

CHARLES UNIVERSITY IN PRAGUE  
PROTESTANT THEOLOGICAL FACULTY

**Bachelor Thesis**

**Child Trafficking**

**Bacha-Bazi in Afghanistan**

**An Act of Homosexual Child Sex**

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## **Declaration**

I declare that I have written this bachelor thesis called (Bacha Bazi in Afghanistan-An Act of Homosexual Child Sex). completely by myself, and have not used sources or means without declaration in the text. Any thoughts from others or literal quotations are clearly marked. I agree that the work can be available to the public for educational purposes.

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## **Prohlášení**

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## Annotations

This bachelor thesis presents the theme “Bacha-Bazi in Afghanistan “An Act of Homosexual Child Sex”. All information gathered in this thesis relates to the various most recent professional documents. The aim of this work is to present historical evidence and accurate information regarding the crimes of sexual abuse and paedophilic rape of male children in the country of Afghanistan. The research describes different problems which is making the government fall into enough critical politics that is hampering the social policies of the country and became a barrier to stop the practice of Bacha-Bazi in the country. The work also aims to present the percentage of social reaction based on Bacha-Bazi and an overall discussion about the different various laws and safety legislation imposed by government of Afghanistan for putting an end to the practice of male child abuse. In the conclusion section, different initiatives that are taken up by UNICEF for the safeguard of the Afghan male children from the falling into the trap of Bacha-Bazi have been discussed.

## Key Word

Bacha-Bazi, child trafficking, sexual exploitation, collective rape of male children, consequences, poverty, law, political factors, social reactions, sexual orientation

## Anotace

Tématem předkládané bakalářské práce je „Bacha-Bazi“ (akt homosexuálního zneužívání chlapců a mladých mužů) v Afgánistánu. Veškeré informace shromážděné v této práci vycházejí z nejaktuálnějších odborných zdrojů. Cílem této práce je uvést historické důkazy a přesné informace o zločinech sexuálního zneužívání a pedofilních znásilnění chlapců v Afgánistánu. Výzkum popisuje různé aspekty, které způsobují, že vláda provádí špatnou politiku, která brání sociální politice země a stala se překážkou, která by mohla zastavit praxi Bacha-Bazi v zemi. Cílem práce je také představit reakce na sociálních sítích týkajících se Bacha-Bazi a celkovou diskusi o různých právních předpisech a bezpečnostních opatřeních uložených afghánskou vládou, aby se ukončily praktiky zneužívání chlapců. V závěrečné části se práce věnuje různým iniciativám, které jsou přijaty UNICEF pro ochranu afghánských chlapců, aby neupadly do pastí do pastí Bacha-Bazi.

## **Klíčová slova**

Bacha-Bazi, obchod s dětmi, sexuální vykořisťování, kolektivní znásilňování chlapců, následky, chudoba, právo, politické faktory, sociální reakce, sexuální orientace.

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# CHAPTER I

## **An Introduction to Bacha-Bazi**

The world is a place of multiple cultures and different traditions. There are different countries in this world and all of them have different cultures, traditions and customs, rules and norms. Rules, norms and traditions are made for wellbeing of people living in a society but they often become boomerang and hurt the feelings of mankind. There are different religions all across the world and preach different gods but all of them teach one thing that is humanity. Hence it could be said that humanity should be the lone religion in the world but these traditions and cultures have often affected mankind mentally and physically hurting their feelings and interest which could also act lethal for their survival. The present research talks about a similar tradition or custom which is practiced to keep the legacy of a particular clan intact and exploit a certain section of human in order to enjoy lives.” Bacha-Bazi” or Boy play is one of the oldest customs of Afghanistan which came into the limelight thanks to media in the recent past. It has been carried out in the country for a long time (Franks, 2013).

Literally “Bacha-Bazi” is defined as the sexual act on children by powerful and influential people in the country. It is very popular in the country and hence there have been instances where children have been sent abroad to work for mediators and agents to carry this legacy. The present study will take an opportunity to discuss this custom of “Bacha-Bazi” in Afghanistan. There are number of people who have considered this act as exploitative on children and also termed this as child slavery. In the recent past after the downfall of the Taliban group in the country Bacha-Bazi has revived its past glory and have become exceedingly popular that literally poses a concerned look on the future of the children in Afghanistan (Mondloch, 2013). The present study will discuss the key facts of the concept of Bacha-Bazi and will encapsulate the key aspects which influence this custom in the country. Overall it could be said that the present study is an investigative study on the concept of *Bacha-Bazi in Afghanistan: An act of homosexual child sex*.

## **1.1. General Background:**

Bacha-Bazi is an old central Asian tradition that has its root deep in the culture of this place. From different researches it has been found out that Bacha-Bazi didn't start in Afghanistan but someplace else which has not been found out yet, but it could be said that it is directly related to the central Asian culture of exploiting women and children for sexual pleasure. Not many people are found who are willing to talk about it openly but the acknowledgement of its presence has been done by many people in the country itself. It is seen as a taboo in the country when it should be legally banned with immediate effect and this initiative will have to be taken by the government of the country. Bacha-Bazi initially started with young children from the age of 13 taken to be taught dance and then to make them perform dance dressed like women. Slowly and steadily many powerful and influential people in the country (Afghanistan) took interest in it giving money to the agents and literally behaving sadistically to have sex with young boys (Goldsteinm 2015). It has been seen in the records that Bacha-Bazi grew exponentially with the decline of the Taliban regime from Afghanistan in the 2002 and since then Bacha-Bazi has grown not only in remote villages but also in the top cities of the country like Kabul and Kandahar. The agents who mainly control the young boys put into Bacha-Bazi are called "BachaBaz" and the children talking part in Bacha-Bazi are called "Bachaberesh" or a beardless youth. These children are mainly from poor families who either sell the children for money or for land and food and clothing or in some cases kidnapped from the close ones and the families. This custom has been going on in the country for a long time and the government hasn't been able to do anything on this. It could be said that during the Taliban regime the Bacha-Bazi did not have this huge exposure as Taliban was strictly against and hence it could be said that the Taliban was more focused on eradicating this problem from the country (Ng, 2014).

## **1.2. Problem Statement**

Bacha-Bazi is a social problem in Afghanistan. Many of the children so far have become homeless and have been exploited for sexual pleasure and other malicious purposes. This is clearly affecting the future generation of the country and the agents dealing in children and Bacha-Bazi have never faced any kind of legal implications. Over the last few years this has grown rapidly posing serious threat young boys and their families in Afghanistan. Constant

atrocities on children have affected their mental and physical status. It could be said that child sex is an old and sadistic form of exploitation in children and even in this age of complete technology it breeding well in the country and this stands to be one of the concerns. It could be said that most of the Afghan families having male children are under deep stress as kidnapping child trafficking has increased due to this reason in the country (Erdogdu et al., 2016). There are number of problems which have been raised due to this reason and hence it is important that this problem is properly taken care of. This has become one of the key problems in the country and analysing its impact in the society this subject has been taken for the research as its impact is immense on the society of Afghanistan. There are no clear provisions developed by the Afghanistan Government hence justice has been sacrificed that stands to be one big problem in the country. Overall it could be said that the problem of Bacha-Bazi is a major problem in the country and this has fueled the research study. Though news information comes up regarding the different legal initiatives taken up by the Afghan government still this illegal activities of practicing Bacha-Bazi is ongoing and male children are experiencing it. Very less availability of information regarding improvements in Afghanistan's situation on the basis of homosexual abuse is a major problem of research on the current chosen topic. Complete accessibility over the different academic materials was not allowed and this restricted from presenting information which would have increased both the viability and reliability of research on the chosen subject.

