three hour stretches and must receive an hour break after the three hours. Children are not permitted to work for more than six hour stretches including their break interval and can not work between the hours of 7 p.m. and 8 a.m. No child is allowed to work overtime or work in more than one place in a given day. A child must receive a holiday from work every week. The employer of the child is required to send a notification to an inspector about a child working in their establishment and keep a register of all children being employed for inspection (Union Ministry for Women and Child Development, 2014).

In addition, Section IV of the act outlines the penalties of employing children in an area previous defined as illegal. The penalty for employing a child 14 years or younger is a minimum of 3 months, and a 6 month minimum for a secondary offense (Union Ministry for Women and Child Development, 2014).

Slavery is a multi-dimensional issue, comprised of a convoluted web of proximate and structural variables. These components expound both the nature and perpetuation of modern slavery, and are not meant to be analyzed exclusively; these variables must be recognized as extremely interdependent in both visible and indiscernible ways.

Sally Cameron and Edward Newman, in their edited piece, *Trafficking in Humans*, outline a basic framework for both proximate and structural factors related to modern slavery. Structural factors include broader social and economic components that influence vulnerability, while proximate factors comprise the more abstract legal and political aspects of slavery and the geopolitical factors which continue to enable the slave industry.

As further detailed below, Cameron and Newman outline these interdependent components of analysis:

Structural factors include issues of economic deprivation and market downturns, the effects of globalization, attitudes to gender, the demand for prostitutes and situations of conflict. Proximate factors include lax national and international legal regimes, poor law enforcement, corruption, organized criminal entrepreneurship and weak education campaigns (Cameron & Newman, 2008, Chapter 2).

While Cameron and Newman apply these factors in their relationship to trafficking on an transnational scale, they hold just as true for trafficking within national borders – particularly the extraordinarily diversified social landscape of India.

Structural and proximate factors must be taken into consideration when designing anti-trafficking legislation, but also in a more immediate application – they must both be acknowledged and addressed by current anti-trafficking movements. The Bal Vikas Ashram works to address the structural issues surrounding the realities of child survivors, while simultaneously introducing a system that compensates for government inadequacy and associated proximate factors to the perpetuation of child labor – namely by providing education and assistance in overcoming corruption in accessing monetary compensation. Poverty is identified as the “catalyst” for trafficking and modern slavery in a majority of literature – while it does play a large structural component in the perpetuation of the practice and realities of modern slavery, its is merely one component in an extremely complex and dynamic social framework. Both structural and proximate factors will be explored here in the creation of a comprehensive outline of child slavery in India’s carpet industry.

The Heart: Community Vigilance Committees & the Bal Vikas Ashram

This story is deeply imbedded within India’s carpet loom industry, and the child slavery that saturates an area known as the ‘carpet belt’; this area includes a

majority of northern India, as well as much of Pakistan and Nepal. While thousands of children are forced to the looms each year, the story of these 12 rescued boys became the figurehead of a mass movement to end child slavery not only in India, but throughout the carpet industry. This story is unique in that it highlights the success of a sustainable emancipation strategy that, while negating long term monetary aid, unexpectedly stimulated economic and social development through methods of human rights education and community organization. The sustainable and underutilized method of 'slave proofing' villages using CVC's, education, and empowerment through human rights, demonstrates an immediate need to re-evaluate current exclusionary development strategies.

[From Slavery to Freedom: The Story](#)

The small village of Bochi lies in the Araria district of Bihar, India. In the countryside of Bihar, where extreme poverty is the status quo and malnutrition is the standard, families struggling to achieve sustenance are frequently approached by traffickers. Sometimes relatives, sometimes acquaintances, and sometimes well dressed strangers – when presented with the opportunity to provide their children with an education, income, and steady food source, many parents are forced to make the painful decision of whether or not to allow their children to leave; they are often coerced, through circumstances of desperation, to say yes. Like so many others, these 12 little boys were never provided with the promised compensation of education or board, but instead trafficked 500 miles away to yet another village in Uttar Pradesh. In small, unmarked huts – locked in the dark, beaten, the boys were

forced to work at the looms 10-18 hours a day, barely kept alive on sustenance rations. They worked hand knotting carpets, most of which were destined for Europe and the United States (Bales & Trodd, 2008, p. 69; Bales, 2007).

This group of small boys turned out to be a rare exception however – they were freed by a raid initiated by a Bal Vikas Ashram coordinator. Tipped off by a courageous witness, the success of this raid was rare in its fruition, as corruption both within the police department, and the pervasive and formidable influence of wealthy slave holders often alerts loom owners before the children can be reached.

Upon rescue, the children were taken to the Bal Vikas Ashram – a shelter, school, and development sanctuary for former child slaves. These boys were cared for at the ashram for six months, while ashram workers worked to locate the children’s families – a difficult task when addresses are often non-existent, records are few, and the children were taken 4-5 years before. Though examined by the doctor upon arrival, the most effective medicine prescribed to deeply traumatized children coming from the looms is food – food and play. The children staying at the ashram are taught how to grow fruit and vegetables in the ashram’s large garden, cook their own meals in teams, and are provided with as much food as they need. Playtime is often, as well as non-denominational prayer time, singing, dancing, and lessons. The children speak of the education provided by the ashram as one of the most powerful gifts they have received at the ashram – as spoken by one of these young boys in a filmed interview, “If I am illiterate than anybody can cheat me, if I am literate nobody can cheat me” (Edwards & Blewett, 2001, pt. 1:14:22).