### **1.3. Rationale of the study**

Bacha-Bazi has grown in the country in the recent decade or so and this indicates that even in this age of technology people hardly have awareness about the exploitation on children. It could be put in another way that is may be people are aware of the incidents happening around but are reluctant to respond protest for the fear of life. The awareness of people is the biggest issue in this case as in spite of knowing this prevalence of Bacha-Bazi or the other common atrocities on young boys no one has spoken anything against it. The constant kidnapping of the young boys have left a strong negative impression on the families of the children. Presently the Afghan Government doesn't have any kind of strong policies or agendas to stop this practice in the country and so it could be said that there is a need of developing statutory policies for the safeguarding of the women and children which is missing in this case (Jones, 2014).

The Boy play or Bacha-Bazi has misled a lot of young males and have driven them to perform dancing in front of the aged influential people that often ends up in rape or sexual exploitation of young males. It could be said that most of the powerful men who engage enjoy participating in this custom cannot be sued legally as there is no strong legislation in the country. This clearly shows the loophole in the system. Hence it could be said that the main issue related to the topic is the failure of the government to stop this practice in the country (Sarafian, 2014). The rationale of the research lies in the fact that over the years huge number of male children in Afghanistan have been subjected to exploitation in this custom of Bacha-Bazi and hence it becomes extremely important to do research on this subject to understand the relevant aspects of this custom. The different factors that led children to get into Bacha-Bazi were common like the other poor countries which are poor financial situation and hence it is extremely important that the key factors of Bacha-Bazi are discussed. There are number of problems that these young kids face when they grow up as then they are thrown into the streets as they are considered men then. Some of these children acquire psychological disorders that makes the future unfit to live (Jones, 2015).

The present study will try to shed light on this subject in a better way and also take an opportunity to improve the condition and mitigate problems of Bacha-Bazi which was considered heinous sin by the Taliban. Accept it or not the Taliban had better hold of the situation and considered Unislamic. It is also important to mention that there has been tampering in the religious teachings by the Pakhtuns which state that Bacha-Bazi is not Unislamic or unreligious and it is not considered homosexual. Overall it could be said that due to the rise of this odious act it is important to properly research this subject and get better insights to combat it successfully or to know more about it (Jones, 2015).

#### **1.4. Research Aim**

Bacha-Bazi is a problem that is going to affect the future generations of Afghanistan and it will never allow the country to come out from its evil days terrorised, militant activities and other internal problems and hence it is important that the government takes positive steps to eliminate these problems effectively to make sure the families doesn't lose their male child or the name bearer as considered of the family as considered by the society. Continuing on the

same note it could be said that the present study takes the initiative to understand and discuss the custom of loathsome act Bacha-Bazi or boy play. The child abuse coming from this act has become a serious issue in the country Afghanistan and it clearly has serious effect on the afghan society. Even though holding a dancing boy or participating in Bacha-Bazi is illegal in Afghanistan there have been no serious problems for the people getting involved in it (Etzioni, 2012). Assessing the present situation in Afghanistan it could be said that there is a serious loophole in the entire system of Afghanistan as the country has not been able to operate properly to stop this act and hence it could be said that this sets the research aim very clearly which would be to: Investigate the brutal act of Bacha-Bazi and child sex in Afghanistan. This will be the main aim of the research which would help to analyse the subject in a better way and also get better insights which will contribute to improve findings of the future researches done on the same subject.

#### **1.5. Research objectives**

Going through the present research subject the below objectives have been framed which will help to address the requirements of the present research:

- The impact of Bacha-Bazi on the male children.
- To identify the main factors influencing Bacha-Bazi in Afghanistan.
- To assess the role of the government to stop the practice of Bacha-Bazi.
- To investigate on strategies that could possibly help to reduce this practice in the country.

## **1.6. Research Questions**

The present research poses number of questions which are extremely important to be answered in order to complete the research successfully. Considering the subject of the research the below questions have been framed:

1. What is the psychological impact of Bacha-Bazi on children?
2. Why the government and the immediate internationally supporting countries have not been able to implement proper intervention strategies to stop this practice?
3. How has Bacha-Bazi threatened the society?

## **1.7. Literature Review**

Several books and article have been published about the act of Bacha-Bazi in Afghanistan and child trafficking in Afghanistan. In additions, documentary films also expose the horrific practice of Bacha-Bazi in Afghanistan. Award-winning Afghan journalist Najibullah Quraishi made film “The Dancing Boys of Afghanistan” about the practice of Bacha-Bazi in Afghanistan. This disturbing film exposes the illegal act of Bacha-Bazi and the sexual exploitation ring involved in Bacha-Bazi practices in Afghanistan (Quraishi et al,2010).

Musa Khan Jalalzai points out that record number of Afghan children, women and unemployed young men are kidnaped and trafficked to local and international markets for prostitution. Warlords have been heavily involved in child trafficking and Bacha-Bazi practices. Jalalzai mentions that even though Bacha-Bazi is not legal in Afghanistan but thousands of wealthy people, business men and criminal gangs are involved in Bacha-Bazi. He mentions the recently released WikiLeaks cable reveals that United States funded DynCorp Company responsible for training Afghan police force is involved in Bacha-Bazi business. The company has spent part of its budget on Bacha-Bazi parties and child trafficking in Afghanistan to meet the sexual need of Afghan police officers. (JALĀLZA’I et al, 2011)

## **1.8. Theoretical Framework**

The thesis rests on psychologist David Finkelhor Four-Factor Model theory about pedophilia. I have chosen this theory because Bacha-Bazi is classified as a pedophilia. The theory explains why adults become sexually interested in and involved with children.

The theory identifies multiple factors that contribute to pedophilia. It includes: (a) emotional congruence—why the adult has an emotional need to relate to a child; (b) sexual arousal—why the adult could become sexually aroused by a child; (c) blockage—why alternative sources of sexual and emotional gratification are not available; or (d) disinhibition—why the adult is not deterred from such an interest by normal prohibitions. The theory illustrates how these four factors can be combined to explain more of the diversity in pedophilic behavior than is usually explained by single factor theories. (O'DONOHUE, William T a James H GEER). I have chosen to apply Finkelhor's Four-Factor approach to better understand why those adult people who practice Bacha-Bazi has emotional need related to a child, second, why there sexual feeling arouses by a child, why they do not use legitimate means for sexual gratification and why these adults practicing Bacha-Bazi do not avoid such as act by normal prohibitions. Therefore, I believe the theory is relevant to this project.

## **1.9. Methodology**

Bacha-Bazi is a prevalent problem in the country and over the years this has increased rapidly in Afghanistan. it is a widespread problem for the people staying in the country. This problem needs to be investigated effectively. Hence it is an investigative study. Due to the abstract nature of the study it is not possible to measure the variables properly with the help of different tools and techniques but it is important to use the right methods to support the study effectively. The methods section is one of the key sections in an entire research paper. For every researcher, it is essential to choose the right methods to gather data, to interpret them and to analyze them effectively which help to get positive insights from the research and will also will provide favorable findings from the research that are suitable to complete the research successfully. As the topic chosen for the research is quite controversial so, it will be very hard to get the support of people in this kind of research, but it is extremely important as a researcher to be able to support the points put forward to be supported by valid evidence (Brink et al, 2006). In

order to gather the evidence, it will be essential to use different sources of data and this is what will establish the kind of research done on the subject.

The present research subject has an abstract point about it which cannot be measured with the help of any numerical analytical tool due to its immeasurable nature. There are basically two different kinds of research namely primary and secondary. The primary research takes into account both quantitative and qualitative approach to complete the research which involves usage of numerical analytical techniques and descriptive analytical technique but in this case, primary research technique cannot be used due to its abstract nature. On the other hand, the secondary research technique involves only qualitative technique that involves descriptive analysis of data. It could be said that the present research will undergo qualitative study which will be mainly based on all the secondary sources of data as primary source of data will not be available in this case. To gather primary data, it will be important to involve human participants to get their perception on the present topic which wouldn't be possible in this case due to the controversial nature of the study and hence it is justified to use the secondary sources of information to complete the study successfully (Patton, 2005). The search strategy is one of the key sections in a secondary research paper as a lot depends on the search strategy that is the way data is collected from the different secondary sources. Effective search strategy sets a strong platform for a successful research.

The basis of secondary research is formed on the previous works done on the same subject and other relevant secondary sources which helps to meet the objectives of the research successfully. As it is a secondary research the task becomes much more tough, creative and analytical.

The search strategy implemented in the present research will mainly be based on the relevancy of the research subject and the chosen data. The search strategy will involve online sources as well where the key words that will be used to search for favorable data are: Bacha-Bazi, child sex, child trafficking, sexual atrocities on children all within the area of Afghanistan. These key words will help to filter the search results effectively and will provide better hold of the research by giving more relevant search results. It could be said that with effective search strategy the present research will reach its meditated destination (Taylor et al, 2015).

The data collection procedure will be secondary where the different online sources like journals, forums, online articles and websites and other online sources will be used to collect

data. The other secondary sources will include books and existing researches done on the same subject that will help to get relevant data about the subject and support the research to gain effective insights from the research. These researches will help to interpret and encapsulate the texts of the chosen articles which will help to address the objectives of the study (Patton, 2005). Inclusion and exclusion criteria are also an important aspect in secondary research. This tool mainly helps to choose the right kind of data for the research and leave out those articles which are not relevant and if used in the research might hinder the result of the research. In the present research, the inclusion criteria constitutes aspects, like the articles chosen for the research should be in English as the present research is done in English, it should be relevant to the present chosen topic for research, the studies will be done in Afghanistan, The validity and reliability of the study should be properly assessed or else should be excluded from the research (Taylor et al, 2015).

### **1.10. Chapter Summary**

The first chapter lays the basic platform for the research. It provides effective information about the subject of the research and also helps to introduce the key variables of the research. In this case this chapter has introduced the subject effectively by discussing the Bacha-Bazi or boy play which is a brutal act against afghan male children where they are forced to dance in women attire and later they are subjected to sexual harassment and rape. This chapter has discussed the rationale for the research and the problem statement which highlighted the key problem that is prevalent in the country Afghanistan (Baily, 2013). It could be said that the first chapter is always important to set the right tone for the research to go forward and it has been able to do so by discussing the key objectives taken up for the research and also discussing the research questions which are highly relevant to the present subject of research. It could be said that this introduction section has been able to provide the basic idea of what this research will discuss and also provides the reader much needed information present situation in the country regarding Bacha-Bazi. Overall to conclude it could be said that the first chapter of this dissertation has been able to disseminate the basic knowledge of the research by discussing the key variables which allows the readers to get hold of the research subject and the rationale of the organized research.

## **CHAPTER II**

### **THE ACT OF BACHA-BAZI**

#### **2.1. History of Bacha-Bazi**

Bacha-Bazi is an abusive term used in Afghanistan. It involves a number of practices including sexual exploitation of children. It also includes the practice of homosexuality between an adult male and a child (male). The teenage male children are sold to powerful and rich men of Afghanistan for their entertainment (Ng & S 2014). The powerful men of Afghanistan use these sold teenage children for a variety of activities which includes making of porn films of these children or child prostitution. Existence of Bacha-Bazi in Afghanistan is there since ages and is presently taking place in several parts of Afghanistan. A usual element of this practice is forcing the children for several sexual acts. The security officials present in Afghanistan are unable to stop these practices. The security officials state that the maximum of the men who are involved in Bacha-Bazi practice are very powerful and carry several arms with them so it is not possible for the officials to save all those children from this practice (Bailey & J 2013). Bacha-Bazi formally conveyed the sentence of death penalty for all the boys performing dance. The practice of dance by the boys is considered illegal under the law of afghan. Since ancient times, the practice of Bacha-Bazi is a frequent practice in central Asia. Many of the western travelers visiting central Asia have reported about the practice of Bacha-Bazi. This is a serious issue which is hardly raised or discussed in Afghanistan. The issue of Bacha-Bazi is again combined with the absence of correct and detailed information and accurate knowledge. Boys aged nine years as well as eighteen years are ‘found’ or bought in by all the powerful and rich men of Afghanistan. In such a bankrupt country, the boys are easily available for carrying out such kind of sexual activities.

Afghanistan has been slashed apart after the war (Aronowitz et al, 2015). This war had resulted in increasing number of orphans. There rises a very minimal question of a teenage child staying with an adult man as teenage boys are openly accepted in the country. The families of the

boys or brothers or nephews who are going to be taken away are initially lied about their sons that they are actually going to become a sex slave. Once the rich and powerful men buy the teenage boys, the boys are then kept alive as companions throughout their lives. The powerful and rich men who has bought these children, expects all the sexual favors and dance from these children (Ehsan et al, 2016). These boys are not allowed to go to schools. After these boys had turned too old and 'bearded' these boys were then sent away or even treated as untouchables for the rest of their lives. A number of these boys even get addicted to drugs for the rest of their lives which is of no use according to them. After a certain point of time, these boys are dressed and presented as women and they perform dance numbers in all male functions. These boys are made to wear bells while performing dance numbers. The boys even have to shake their shoulders while dancing (Ijaz et al, 2014). The duration of their performances can extend up to three hours. These boys performing dance acts can be sexually harassed by a single man or number of men after completion of their performances. The boys can be harassed after the guests depart and the music stops. The rich and powerful men might kill the teenage boys if they object to any activity. The teenage boys can also get killed if they try to lodge any complain regarding any man or any activity. If the boys do not perform at the functions, the powerful men can even harm the boys in many other ways (Carlson & S. L. 2012). The boys can be even put to jail for life time or they can be harmed in many other ways by the powerful men of Afghanistan if they try to notify the security officials that they have been kidnapped and raped. Only the dancing boys have to suffer for their entire life time. Rest of the male community enjoys their life with celebration, dance, music, food and possible sex. Overall the male community of Afghanistan leads a good life excluding the dancing teenage boys. Men of all ages are invited at such functions. These men consider it to be an honor to attend such events as these events are hosted by powerful wealthy men of Afghanistan which may also include few political influential people. The powerful men behaving as owners of these teenage boys, who are treated as slaves, are hugely satisfied since they have a secondary companion to provide them with sexual favors. The men "*warlords*" of Afghanistan are even more satisfied with the fact that keeping the teenage boys as slaves and demanding sexual favors from them is considered to be a status symbol in public. None of the citizens of Afghanistan would suggest these powerful men that the relationship they share with the teenage boys demanding sexual favors from them is actually a homosexual relationship. No one would even suggest that this homosexual relationship is even against the Islam (Khan et al,

2009). At the time of interview, many of these powerful men have showed loving and caring emotions towards these boys kept as slaves and these boys have no other option apart from acting in front of the interviewers that they enjoy dancing and are in a happy state in their individual lives. The young male children observe the glamour and lifestyle of these children and receive in a wrong way that the dancers are happy in their lives and this is socially acceptable. In spite of existence of legal laws against these activities. The laws are of no use as few of the local officials support these activities or are present at the time of event (Jenks et al, 2016). Due to presence of corruption in the country, the courts are unable to fight against the owners of these children or act against these illegal activities and provide justice to the dancing boys.