While an exceptional story of resilience, rescue and rehabilitation, the journey began by these boys upon their return home is particularly intriguing. Reintroduced to Bochi, these young children were armed with merely the skills and knowledge gifted them by the ashram – immaterial, yet invincible in their ability to flourish. The extreme resilience and fortitude of these boys was further revealed; upon their arrival home they joined together in full force to rid their small village from slavery. The courage of their conviction must here be acclaimed – in the face of terrible poverty, and a standard of violence imposed by powerful traffickers, attempting to slave-proof a village was not merely audacious, but incredibly valiant.

While poverty is often emphasized as the chief opponent when tackling human trafficking, this story brings to light a groundbreaking revelation – eradication of poverty is not necessarily the decisive pre-cursor in ending slavery. Education and empowerment through human rights advocacy and community solidarity play crucial roles in permanently halting the violent cycle of vulnerability which has historically perpetrated environments such as that of the village of Bochi. While many children are ‘sold’ or released to traffickers under the impression that they will be provided for, many children are simply kidnapped while unattended by their laboring parents. The leader of this band of returning survivors, a young boy names Asaf, began escorting the young children of the village to and from school in order to guarantee their protection; his efforts were soon adopted by the entire village, who recognized the need and importance of this work. Steps towards the organization of

the village's first Community Vigilance Committee had begun, with Asaf and his fellow survivors as some of its most vital members.

The government provided compensation² to these 12 boys was further utilized – after communal agreement, the boys and their families decided to collectively invest in 12 cows; a prosperous milk cooperative was soon established. As the money from the cooperative was directed back towards community improvement projects, the villagers, organized as a CVC, became bolder. With the CVC acting as a springboard, the village began taking collective action, demanding change from corrupt officials, access to government resources and guarantees.

There are several lessons to be learned from the boys of Bochi – though initial stimulation of approximately \$5400 US dollars was an essential component to the success of this community led development initiative, the key to effectively slave-proofing Bochi was not externally directed economic development effort; basic introduction to human rights education, teambuilding, and government sponsored reparations allowed for community initiated, and community driven progress. It is the transmission of this intangible stimulation – ideas – that proved to be the key in unlocking this community's potential, and paved the road for sustainable economic development and the eradication of child slavery. As reiterated by Bales, “the good news is that, like a smallpox vaccination, once inoculated against slavery, villages almost never go back” (Bales, 2007).

² Compensation, upon registration and fulfillment, included a lump sum equivalent to \$450.00 USD and monthly \$4.50 installments to stay in school.

Necessary Elements: Setting the Scene

Escaping History

Bringing Past To Present

Slavery, in its various forms, has been present throughout recorded human history – from accounts of Egyptian slave raiding expeditions from the First Dynasty (7000BC), to slave labor in the Greek city state of Athens (550BC) (Bales et al., 2009, pp. 194–198). While the extensive practice of slavery has been present throughout record, only recently have we seen a dramatic shift in the nature of the institution itself. While rapid expansion and globalization have played powerful roles in this shift, universal criminalization of the practice has contributed to this transformation as well.

Throughout history, and up until the mid 19th century, slavery was widely condoned throughout most of the world – including, and perhaps especially, in Europe and the Americas. While slavery in its several forms has always been present, it is the more explicit tradition of ‘old’ slavery, or ‘chattel slavery’ that most recognize; unfortunately, while the institution of slavery has been politically and socially denounced by the international community, exploitation of the vulnerable may hardly be offered to the history books as exclusively a tragedy of the past.

Treatment of slaves today, though not as narrowly methodized as historical accounts of chattel slavery, maintain a level of brutality that in many ways is comparable – if not more callous, than ever before. Exploitation in the form of slavery is always closely tied to trends in potential profit; as the price of slaves rise and fall with global market demand, the realities for those trapped within this system are grimly manipulated. In 1850s Alabama a slave would cost, on average, approximately \$40,000 USD. While people have not lost the capacity to work or produce, slaves today cost merely a fraction of this value; today, on the Ivory Coast, a slave may be bought for less than \$100 USD (Bales & Trodd, 2008, p. 11). This represents an increase in slaveholder profit from roughly 5% to 800%; slavery has always found its heart in economic exploitation, and this increase provides an extreme incentive – as described by Bales, “the basic economic equation for slavery has been fundamentally altered” (11). Today, children contracted into slave labor in the carpet industry are usually exchanged, though under false pretense, for about \$10-\$15 USD; carpets produced on their handlooms, however, sell in Europe and the US for thousands, rendering child slaves disposable investments (Bales & Trodd, 2008, Chapter 5).

While slavery in India is legally and morally condemned, in practice – most prominently through bonded labor, one may still buy slaves relatively easily – and for a relatively insignificant sum. Measured by antislavery field workers between 2005-2006, a slave in India costs less than 1% of the price of a productive field – this

is about 17% the price of an ox, or 10-15% of a typical rural farm laborers annual salary (Bales, 2007, pp. 243–244). The consequence of this significant decrease in the cost of slaves – whose market value is merely 5% of what it has been in the past – has had severe consequences for those in bondage (Bales, 2007, p. 13). The term ‘disposable people’ coined by Bales comes into play here – as a cheap and replaceable commodity, slaves now cost less to replace than to maintain. If a child gets sick or injured at the loom – which is a frequent tragedy, casting the child out into the street or abandoning them to starvation is economically practical.

More prevalent than ever before, slavery has been transformed “from an institution to a state of affairs” – while the iconic images of shackles and chains may no longer be outwardly visible, the underlying nature of the practice itself remains just as heinous as in the past (Brysk & Choi-Fitzpatrick, 2012, p. 16). An increasing number of global poor has led to a relatively exhaustless supply of vulnerable peoples and children, and while a demand for cheap goods and labor continues to grow, exploitation will remain pandemic in its profitability. In order to break this cycle of vulnerability, dimensions of power and structural violence must be actively addressed.