## **2.2. Sexual exploitation of male children in Afghanistan**

In a country like Afghanistan where the rich and powerful men are allowed to keep the teenage boys as their captives and demand sexual favors and entertainment from them, the men cannot look at the women of the country unless they enter into a marriage contract with them. Maximum of the citizens of Afghanistan considered the practice of Bacha-Bazi to be normal and happily accepted the activities associated with Bacha-Bazi (Jones & S.V. 2010). The believers of the Bacha-Bazi thinks that the boys who are treated as slaves actually deserves such a life style as they must be lacking in many of the things to be treated in such a way. The rich and powerful men considered themselves to be superior. It is considered in a country like Afghanistan that the teenage boys who are being treated as slaves or are demanded sexual favors from must have shown some signs of weakness to be treated like one. It is considered that the teenage boys must have provoked the rich and powerful men to sexually abuse them and treat them as slaves for their entire life time. The process of Bacha-Bazi started to become a normal process with the thinking of the owners of these slaves. The owners started to normalize this process by thinking that they actually develop a soft corner for these teenage boys and keep them as their captives for the entire life. The powerful and rich people who are called the owners of the teenage dancing boys in Afghanistan used to feel offended if any outsider or traveler called them homosexuals “*Bacha-Berish*”. Sexual violence is harmful and can be a problematic issue for the entire life time whether for a girl or a boy. The thinking of Afghanistan people has accepted the practice of Bacha-Bazi as it portrayed the male dominated side of the culture. A pattern of rape can be described as collective rape. These patterns of rapes taking lace would consist of the members

from similar groups, committing multiple rapes at different time (Sivakumaran& S. 2010). The homosexual rape occurring in Afghanistan can be accurately described as collective rape. The activities involved in a phenomenon like Bacha-Bazi can be perfectly termed as a collective rape. Countries which are absolutely slashed after a war or countries experiencing ample amount of disputes generally face collective rape. The reason for Afghanistan facing collective rape is same as mentioned. Apart from the reasons mentioned, there are several other reasons for existence of Bacha-Bazi in Afghanistan. The silence and tolerance attitude of the teenage boys gives permission to the powerful and rich men of Afghanistan to take their advantage and treat them as slaves and term them as victims for their entire life time. Increase level of rapes taking place in whole of Afghanistan allows the men of Afghanistan to continue the practice of Bacha-Bazi. The powerful men of Afghanistan seem to exist with high rank in the society whereas the dancing boys are considered to exist with very minimal or no rank at all. Moreover, in case of a collective rape, the silence of the victim is ensured (Boothby & N 2008). There is a continuous pressure on the afghan community in order to continue the activities involved with Bacha-Bazi. The activities involved with Bacha-Bazi are often mistaken as a brotherly and healthy celebration held by the men of Afghanistan. The local governing bodies of Afghanistan are unable to end the activities associated with Bacha-Bazi. The police forces are also likely to act in the same way as the other governing bodies of Afghanistan due to the presence and association of several politicians as well as police officers with Bacha-Bazi. The governing bodies or the local police of Afghanistan might also be a part of the various processes involved in Bacha-Bazi like buying and selling the dancing boys as well as their prostitution. After all the activities are associated with all the high rank people of Afghanistan. None of the officials can challenge the owners of these teenage dancing boys as men those who have attended the event of Bacha-Bazi would be charged for collaboration. The governing bodies as well as the local police officers of Afghanistan collaborate with the owners and allow them to continue the practice of Bacha-Bazi without any obstacle coming their way. The young boys of Afghanistan are made to dress as women and then are asked to perform in front of multiple men at private locations. Compared to Pakistan and Iran, level of Bacha-Bazi is way more extensive in Afghanistan. Dealing of young boys has reached to the maximum level in Afghanistan. Many army generals as well as commanders are also involved in the practice of Bacha-Bazi and making the way for such a practice to become a national shame. The male children of Afghanistan are often sexually abused

in public or house or even inside the jails. The male children could be kidnapped from anywhere; it can be from schools, outside parks, etc. After kidnapping, these children are then sold to the rich and powerful men of Afghanistan. Children abused to gang rape usually die. Often, the families of the young male children sell them to the high rank men of the society in order to feed their family. None of the citizen understands the emotional and physical torture that a child has to grow through for the entire of his life time while being subjected to such a kind of an activity. After the realization by the male children that their life is going to get served like this, the children demand money and clothes and vehicles and the owners have to fulfill these demands in order to keep them as captives. The sexual exploitation of male children in Afghanistan is like buying and selling of commodities. The children are then forced to dance and have sex with multiple men. The child could be killed or harmed by the owner if the child does not listen and obey all the instructions given to him by his owner. Maximum of the children subjected to physical abuse; end up being traumatized for their entire life. Maximum number of these children usually belongs to poor families, who are kept as bodyguards or servants or sex providers by the high classes men of Afghanistan. This was quoted by the afghan independent human right commission report in the year 2014. The male children are often used as women dancers and are forced to dance at wedding ceremonies. If permitted by the owners, these children are allowed to be taken by other high profile men to guest houses and gang raped at the end of the ceremony (Newman et al, 2011). Families in North Afghanistan are generally concerned regarding their male children as the practice of Bacha-Bazi has reached at peak. The male children of Afghanistan are not safe since more than two decades. The practice of Bacha-Bazi became a profitable business in Afghanistan after the decline of Taliban regime in the year 2001. The local commanders as well as the high profiled men quote that the women are present in their society to give birth to the infants and the male children are present to give them sexual pleasures. The powerful men of Afghanistan often introduce their captives to their wives and own children and find no shame in doing so. The wives cannot create any object or raise any question on their husbands having child male partners. A sixteen years old boy was forced to commit suicide in the year 2015 after being raped repeatedly by Taliban soldiers. The name of the boy was recognized as Bilal. In order to put an end to such activities involved with Bacha-Bazi, the governing bodies of Afghanistan and the local police officers have to start acting on such situations and take legal actions against all the powerful and rich men practicing such

phenomena. The neighbor countries must also come forward in order to support and save the male children of Afghanistan.

### **2.3. The Four Factor Approach**

The act of pedophilic rape of boys in Afghanistan is a big social challenge in the country however, the Afghanistan government till date does not have enough policies to deal with this social evil more over this issue is hardly raised or discussed among policy makers in the country. To make matters worse social taboo on sexuality in Afghanistan makes it difficult to have a detailed knowledge and accurate information about this crime hence further worsening the situation. However, in this section it would be important to study the actual behavior of adults that encourage them to engage in such crimes against children. The four factors approach studied by David Finkelhor explores the reason as to why adults become sexually aroused by children and why do they choose immature children to satiate their sexual needs when alternative options are available to them. The four factors approach studies the four factors that help in highlighting the cause behind sexual abuse of boy child. The study seems to segregate four different categories that help in understanding this pedophilic act. The categories are emotional congruence, sexual arousal, blockage and disinhibition. The study of these factors however, would help to analyze how and why adults do get attracted to children for sexual favors.

#### **2.3.1. Sexual congruence**

highlights the emotional needs of an adult that encourage them relate their sexual needs to a child, blockage factor on the other hand would help in analyzing why other alternatives for satiating sexual needs of adult men are not available. Sexual arousal would help in discussing how a child can arouse sexual feelings in an adult and last but not the least the last factor disinhibition would help in studying why normal prohibitions do not prevent adults from engaging in such an act. Hence Bacha-Bazi in Afghanistan would be studied across these four factors and these factors would help in analyzing the situation in details. Sexual congruence makes the middle aged individuals who wants to fulfill their sexual needs develops a feeling that their sexual congruity would meet their values and align by the small children and if they not have find so the child is made prone to dangerous torture and this children intends to kill themselves or intend to attempt suicide.

Studies conducted on pedophilic acts highlight that pedophiles have an unusual pattern of sexual arousal towards children. However, not enough evidence have been found to support why such unusual pattern of sexual arousal is among them towards children. On the other hand, the blockage factor would study whether men or women who face a blockage or hindrance in their social and heterosexual relations are more likely to show such pedophilic behavior and try to connect with children for satiating their sexual needs. The study of the emotional congruence factors analyses that children are mostly targeted as sex victims because of their lack of dominance. More over studies have shown that many pedophiles have themselves been victims of sex when they were children. Studies have also tried to establish a relationship between alcohol consumption and sexual abuse of children. Alcohol has been seen as a simulant for such behavior in many such cases.

The condition of research in the field of pedophilia is sufficiently primitive that indeed, even the term pedophilia itself involves some discussion, with various scholars and agents characterizing it in various ways. Some have utilized it in what may be called a "comprehensive" form, considering pedophilia as any sexual contact with or enthusiasm for a youngster, however short lived this conduct. peoplewho have a continuing and selective sexual enthusiasm for youngsters (called "focused" guilty parties by Groth or "sexual inclination interceded" wrongdoers by Howells. In the present survey, we utilize the more extensive "comprehensive" meaning of pedophilia, assessing any investigation of people who have had sexual contact with kids, including offenders who are within a relation with the victim. There are additionally debates about what age casualties and what sexual exercises ought to be incorporated inside the term pedophilia. Here again for motivations behind the survey, we have incorporated the broadest definition. In a later part of the article, we talk about meanings of pedophilia in more prominent detail and call attention to a portion of the challenges that the absence of agreement makes for translating discoveries. Hence pedophilic behavioral theories can be quite confusing with different ideas put together thus the above discussed categorization of such behavior could help in identifying some of the important reasons behind pedophilic behavior. The four categories namely sexual congruence, blockage, sexual arousal and disinhibition could help in studying pedophilic behavior in this context. Some of the research findings highlighting the four factors show that low self-esteem, identification with aggression, male dominance in the society, hormonal imbalance, early childhood experiences of similar sexual acts, child pornography used

for socializing, inability to relate with female partners, lack of socialization skills, and misattribution of arousal etc lead to pedophilic behavior in most of the cases.

Now it would be important to discuss each and every factor in detail. To start with, researches have stated that emotional congruence or emotional factors often encourage pedophilic behavior. Individuals are often seen to find a fit between their needs and the characteristics of children. This has been termed as emotional congruence since adults are studied to have emotional similarities with that of children and they believe that their emotional needs could be fulfilled by getting sexually involved with children. The Arrested psycho-sexual development theory suggests that pedophiles are often immature in their emotional needs and thus can relate more with children. Apart from being immature, studies have also revealed that pedophiles also have low self-esteem which does not allow them to establish social relations. Hence in such a scenario they find their emotional resemblance in children and at the same time they can also have a dominant and powerful position wherein they can control children.

Different scholars have gathered that identifying with youngsters permits pedophiles to attempt to defeat the impacts of some adolescence injury. By exploiting a youngster, they ace the injury by turning around parts in the exploitation they endured and through "recognizable proof with the assailant," they battle their claim feebleness by turning into the capable victimizer. Still another hypothesis that can be grouped under emotional congruence utilizes the thought of "narcissism" to clarify pedophilia. In this hypothesis, a pedophile, as a consequence of passionate hardship or even overprotection, remains candidly included with himself as a kid. At long last, late women's activist thoughts regarding pedophilia have a shockingly comparative hidden thought. As per these speculations, pedophilia becomes out of certain topics in ordinary male socialization that tends to make kids "fitting" objects of sexual intrigue. These topics incorporate the esteem that male socialization puts on being prevailing and the initiator in sexual connections, and also the esteem put on accomplices who are young and subservient. Pedophilia happens as a characteristic augmentation of some of these values. The possibility that children have some uncommon emotional congruence for pedophiles has ended up being valuable in numerous clinical records of the issue. Shockingly, very little formal confirmation has been marshaled to affirm these speculations or exhibit that these uncommon implications of kids happen more habitually among pedophiles than in different sections of the populace. To the extent we could discover, for instance, no exact studies identifying with the narcissism

speculation have been finished. With respect to the issue of overcoming impacts of adolescence injury, we will talk about this in the segment on sexual excitement.

Some different studies in light of psychological tests do give discoveries that could be interpreted as reliable with those of Howells. For instance, Langevin refers to thoughts about by Fishero and Fisher and Howells in which female pedophiles scored higher than normals on reverence, succorance, and dishonor and lower on accomplishment, independence, change, heterosexuality, and animosity. These discoveries depended on the Edward's Personal Preference Schedule. The high score on reverence, specifically, may be seen as like Howells' idea that pedophiles experience issues with strength. In any case, this is an unjustified inference, and, in particular, does not give any substantiation to the possibility that kids are favored on account of this problem. Youthfulness and Self-regard Two different speculations that enthusiastic coinciding speculations make about pedophiles are that they are juvenile and have low self-regard. These thoughts are appropriate to substantiation through traditional psychological tests, albeit shockingly, couple of extremely exhaustive examinations of this sort have been finished.

Peters in his studies however come up with similar inferences that Pedophiles in general are far more immature and regressed with a higher dependency need, most of them also have been observed to have sexual inadequacy.

Panton thought about MMPI test aftereffects of 30 pedophiles, 20 child rapists, and 28 nonviolent child molesters. They report that the profiles of the child molesters inferred self-distance, low self-regard, self-uncertainty, uneasiness, and hindrance of animosity, repugnance for savagery, requirement for fortification, sentiments of insufficiency, uncertainty, and dread of hetero disappointment. From this they reasoned that "the inspiration of the molester bunch appeared to be the fulfillment of sexual needs at a juvenile level of sexual improvement." In total, there is by all accounts various specialists who are in assertion that pedophiles are immature or lack certain adequacies. Some of these have found reinforcement for such conflicts in psychological tests, for example, the MMPI. Be that as it may, these specialists have frequently made expansive and unjustifiable inductions from test information, and we trust that the theory is very little progressed past the status of a clinical induction. Maybe, more imperatively, indeed, even entrenched proof of youthfulness and insufficiency on the portion of pedophiles does not really clarify their sexual connection with children. Howells' study provides some underlying affirmation that pedophiles may communicate with children since youngsters have uncommon

importance for them as far as speaking to frail and nonthreatening objects. In any case, more such studies on the implying that kids have for pedophiles are required.