[A History of Carpet Weaving in India](#)

While most histories track the origin of the Indian carpet industry to the Mughal dynasty of the sixteenth century – the issue of slave labor in its more contemporary form may find its roots in the British colonization of the Indian territories, and subsequent command of the international hand-made carpet industry (Chowdhry &

Beeman, 2001). Though the practice of slavery in India was prevalent long before the pre-independence era of British colonialism, the British colonial policy of 'irreparable division' between Indian communities in a strategy of divide and rule has left a lingering legacy in Indian social structure and labor practices (Sen, 2008, p. 13) . While the general hierarchy of weavers, middlemen and buyers was established throughout this period, the production of hand-woven carpets remained a 'cottage based industry'. While family labor was considered the status quo, child labor was considered a non-issue, as child 'apprentices' in family looms was standard. While changes in the work conditions of weavers may not have been noticeable, the fundamental nature of the industry had made a dramatic shift. While an increase in demand for Indian made carpets had become amplified, a shift in power resulting from this new trade structure lent to the increased exploitation of carpet weavers by exporters responding to a growing market demand (Chowdhry and Beeman 2001). In the 1970's, the Indian carpet industry was thrown into shock, as the Iranian carpet industry suffered a severe labor shortage. Several factors contributed to this sharp decline in Iranian carpet production – the most prominent being the modernization drive of the Iranian Shah. This 'modernization' included the enforced ban on child labor below the age of 18; economic growth at the domestic level further decreased labor supply and production (Chowdhry & Beeman, 2001; Seidman, 2010). From 1965 to 1980, India absorbed much of this labor demand, from 6% of the world's total carpet sales to 17-20% - over US \$217 million (Seidman, 2010). Unfortunately, with exponentially increasing demand, mass economic growth on the part of weavers was relatively non-existent. The exploitative

weaver/exporter system established during the colonial era of British rule remained for the most part intact; though the position of exporter is now generally held by Indians, the weavers themselves are subject to no such profits, as pre-industrialized conditions and wages remain stagnant.

Waging War on the Political Front

National Influences

The Republic of India, established upon independence from the United Kingdom in August of 1947, has a government structure modeled after the English common law system (“The World Factbook,” 2014). Self described as a sovereign socialist secular Democratic Republic with a federally designed, unitary Parliamentary structure, separate personal law codes apply to the countries several religious factions, namely its large Christian, Hindu, and Muslim populations (“National Portal of India,” n.d., “The World Factbook,” 2014).

Relevant National Legislation

The Constitution of India was adopted in November of 1949, its latest amendment occurred in 2013 (“The World Factbook,” 2014). A number of articles directly address the rights of the child, concerning both Fundamental Rights and Directive Principles of state policy (Union Ministry for Women and Child Development, 2014). Articles of the Constitution of India associated with bondage and rights of the child are included in Appendix A. In addition, it should be noted

that the Constitution (86th Amendment) Act was notified on 13th December 2002, making free and compulsory education a Fundamental Right for all children 6-14 years old (Union Ministry for Women and Child Development, 2014).

Additional Legislation

Additional national legislation includes the National Policy for Children (1974), the National Policy on Education (1986), Child Labor (Prohibition and Regulation) Act (1986), the National Policy on Child Labor (1987), the National Charter for Children (2003), the National Plan of Action (2005), and the National Policy for Children (2013) (Union Ministry for Women and Child Development, 2014).

Report of the NHRC Committee on Missing Children

Making the jump from national legislation and active policy, the National Human Rights Commission established a Committee (NHRC Committee) on February 12, 2007 to investigate the issue of missing children in India, and to create a formal set of guideline recommendations. This report is imperative in addressing how national legislation and policy directly effect child rights and wellbeing within India, and is necessary to include as it represents both the current conditions of child welfare in India as well as political effort at reform.

The NHRC Committee held consultations with several key players in both the Indian political arena and the international effort to end child labor – including the Ministry of Home Affairs, Ministry of Women & Child Development, Ministry of

Labor, Ministry of Social Welfare, the Delhi Government, Delhi Police, National Crime Records Bureau, UNICEF and associated NGOs (National Legal Research Desk, 2014).

The final report produced by the NHRC Committee gave an eye opening critique of the current conditions, and system in place for assisting the identification and location of missing children throughout India. The report cites the NHRC Action Research on Trafficking, published by Orient Longman in 2005; according to Longman, an average of 44,000 children are reported missing per year, of which 11,000 remain untraced (P. C. Sharma, 2007). The fates of these children range in extremes, yet exploitation as laborers and victims of trafficking are chief among them. Research conducted by the NHRC has firmly established a direct linkage between trafficking and “persons reported missing,” As provided by the NHRC Committee report:

In 2000 the ILO estimated 5.5 million children had been forced into labor in Asia, while the Bonded Labor Liberation Front placed 10 million bonded children in India alone. In 1998 the government of India labeled bonded child labor as a marginal problem with only 3000 or so cases (National Legal Research Desk, 2014).

After thorough analysis of the Indian legal system, the Committee concluded that “missing children [are] a veritable black hole in law enforcement” (National Legal Research Desk, 2014). Standardized procedure for dealing with reports of missing children are not clearly defined – nor uniform across all states. Reports of

missing children result in an entry into the General Station Diary, presumably followed by an enquiry; these reports are treated as a non-cognizable offence³ – one of the main critiques of the Committee report.

An analysis of case reports has shown that the number of crimes on children reported in India is on the rise – whether this reflects an increase in criminal activity or merely in reporting practice, is unknown. According to the ‘Crime in India’ report however, the comparative number of cases has been steadily rising. While tracing of missing persons has risen dramatically since 2006, it should be noted that this increase is due almost exclusively to the introduction of computerization of missing person data to match unidentified dead bodies; because of this advance, 80% of missing children were reported as being traced by Delhi Police (P. C. Sharma, 2007).

International Legislation

While India itself has passed strong human rights and anti-slavery laws, as the worlds largest democracy and with a booming capitalist economy, India is influenced by a number of key pieces of international legislation that must be taken into consideration when reviewing the full legal influence on political action within the Indian state.

³ **Cognizable offence** and non-cognizable offence are classifications of crime used in the legal system of India, Bangladesh, and Pakistan. In case of a non-cognizable offence, a police officer doesn't have the authority to make an arrest without a warrant and an investigation cannot be initiated without a court order.

As India emerges as a rising global superpower, its role in the arena of international politics and human rights becomes increasingly critical. As a member of the United Nations, the Republic of India is bound to adhere to the UN rule of Law. As of 1989 this includes observance of the United Nations Convention on the Rights of the Child (UNCRC). As recognized and described by India's CHILDLINE⁴:

Universally, child rights are defined by the United Nations and United Nations Convention on the Rights of the Child (UNCRC). According to the UNCRC Child Rights are minimum entitlements and freedoms that should be afforded to all persons below the age of 18 regardless of race, color, gender, language, religion, opinions, origins, wealth, birth status or ability... and therefore apply to all people everywhere. The UN finds these rights interdependent and indivisible, meaning that a right cannot be fulfilled at the expense of another right (Union Ministry for Women and Child Development, 2014).

The UNCRC defines the 'child' as being younger than 18 years of age ("Convention on the Rights of the Child," 1989); the UNCRC, as the most rapidly and widely ratified international treaty in human history, outlines the fundamental human rights of the child, outlined as the overarching rights to survival, protection, participation, and development. Articles directly relating to the use of child labor and child slavery may be found in Appendix B.

⁴ CHILDLINE helplines are common throughout the UK and India, as a nationally funded toll free telephone service for children in distress and education foundation on child welfare and child rights.

The ILO was created in 1919 during the Treaty of Versailles; this international organization was established in response to growing demand for social justice in labor as a key component of post-wartime peace (Union Ministry for Women and Child Development, 2014). Technically a founding member of the ILO since 1922, India maintained permanent membership status after Independence in 1947. With its primary goal of ‘promoting social justice and internationally recognized human and labor rights’, the ILO maintains presence in Delhi, where its agenda focuses around child labor, among other labor and employment issues (United Nations, 2010).⁵

The ILO’s International Labor Conference takes place annually in Geneva, where representatives from member states meet to discuss labor issues and policy. The ILO directly sites the protection of children, adolescents and women, as well as the principle of fair pay as key values on its agenda. The ILO initiated its largest single operational program in 1992 – The International Program on the Elimination of Child Labor (IPEC). India was the first country to join the IPEC; the ILO has actively participated in the campaign to end child labor in its member states by building

⁵ The ILO defines slavery as involving one or more of the following elements: a restriction of the freedom to move; a degree of control going beyond the normal exertion of lawful authority; physical or mental violence, or and absence of informed consent (Bales, Trodd, & Williamson, 2009, p. 20).

influence of both its own agencies and partnered NGO's (Union Ministry for Women and Child Development, 2014).

While the establishment of human rights legislation is essential in the defense of child rights, it is important to distinguish and emphasize the need not only for an international set of ideals stressing the eradication of trafficking and child labor – but progressive models that will actively fight to end slavery on an international scale. This transition – from progressive thought to progressive action through legislation is a large step, and often one not accomplished without great difficulty.

Influences To Be Addressed

Corruption

Rights of the child in India came under harsh international scrutiny when the Indian carpet industry became the international 'ground zero' for child labor and abuse in the mid to late 1990s. Pressure from various international organizations resulted in a mounting wave of human rights and child protection legislation; unfortunately, as is common with legislative reform, the reality of enforced political action often deviates from promises made by judicial policy. Regardless of its status as the largest democracy in the world, corruption is widespread across a majority of government divisions and functions on the national, regional, and local level. Suman,

director of a Sacs child slave rehabilitation center called Mukti Ashram⁶ in Dehli, says that though they work with over 3,000 children a year, she has yet to see a single slave master imprisoned for his crimes (Edwards & Blewett, 2001). This is largely due to political corruption within local court systems, as well as gaps in the prosecution legislation. Suman is not alone in her experience, while hundreds of cases have been prosecuted since India enacted a law against bondage over 35 years ago, no slaveholder has ever been recorded as serving prison time. Technically, Indian law calls for a three year prison sentence and a large fine; today, fines amounting to less than \$2 are the standard for those actually brought to trial and convicted in court (Bales & Trodd, 2008). (Edwards & Blewett, 2001, sec. 42:00) The state, while playing an important role in both the propagation and struggle against child slavery, is often no more than a removed and abstract force in the lives of many. More immediate influences are dominated by a corrupt and violent crime network of slave owners, their thugs, and a wide range of contacts. The middleman network is very strong in these cases – and poor families, often captured in debt bondage themselves, have scarce little freedom and resources to attempt to track down and find their missing children. Edward and Blewett’s 2001 documentary ‘Slavery: A Global Investigation’ shows live footage of one such case in which two fathers, both rural laborers, were provided with a tip as to the location of their children. Although difficult to sacrifice a days work to go look for their boys, the fathers managed to scrape together the resources to make the train trip – only to be