The second factor Sexual arousal needs to be studied to analyse some important causes of pedophilic behavior.

### **2.3.2. Sexual arousal**

Other theories regarding pedophiles study how adults can be sexually aroused by children. This has been supported by arguments by researchers that adults having similar experiences in childhood are more likely to get sexually aroused by children. These experiences of childhood may act as conditioning wherein they fantasize these sexual experiences through repeated masturbatory act. Experts believe that either a traumatic childhood experience or a pleasurable experience helps in initiating these types of fantasies in an adult. Howells in his studies discusses about a process known as “attributional error” in analyzing sexual arousal in pedophiles. It has been noted that strong emotional sentiments are evoked by children among adults however mostly these emotional sentiments are limited to parental and affectionate emotion but in a few adults these emotional sentiments find way in sexual behavior.

On the other hand experts have linked such sexual behavior towards children with biological factors like hormonal imbalance or the chromosome design in individuals. Another theory regarding sexual arousal to children suggests that individuals attracted to children for sexual favors have been exposed to child pornography or any kind of media portraying children as objects of sex. A penile and skin conductance of 20 child molesters show shocking results that most of the respondents showed largest penile response on seeing slides of female children as compared to adult females. This highlights the fact that even in the presence of adult females pedophiles have shown sexual arousal to children.

In total, there is confirmation to bolster the conflict that numerous pedophiles were the subjects of pedophilic considerations themselves. Be that as it may, ponders on this subject experience the ill effects of issues, most especially identified with control bunches. For instance, it is difficult to envision that a gathering of police are suitable as a control for a gathering of pedophiles. Nonetheless, the way that a bigger number of pedophiles have had such encounters than attackers is imperative in this respect, since attackers are another detained populace who may have a comparative stake in giving foundation "pardons" for their abnormality. On the off

chance that a past experience of a sexual abuse is associated with later pedophilia, this proof is steady with a few conceivable speculations. One might be that such encounters condition an excitement to kids. Another might be that the pedophiles learn the conduct through the early demonstrating of their own exploitation. Still Araji and Flnkelhorother more psychoanalytic speculations are that pedophiles rehash their own exploitation with a desire to "ace" the injury of these early encounters on the other hand as an aftereffect of relating to the more established assailant and attempting to go up against his/her energy. Such information are steady with these hypotheses, as well. To test the molding speculations, it may be critical to know whether pleasurable and peer-sort encounters and additionally traumatic sexual encounters additionally prompt to later pedophilia, a matter on which we could discover very less information. It is likewise essential for the generational transmission hypothesis to give a better record of why it is essentially male victims become victimizers in the later part of their lifewhile the more noteworthy number of casualties, women do not become pedophiles.

### **2.3.3. Blockage**

Theories that revolve around blockage as an important factor that leads to pedophilic behavior suggests that mostly individuals who are unable to satiate their sexual and emotional needs in their heterosexual relationships in the society engage in sexual behavior with children as they feel that they can relate more with the emotions of children. Some see this behavior stemming out of "Castration Anxiety" and others believe that pedophilic behavior is the result of lack of social skills, timidity low self- esteem etc. Researchers also discuss about different types of blockages namely developmental and situational blockage that leads to such behavior. Family dynamics of incest studies that a broken marital relationship often witnesses a father encouraged to engage in sexual behavior with their daughters and seeking emotional fulfillment from such acts. However the theory of blockage does not help in addressing the issue properly since blockage in general studies sexual deviance but it fails to study why a man unable to find sexual pleasures in his heterosexual relationships would turn into a pedophile rather than becoming a rapist and victimize adults rather than children.

Another blockage theory is identified with the grown-up family life of the pedophile: that child molesters and interbreeding wrongdoers encounter some failure or injury in grown-up hetero connections which triggers the pedophilic action. A last blockage-sort theory is the way to

go that oppressive standards or mentalities about such things as masturbation and extramarital sex might be identified with pedophilia. Goldstein et al. found that pedophiles reported more guilt or disgrace from perusing erotica than rapists. They likewise recorded "dread of sex" as the principle boundary to looking for more develop sexual outlets, were against premarital sex, and communicated more distress as for discussing sex than some other gathering. Gebhard et al. additionally discovered solid good hindrances to premarital intercourse among the female protest pedophiles yet not among any of the other pedophile bunches. To put it plainly, it appears that a few pedophiles may hold abusive sexual states of mind that may incline them toward sexual exercises with children.

#### **2.3.4. Disinhibition**

The theories regarding disinhibition studies why and how inhibitions are shed or overcome by adults that allow them to get sexually involved with children. These theories suggest that some mechanism or condition is responsible for their disinhibition to get sexually attracted to children. Researchers have found several reasons for a lack of inhibition in getting involved with a child sexually and the reasons could be a disturbed personality. In most of the cases pedophiles have exhibited psychopathic tendencies and these victimizers are often associated with problems of alcohol and drug abuse. Other factors that leads to disinhibition could be unemployment, stress, loss of a close relative etc. experts believe a person going through such conditions often have lower barriers when it comes to sexual abuse of children.

A theory related to disinhibition is applicable to paternal incest where experts believe men who lived out of household do not develop conservative inhibitions towards child sex or sex with a family member. Hence being a step-father as opposed to a biological father also lower their barrier towards any kind of sexual behavior with children.

Another disinhibition theory focuses on lack of impulse control but again this is not the case with all the pedophiles since studies conducted on whether impulse control is the main reason behind pedophilic behavior suggests that most of the actions were planned rather than being an impulsive sexual act. Hence experts believe that impulse control can be a disorder for a few individuals but is not applicable for all. As dis-inhibition is a concept that possess lack of restraint in perspective of social conventions, once a male child falls into the trap of Bacha-Bazi they experience critical trauma and take up attempts to die.

## **2 4. Conclusion**

From all the discussion made all throughout this chapter a conclusion could be drawn that Bacha-Bazi is a serious criminal offence. Bu, even with the implementation of different legislative rules and government initiatives it is not under complete control still. A four factor approach namely sexual congruence, sexual arousal, dis-inhibition, blockage is imposed by the government of Afghanistan within the existing social policy list of the country to abolish the practice of child abuse in Afghanistan. The main reason behind the continuity of Bacha-Bazi in Afghanistan is just for meeting the sexual incongruity carried out by the middle aged person and they do not have any shame in doing this kind of activities. Several powerful men of the Afghanistan country who does not feel it important to abide by the country's law still imitate to make an introduction of their captivity to their wife and children. It is only possible, by increasing the rate of literacy, the rate of Child abuse in Afghanistan would be brought in complete control. The rise in pedophilic behavior of several middle aged person in the country is not allowing this practice to abolish but imposing a threat over the socio- economic condition of Afghanistan.