⁶ The term ‘ashram’ means merely a place of refuge- the Mukti Ashram shares many similar qualities and rehabilitation methods to that of the Bal Vikas Ashram; both focus on the rehabilitation of children coming out of slavery in the carpet looms.

intercepted by loom owner thugs and beaten nearly to death at the station (Edwards & Blewett, 2001, pt. 42:00). It may be easy to “other” the affected – to assume that the families of these children are somehow removed from their child’s absence, yet it must be remembered that the absence in an ability to act by no means insinuates indifference in a son or daughters disappearance. As spoken by one of the fathers ambushed at the train station – “When I think of my child tears come to my eyes. We are simple men, we just want our children back” (Edwards & Blewett, 2001, pt. 42:00). Realities of informal and organized crime, as well as inefficiency and corruption within the policy and judicial court of law, must be acknowledged as major driving influences and targets of anti-corruption efforts in respect to the counter-trafficking movement. The ‘decentralization’ of the home based carpet industry is particularly vulnerable to corruption, in that regulation of individual looms is almost impossible to achieve when spread across the wide and often inaccessible landscape of the Indian countryside.

International Economic Pressure: Social Labeling

The concept of social labeling would appear at first to be a straightforward one – in today’s age of globalization and expanding capital markets, a corporation’s image is vital to its success. As a growing majority of consumers are bringing an expectation of ethical responsibility to the checkout counter, consumer-based forms of activism have become a formidable threat to businesses on both a domestic and, in this case, on an international scale. In wake of international media campaigns propagated by Indian activists in the 1990s – the Indian carpet industry became the

figurative 'poster child' for child labor and slavery. In response to growing consumer awareness and demand for child labor free carpets, corporate sellers in North America and Europe began to respond; the "naming and shaming" strategy implemented by activists had, as it would seem – worked. This regulatory force of consumer boycott was soon disbanded however, as monitoring measures for legitimate 'child free labels' were vague, undervalued, and not necessarily independent of corporate interest and exporter persuasion (Seidman, 2010).

Social labeling, to be defined, is a primarily non-legislative initiative in anti-trafficking efforts. Social labeling in this context will be defined as "labeling carpets or companies, embodying a guarantee to consumers that the carpet has been manufactured without using child labor or a commitment towards the elimination of the problem of child labor" (A. N. Sharma, Sharma, & Raj, 2004, p. 18).

Rugmark: Turning a Critical Eye

The organization Rugmark is considered by many the golden standard when it comes to social labeling in the Indian carpet industry. While the Rugmark label has garnished high praise for its pioneering role in the implementation of social labeling, recent studies shed doubt on the effectiveness of such programs. While it may be true that rates of hired child labor in the core carpet belt have dropped in the past decade – recent studies have shown that social labeling initiatives may not be primarily responsible for this trend (A. N. Sharma et al., 2004). The broad based comparative study commissioned by the International Labor Office in Geneva

ultimately concluded that the social labeling initiatives analyzed – Rugmark being the most prominent – showed gaping holes (A. N. Sharma et al., 2004, p. 14) . In contrast, this analysis found that stricter enforcement of the Child Labor Act of 1986 deserves greater credit for the noticeable decrease in child-labor cases (147). While blame may be placed on the capacity of the labeling systems themselves, the heart of the issue – the ideal of social labeling as an economically feasible regulatory system – proves to be a difficult model to fulfill within the international market economy.

Education: An Essential Component

Education has long been recognized as an essential component in combating poverty. In particular, in respect to the rights of the child, education is universally cited in both international legislation and Indian law. Interviews collected by Brian Woods of Bal Vikas Ashram boys as they progressed in their rehabilitation showed miraculous progress – especially in the classroom. The incredibly tenacity shown by these children when tackling their lessons is inspiring – most of them making up several years of work, and often reaching their age appropriate grade level by the conclusion of their six month stay at the ashram. Lessons range from the essentials of reading and writing, to practical vocational skills. In addition, the boys are introduced to the fundamental concept of human rights – which comes to many as simultaneously unfamiliar, and empowering. Learning that they have rights not only as human beings, but protected by the Indian government is a huge advantage for these children. The potential of receiving an education is often considered by

parents to be an unrealistic or unattainable goal– schools in rural India are few and far between, and often underserved. In addition, as kidnappings by traffickers is a very real danger, commuting to school is a serious hazard. This being said, the value of education is not underappreciated; when bonded labor and exploitation is the standard, the ability to read and write – as opposed to trusting the calculation of landowners, proves an extraordinary freedom. It should be noted that the first step of the Bal Vikas Ashram boys, upon returning home, was to make sure all children of the village attended school. As soon as the villagers of Bochi began earning an income from their milk cooperative, resources were immediately funneled into the village’s small school – classes were held for children and adults alike, which proved essential to the success of the village as a whole. Human rights and community organization, while not traditionally included in preliminary curricula, is absolutely key – while human rights are certainly not a western construct, the framework of natural rights must be emphasized in communities where slavery and bonded labor hold strong roots.

Violence and Poverty

Conflict and social unrest are commonly cited as both driven and produced by poverty – and these two variables certainly do hold a strong cause and effect relationship. However, whereas poverty is often considered the root of civil and social unrest, this might not necessarily be the case – treating poverty as a baseline, once again, may be an incorrect assumption. There is significant empirical evidence to suggest that poverty within a community is not necessarily directly correlated

with violence. While these two variables obviously share a high degree of correlation, their interdependence is not necessarily as strong as commonly assumed. This trend is particularly relevant in India, who has history of cultural and ethnic violence – and while the cause and effect relationship between economic deprivation and violence should not be undermined, it does point to the extreme complexity and multivariable nature of violence itself. With slavery being perhaps one of the most rudimentary forms of both structural and physical violence, presence of economic disparities in itself is not a determining factor in the prediction of crime and violence rates. These two components share, to some degree, an independency – an independency that lends itself in support to the necessary restructuring of traditional development frameworks. CVC's and community organized 'slave proofing' may prove, in the most basal sense, the point of access in which to best perpetuate change and sustainable development. In a brief nod to the substantial empirical evidence supporting the abstract nature of this dissociation, it is found, especially throughout India, that some of the world's poorest cities possess significantly lower violent crime rates than their wealthier counterparts. The Indian city of Kolkata, determined to be one of the poorest in the world, has the lowest homicide and overall crime rate of any city in India. This statistic is staggering, given that Indian cities have a relatively low homicide rate - the average being that of 2.7 per 100,000 people⁷ (Sen, 2008). It should be noted however, that Bihar – the source of a growing number of trafficked children, has the highest rate of homicide in India – 14.0 (Sen, 2008). While it would be foolish to

⁷ Los Angeles, in comparison, having a rate of 8.8, London 2.4, Tokyo 1.8, and Kolkata 0.3

assume poverty and violence are mutually exclusive, we must take into consideration the extraordinary complexity of social, political, cultural, and historical variables at play when working towards development; while violence and crime rates play a contributing role in the perpetuation of child slavery, it should not be considered an appropriate baseline of entry when identifying methods of enhancing development.

The Freedom Dividend: Counter-Trafficking Efforts as a Baseline

[The Smith Report](#)

Dr. Robert Smith, a prominent economic and social statistician, has pioneered ground breaking analysis linking development and human trafficking prevalence using the Human Development Index (HDI) designed by the UN to measure relative quality of life (Bales, 2007). His work, in collaboration with Kevin Bales, provides significant empirical support for the correlation between modern slavery and development, as well as the redirection of development resources towards the more dynamic anti-slavery framework.

[The Human Development Index](#)

The Human Development Index was developed in 1990, and adapted by the UN Development Program to better represent country development beyond traditional GDP indicators. The HDI synthesizes measurements from several 'quality of life' indicators – measuring life expectancy, educational attainment and income

variables; the HDI sets defined goalposts between 0 and 1, and it is from these markers which 'quality of life' factors are measured. Several forms of measure contribute to the assignment of a countries development in relation to these goalposts. Education components, life expectancy at birth, wealth, and a decent standard of living are all included in the countries final HDI report ("Human Development Index (HDI)," 2013). As the methodology of determining HDI has been standardized, and given that the necessary data is available, HDI reports can be disaggregated to groups and counties within and across national borders. This disaggregation works to highlight disparities between contrasting groups, one of the central purposes of the HDI reports. While there are obviously clear patterns of dependence between GDP and human development realities, this correlation is extremely complex, and does not create a direct link between GDP measures and true development realities – the same is true when analyzing average per capita income. Wealth is an imperfect indicator of general human well-being - Human Development Reports found that "in inter-country comparisons, income variations tend to explain not much more than half the variation in life expectancy, or in infant and child mortality. They explain an even smaller part of the difference in adult educational attainment" ("Human Development Index (HDI)," 2013). When thinking about relative levels of poverty in India, traditional development indicators such as national GDP or national income does not reflect the well being of rural populations such as those of Bihar – it should not be used as a primary measure, or by any means an exclusive indicator of development in association with human trafficking.

Robert Smith utilized this HDI system, incorporating within his database traditional measures of quality of life as well as measures of slavery and human trafficking, corruption, level of democracy, international conflict, national debt, and regional grouping of countries as cultural indicators. Smith's analysis in 2003 was the first time slavery has been included in a large-scale study of modern development (Bales, 2007, p. 218). Smith's analysis included statistical controls in order to prevent countries from being unfairly compared. Countries were analyzed in comparison to others in their region, as to avoid unjust comparison from dissimilar states such as Sweden to Niger, etc. (Smith, 2003). A measure of the causal impact of slavery on national development was produced – out of Smith's included variables, in was the amount of slavery that best indicated comparative levels of human development between countries⁸. Smith focuses his analysis on 2 central hypotheses, and runs a series of tests in order to develop empirical support for the resulting conclusions of both theories. The two essential questions of his work are (Smith, 2003):

Hypothesis 1: A country's rank on the human development index will vary depending on its civilization.

Hypothesis 2: Countries that have higher levels of slavery will have lower levels of human development.

⁸ The main response variable used to measure rank order of countries is the 1999 HDI.

The UNDP uses the conceptual definition of 'human development' as "expansion of capabilities that widen people's choices to lead lives that they value" (Smith, 2003).

In his analysis of slavery, Smith adopts Bales definition of modern slavery in its four central forms – debt bondage, forced labor and positions, and chattel slavery (Smith, 2003).

Smith defines categories of civilization using a synthesis of analyses conducted by Huntington, Johan Galtung and Amartya Sen's categories of instrumental freedoms. Samuel Huntington created an outline for defining each county in relation to there dominant civilization; he maps each country as belonging to one of the following civilizations: Western, Latin American, African, Islamic, Sinic (Chinese), Hindu, Orthodox, Buddhist, or Japanese. This map was used in conjunction with religious and cultural diversity as overlaid by Amartya Sen and Robert Smith's own analysis, as both authors were critical of Huntington's neglect of certain diversity measures and tendency to generalize populations. India, for example, is classified as Hindu, but 125 million Muslims live there; as noted by Smith, "people have complex group affiliations and not just one salient civilization identity" (Smith, 2003).