## CHAPTER III

### LEGAL ANALYSIS OF BACHA-BAZI AND SOCIAL REACTIONS

#### 3.1. Bacha-Bazi in Afghan Criminal Code

To realise the perception of Bacha-Bazi in Afghani Criminal Code the basic meaning of Bacha-Bazi within the nation has to be recognized and discussed in this segment of the research first. In some parts of Afghanistan group of certain people individually keeps one to two boys aged between 10 to 18 years for the purpose of sexual exploitation and other sexual harassment and this overall system and practice is called as Bacha-Bazi within the nation (Carlson, 2012). The children who are victims of Bacha-Bazi in Afghanistan generally belong to poorer families who are employed to richer people within the nation for various paid jobs and these kinds of children often fall victims of Bacha-Bazi or sexual abuse. The general professions for which children are hired by richer people are bakery management, shop operator, hotel and restaurant staffs, home servant, etc. It is not mandatory that all these children are hired in terms of paid jobs but there are several others who are forced to agree for doing these works depending threat, intimidation, coercion, enticement and trickery. The worst part with Bacha-Bazi in Afghanistan is that many of the boys are hired by richer people with predetermined intentions of sexual abuse and they are literally forced to dress like girls and perform dance in front of several people (Jones, 2015). One most important factor which is considered to be the reason for the increasing practice of Bacha-Bazi in Afghanistan is illiteracy people. According to recent surveys it has been observed that almost 81% of the parents of the children who are victims of Bacha-Bazi are illiterate and that is why they are not able to claim for the justice (Goldstein, 2015). It has also been observed that the increasing practice of Bacha-Bazi in Afghanistan is also being triggered by the illiteracy of the perpetrators as according to surveys almost 58% of the perpetrators of Bacha-Bazi are illiterate (Jones, 2014). After the clear illustration of the basic concept of Bacha-Bazi it is now easier to discuss the contexts which describe the consideration of Bacha-Bazi in criminal codes of Afghanistan.

It should be mentioned first that there is no clear definition and specific provision of Bacha-Bazi in Afghan laws and criminal codes. As Bacha-Bazi is related to the practice of sexual abuse and exploitation of children it is a contrary factor to the provisions of Afghani Constitution and enforced laws. Subsequently, this contradiction in the Afghani legal system gives the perpetrators with greater opportunities for violating the right of these children towards human dignity. However, it should be mentioned that Afghani Law and Constitution has laws for preventing rape and pederasty within the nation (Jones, 2015). May be the Afghani Law and Constitution does not have specific criminal code for preventing the practice of Bacha-Bazi but in the article 427 of the Afghani Criminal Law activities like rape and pederasty described to be a serious criminal offence and long term imprisonment has been mentioned as a punishment for the perpetrators in this kind of cases (Carlson, 2012). Hence, it could be said that although there is no certain criminal code in Afghanistan to define Bacha-Bazi as a crime but there are legal provisions for claiming justice against this practice. It should be mentioned that article 427 in Afghani Criminal Law considers sexual abuse and exploitation as the aggravating condition based on some certain situations, such as victim is a child, perpetrator is a near relative or third degree relative to the victim and if perpetrator is a teacher or servant as well. Hence, it could be realised that Afghani Law and Constitution clearly states Bacha-Bazi as a aggravating criminal offence depending on its article 427 but it does not have any certain and specific legal provision against it (Goldstein, 2015).

However, it should also be mentioned that there are some gaps in the article 427 of Afghani Criminal Law for giving adequate protection to all children from Bacha-Bazi. Article 427 in Afghani Criminal Law is objected to protect children from sexual abuse and exploitation. However, Bacha-Bazi is a much bigger aspects than sexual abuse and exploitation only (Erdogdu et al 2016). Bacha-Bazi includes others forms of sexual harassment and practices like forcing to dance in public and private ceremonies, forcing for giving physical massage and many others. Hence, article 427 of Afghani Criminal Law is only able to prevent Bacha-Bazi in terms of rape and pederasty but other forms of Bacha-Bazi are not restricted by the Afghani Constitution and Law. Thus, it is a significant gap in Afghani Criminal Law which does not prevent various abusive practices related to Bacha-Bazi and subsequently the occurrence of this ill-treatment towards children is day by day increasing within the nation (Jones, 2014).

### **3.2. Consent and Coercion in Bacha-Bazi**

Consent and coercion are two aspects related to Bacha-Bazi which describes the forces for which children in Afghanistan are becoming victims of this sexual abuse and exploitation. In English language, the word ‘consent’ refers to the positive response of permission of person for something to happen or agreement for doing something (Carlson, 2012). In case of Bacha-Bazi consent refers to the agreement of a child and his or her family members for allowing a perpetrator to make the kind do all the ill-treatment related to the practices of Bacha-Bazi in return of valid amount of money or other assets. The most significant factors which are triggering the consent of children and their families in Afghanistan to make their children participate in Bacha-Bazi are illiteracy and poverty. According to recent survey 68% of the Bacha-Bazi victims within the nation accepted the fact that they took money in return of the sexual abuse and exploitation done by their respective perpetrators (Ajmera & Fields, 2016). Even, according to recent survey, dance of children in public and private ceremonies and relevant sexual abuses are becoming common in Afghanistan and even some parents are selecting it as a profession for their children being driven by severe poverty. According to the recent surveys almost 87% of the children within the nation who are victims of Bacha-Bazi never attained school in their lives (Goldstein, 2015). Hence, it is very evident that consent towards facing sexual abuse and exploitation depending on Bacha-Bazi is increasing in Afghanistan due to the increasing poverty and illiteracy within the nation and subsequently, poverty and lack of proper education system for Afghani children belonging from poorer families could be identified for the reasons of encouraging consent towards Bacha-Bazi (English, 2016).

On the other hand, in English language the ‘coercion’ means the actions which force someone to do something specific depending on threat or other forces. In case of Bacha-Bazi coercion refers to the approaches of socially and economically powerful perpetrators to force children and their families depending on threat and power for participating in the practices of Bacha-Bazi (Franks, 2013). In recent surveys it has been observed that almost 8% of the total perpetrators of Bacha-Bazi in Afghanistan are socially and economically highly powerful which provide them with greater strength and position in the society (Ajmera & Fields, 2016). Due to the dominating social and economic position of these perpetrators they often lead to treat

children and their families for getting their desired children to allow their sexual harassments. Hence, when children are forcefully included in the practices of Bacha-Bazi without their consent it is called as coercion in the context of Bacha-Bazi (Mondloch, 2013). According to the recent surveys some of the most significant factors which are contributing to the increasing coercion to involve children in Bacha-Bazi are strong social and economical position of perpetrators, poor and illiterate families of children and gaps of criminal laws for preventing Bacha-Bazi which are not related to rape and so on (Jones, 2014). According to the Afghan Independent human rights commission report of 2014, it is stated that male children's who are put up into the act of Bacha-Bazi usually belong to very poor families and more than 60% of these children die quite early because of being sexually harassed to a huge extent. 90% of the male child population who are at risk of undergoing homosexual abuse stated they have been indulged into this kind of sexual harassment for feeding their family members. It seems that the Afghanistan allies are day by day turning a blind eye getting swiped under the rug in name of cultural tradition by increasing the rate of homosexual child abuse. Further, according to a recent report on Bacha-Bazi from the UNICEF states that many of the middle aged individuals who participate in the acts of Bacha-Bazi do work for the government of Afghanistan including those who make public denunciation over the Bacha-Bazi practices (Erdogdu et al 2010). But other report of UNICEF suggest that afghan authorities are not actively participating on the in Bacha-Bazi due to imposition of strong legal systems that is making a broach over the concept of child abuse in the country. Huge security and policy forced have now been imposed over child trafficking so that rate of homosexual abuse is abolished to a great extent as stated in an article of "*The Guardian*". According to the countries statistical data, the most valuable motive behind the rise of Bacha-Bazi in the country of Afghanistan is recreation, lust as well s personal interest to which in about 69.5% perpetrators have agreed upon. Most report from the UNICEF suggest that literacy is one of the most effective variable that would be beneficial for reducing the prevalence rate of Bacha-Bazi in Afghanistan. With increased rate of Bacha-Bazi in the country of the AIHRC is seeking permission from the government to recognize the victimized child by considering their personal confidentiality level in order to protect them from further abuse and give them proper protection. Reports from AIHRC suggest that they are playing a great role by asking the Afghanistan government as well as different civil society organisations to put more effort in respecting the human rights and accountability to provide justice over the homosexual