It should be noted that Smith used regions, and countries within designated regions as units of analysis– and not individual citizens or social groups within counties. It should be made very clear that the generalization of all peoples in a region, or of a selected socioeconomic class should not be presumed victims or

perpetrators of slavery – the purpose of this analysis was not to reinforce cultural or class stereotypes, but rather to provide a tool of study in guiding legislative and strategic reform.

The Results: Extreme Interdependence

The variables tested by Smith (slavery, civilization, freedom, corruption, conflict, and debt) were all highly correlated, signifying a complex relationship between these various factors. Level of education came into play as a central intervening test factor when the correlation of civilization and slavery was analyzed. This relationship is reaffirmed in the Community Vigilance Committee methodology, where preliminary and human rights education prove the necessary foundation for anti-trafficking efforts. In the battle to end slavery, this analysis proves paramount – the correlation between poverty and slavery is not merely channeled in one direction of causation, but based on patterns of cyclic vulnerability. Slavery has severe consequences not only for those directly affected, free-labor pulls down the wages of unfree labor in the surrounding area, proliferating vulnerability across regions. Slaves are unable to fully participate in the local economy in that they consume a bare minimum of consumer goods and have little to no economic freedom to exercise purchasing power.

Bringing It Together

Child slavery in particular has extreme and long-term effects on country development – slavery prevents children from being educated, shortens life span,

and reduces per capita income (Smith, 2003). Children tend to be malnourished, receive little to no medical treatment or immunization benefits, and develop – as the individual directly relates to the state – to merely a fraction of their potential. In relating the social, physical, and economic health of the individual to the state, Bales refers to slaves as an untapped economic resource; this is exactly what Smith’s report directly concludes. Slavery has been empirically measured by Smith to be the singular greatest indicator of country development (Bales, 2007, p. 219). Smith concludes:

Apparently, civilizations matter but they do not irrevocably determine development outcomes. To enhance human development, countries should address its causes by eliminating debt bondage and other forms of slavery (especially via the education of females and males), by moving toward fully democratic political systems, and by minimizing corruption; as well as mitigating its negative correlates -- violence, social unrest, and national debt. Provision of these changes may provide beneficial national contexts that would strengthen civil society and encourage free human agency which in turn would stimulate social and economic development (Smith, 2003).

Smith’s analysis proved the empirical effects of slavery on development – prevalence of slavery was the singular most important variable, out of the several measured, which predicted most strongly the development status of a country. In addition, corruption explains much of the variability among countries within a region, as does level of education. While all of these variables are extraordinarily complex in their interdependent nature, their autonomy, in some respects, is one of

the most important conclusions to be gathered in this report. Development efforts often isolate one of these variables, particularly poverty, to be the exclusive clinical focus of reform. However, as shown by the Development as Freedom strategy initiated by CVC's in Bihar, poverty might not be the bottom line in the treatment of hindered development – the prevalence of slavery, as empirically suggested by Smith, may play the more determining role. The creation of the CVC movement in the village of Bochi highlighted this anti-slavery effort as being central; with the elimination of slavery sparked by community organization and human rights education, economic and social development soon empowered the community to not only expand its anti-trafficking efforts and community development projects, but to fight local corruption and further education opportunities for children and adults within the village. While these forces are connected, an exclusionary economic or industrial development strategy was not necessary in eradicating 'unfreedoms' or initiating cross-sector development. Smith's analysis provides empirically support for the redirection of development efforts and resources away from restrictive economic enhancement programs and towards anti-trafficking initiatives and community development programs such as that outlined by the Development as Freedom cause.

The Human Rights Approach

While the idealized nature of 'universal human rights' has – for the first time – become the lingua franca of international politics, the use of human rights as a

primary methodology in human trafficking and development legislation has proven highly controversial. Though the conventional human rights approach may have its shortcomings, as said by professor Maggie Lee – “they’re the best we have” (Lee, 2011, p. 156). Human rights as a constructive framework has fallen under heavy critique – particularly, criticisms accusing natural rights of not being defensible in a court of law. Human rights rhetoric – though powerful, is often dismissed by politicians and legal theorists alike as ‘weak’ or ‘soft’ (Sen, 2004). However, in response to this critique it is necessary to make a singular and often unrecognized distinction – human rights, as an idea, is entirely separate and distinct from self-proclaimed human rights legislation in itself. This point provides us with a significant platform in which to debase many common misconceptions about the efficacy of human rights as a viable and productive anti-trafficking and developmental approach. As quoted by Sen – “the implementation of human rights can go well beyond legislation, and a theory of human rights cannot be sensibly confined within the juridical model in which it is frequently incarcerated” (Sen, 2004, p. 319). The viability of human rights in its many forms – as both politically and publically recognized, has been established as achievable. As to state the obvious in this case – any institution, explicitly that of slavery, which violates this fundamental code of rights is inherently corrupt (Chatterjee, 2004).

In the struggle to combat modern slavery we find a provocative theoretical space begin to take form. This merging of traditionally distinct efforts in development, counter-trafficking and education has the potential to revolutionize our global capacity to end slavery on an international scale. The empirical support for the redirection of development efforts found by Robert Smith in his 'Why Human Development Varies by Region' report contributes to our growing understanding of the profound two-way interdependency between human trafficking and social and economic development. To define development we must expand the scope of intention beyond that of the traditional economic classification. Amartya Sen, in his groundbreaking book *Development as Freedom*, articulates this delineation – regardless of unit of measure, freedom is the primary end of development, as well as its principle mean⁹ (Sen, 1999, p. 10). This need to expand the definition beyond that of traditional GDP measurements is reflected in the creation of the HDI ranking classification system, widely adopted and utilized by Robert Smith in his analysis. It must be acknowledged however, that granted the necessity for empirical evidence of economic and social development, raw data may often be misleading. Given the extreme complexity and interdependent nature of development and human trafficking, this is especially true. Empirical statistics on life expectancy are not

⁹ In his classification of freedoms into 5 diverse categories (economic empowerment, political freedoms, social opportunities, protective security and transparency guarantees

necessarily a good determinant of living conditions or social freedoms, as remarked by Sen and cited from a classic study by Robert Fogel and Stanley Engerman; life expectancy of slaves in the pre-civil war south was equal to, and in some cases much higher than free urban industrial workers in the US and Europe (Fogel & Engerman, 1974; Sen, 1999). This highlights the need to look beyond the empirical data when truly determining levels of development in communities around the world – though empirical measures are a necessary component of analysis, frontline research and anthropological groundwork are invaluable to determining true ‘freedoms’.

Conclusion

We began this analysis with the most fundamental assertion – that of a certain standard of universal human rights. Of these rights, perhaps the most vital are the right to life – and to freedom in life. While the practice of slavery in all forms has been present throughout human history, it is crucial to consider the underlying presence of resistance, as it has proven itself equally ubiquitous. Defiance in the face of exploitation has been present on both the behalf of the persecuted and their allies – and may be found deeply rooted within bonded communities throughout India. This fortitude is perhaps the greatest untapped resource in the growing effort to end human trafficking and child slave labor – the Freedom Dividend campaign led by the international NGO Free the Slaves is breaking new ground in utilizing Community Vigilance Committees and human rights education as a sustainable method of ‘slave-proofing’ communities in India and across the globe (*Triggering*

Hope, 2008). Ideas are perhaps the most powerful form of resistance – Human Rights and community organization education spread without tedious external labor, and may be transmitted and nourished without causing resource drain; by redirecting development efforts towards this framework, the power and ingenuity of local communities can be harnessed to not only end slavery, but to stimulate development across all sectors.

The term development, by its very nature, insinuates sustainability. The success of the Bal Vikas Ashram boys in their efforts to slave-proof their village through the use of Community Vigilance Committees provides an inspirational example of just how a practical human rights framework may be applied to utilize the extraordinary power of human ingenuity and resourcefulness. The rare and inspirational progress seen in the reduction of child labor and slavery in the Indian carpet industry provides a potential framework for expanding this methodology of the CVC's to communities across the globe. By viewing the potential for development from this framework of given rights and freedom, we find a potentially revolutionary approach in the struggle to end both poverty and human trafficking. Education, particularly human rights education, will likely prove to be the necessary key to unlock this movement, as ideas of freedom have proven not only sustainable, but contagious. The union of economic development, violence and corruption reduction, education, and anti-trafficking efforts may prove significantly more efficient when unified in this framework of anti-trafficking, rather than economic development and aid. While necessarily maintaining a Human Rights framework, the Freedom Dividend theory, though young, will provide the economic incentive necessary to

stimulate this transition. The potential to eradicate child labor within the Indian carpet industry is a viable reality – and the eradication of modern slavery and global poverty is a practical objective for the international community. The means are available – if focused in the correct direction, the ideal of human rights and fundamental developmental freedoms may be attained for all.

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Fundamental Rights

- **Article 14** *The State shall not deny to any person equality before the law or the equal protection of laws within the territory of India.*
- **Article 15** *The State shall not discriminate against any citizen. Nothing in this Article shall prevent the State from making any special provisions for women and children.*
- **Article 21** *No person shall be deprived of his life or personal liberty except according to procedure established by law.*
- **Article 21 A** *The State shall provide free and compulsory education to all children of the age of 6-14 years in such manner as the State may, by law, determine.*
- **Article 23** *Traffic in human beings and beggary and other forms of forced labor are prohibited and any contravention of this provision shall be an offence punishable in accordance with the law.*
- **Article 24** *No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.*

Directive Principles

- **Article 39(e) and (f)** provides that the State shall, in particular, direct its policy towards securing to "ensure that the health and strength of workers, men and women and the tender age of children are not abused" and "that the citizens are not forced by economic necessity to enter avocations unsuited to their age or strength" and that "the children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity" and that the childhood and youth are protected against exploitation and against moral and material abandonment.
- **Article 45** *The State shall endeavor to provide early childhood care and education for all children until they complete the age of six years.*
- **Article 47** *The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties*
- **Article 243** *Provides for institutionalization of childcare by seeking to entrust programs of Women and Child Development to Panchayat (Item 25 of Schedule 11), apart from education (item 17), family welfare (item 25), health and sanitation (item 23) and other items with a bearing on the welfare of children.*

Appendix B

As cited from the Convention of the Rights of the Child (“Convention on the Rights of the Child,” 2014.)

Article 1 : *For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.*

Article 19: *States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*

Article 32: *1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.*

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

(a) Provide for a minimum age or minimum ages for admission to employment;

(b) Provide for appropriate regulation of the hours and conditions of employment;

(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article

Article 35: *States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.*

Article 39: *States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment, which fosters the health, self-respect and dignity of the child.*

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