abuse that is destroying the security of the country. 90% respondents in a survey report stated that due to the practice of weak legislative rules, maximum percentage of the accused perpetrators and the elites have not yet been prosecuted which is increasing their power of getting involved in homosexual activities. Survey carried out in different parts of the country brings out a report where most percentage of people have suggested that lack of security and presence of different irresponsible armed groups contributed to the expansion of Bacha-Bazi in Afghanistan. An article given in the last few years stated “The guardian” stated that boys in Afghanistan are sold like commodities to people belonging to wealthy families for sexual incongruity. According to the survey report of 2015, 70% percent of the families are deeply concerned about the child abuse, Bacha-Bazi as well as kidnapping that is totally undeniable and the parents could not allow their children to move out of their house alone at any time. Report also suggest that for forcing small male children commit different types of sexual activities for meeting the sexual satisfaction of the middle aged man they often take up attempts to commit suicide.

### **3.3. Bacha-Bazi in Islamic Sharia Law**

The Sharia Law could be defined as the body of the Islamic law which defines the legal framework responsible for regulating public and certain private aspects of life for people living within an Islam based Legal Systems or nation. According to Sharia Law or Islamic Law homosexuality is a forbidden practice but people in Afghanistan indulged into Bacha-Bazi believe it not to be forbidden action according to Sharia Law as they are not falling in love with the boys being victimized by Bacha-Bazi (Franks, 2013). Since from decades Afghanistan is considered to be one of the most religious nations of the world where all men and women follow the Sharia Laws carefully. However, Bacha-Bazi is one of the darkest secrets within the societies of this nation which is even tried to be kept secret by the local government of the nation. It had been observed several of times in past that outraged Islamic Militants killed people due to being homosexual as homosexuality is considered as a sin in Sharia Law and Quran (Erdogdu et al 2016).

However, in case of Bacha-Bazi a whole subculture of Islam within an entire nation (Afghanistan) could be observed to be addicted to homosexuality not just with gays but also with younger boys. Analysing the current situation it could be observed that Bacha-Bazi is common

practice of homosexuality in Afghanistan which is not even prevented by the domestic law and constitution of the nation in some certain aspects (Mondloch, 2013). Perpetrators use the excuse of not being homosexual as they are not in love with the victimized boys for the exclusion of Bacha-Bazi from the forbidden sins in Islam or Sharia Laws. Naturally homosexuality is considered by most of the people to be a different format of sexual relation compared to the sexual relation of a man or boy (English, 2016). According to recent surveys most of the people in Afghanistan do not consider Bacha-Bazi to be forbidden sin in Quran or Sharia law as homosexuality is defined as the loving and sexual relationship between homosexuals but Bacha-Bazi is considered just to be a fun factor and temporary sexual pleasure with boys of young age. Hence, it could be said that although there is no clear idea provided in Sharia Law for defining Bacha-Bazi but it cannot be considered to be permitted in Quran as practices in Bacha-Bazi are nothing different compared to the aspects of homosexuality (Erdogdu et al 2016).

### **3.4. Social Reaction Against Bacha-Bazi**

In the social aspects of Afghanistan would be considered then a mixed reaction towards Bacha-Bazi could be observed. In case of poorer socioeconomic segments of the Afghani society majority do not support Bacha-Bazi due to the ill-treatment towards children. However, Bacha-Bazi is considered to be a fun fact by a larger proportion of Afghani people due to the open social acceptance of this system even in public and private ceremonies. In current state of Afghani societies, Bacha-Bazi has just become a social trend which people enjoy by giving money to the poorer families for utilising their children (Franks, 2013). In surveys, it has been observed that many poorer families of Bacha-Bazi victims consider it to be an easy way for their earning. Even, inadequate distribution of the educational system among poorer and higher rate of illiteracy make it worst for poorer people leaving them without no choice except accepting the torturous Bacha-Bazi and relevant sexual abuse and exploitation (Ng, 2014). Even in some cases, socially and economically powerful people within the nation also force children to go through the torturous treatments of Bacha-Bazi by threatening those children and their families using social influences and powers and that is called coercion in Bacha-Bazi. The factor which makes the situation worst in Afghanistan for people to develop a better social protestation against Bacha-Bazi is gaps in the legal system of the nation (Ehsan& Khalil, 2016). There is no certain criminal law in Afghani Criminal Code to defend children against Bacha-Bazi except article 427 which

prevents generic cases of rape. Hence, other forms of sexual exploitation and abuse are not legally prevented within the nation which triggers the spreading of this practice within the nation. Even in survey it has been observed that many victims of Bacha-Bazi and their family expressed their depression about the fact that social and economically strong perpetrators often utilises their social and economical power and political connections for coercion in Bacha-Bazi (Ajmera& Fields, 2016).

If the global reaction towards Bacha-Bazi would be analysed it could be observed that Bacha-Bazi is widely protested by people due to the ill-treatment towards children but no potential protest has not been developed yet. For an example, it could be mentioned that during the US military within Afghanistan the former US President Obama also guided the soldiers to look other when if they observe the practice of Bacha-Bazi in front of them (Ng, 2014). However, there are several of examples when US Army tried to save victims of Bacha-Bazi but firm approaches have never been taken due to the support of a major proportion of the society towards this offensive practice towards children. However, it should be mentioned that in recent times the Afghanistan Government has taken various approaches by the help of other international authorities to prevent Bacha-Bazi within its domestic territory. For the first time the Afghani Government and UN worked together for developing a better National Action Plan against Bacha-Bazi so that severity of this sexual abuse and exploitation towards children could be investigated, trafficking of young boys could be prevented and perpetrators who buy and sell these children could be imprisoned. It should be mentioned that around 4000 members of Change.org wrote to UN for taking firm steps to prevent child trafficking and Bacha-Bazi in Afghanistan (Mondloch, 2013). The current National Action Plan which has been enforced in Afghanistan for preventing Bacha-Bazi is the result of on year of hard work of United Nations Assistance Mission in Afghanistan (UNAMA), The Afghanistan Government and other civil societies (English, 2016). The worst part with Bacha-Bazi in Afghanistan is that the little police force of the nation is not adequately powerful enough to prevent such a widely spread and reviving practice. According to recent report of UNICEF about Bacha-Bazi in Afghanistan it could be said that many of the victims of Bacha-Bazi have been included by the government of the nation for better enforcement of the National Action Plan as the victims are the most authentic resources for realising the entire system of Bacha-Bazi depending on which younger boys are sold and bought by perpetrators (Ehsan & Khalil, 2016).

### **3.5. The Legal and Political Factors of Bacha-Bazi**

There are various negative and positive legal and political factors associated with the practice of Bacha-Bazi in Afghanistan. First the positive political and legal factors regarding Bacha-Bazi in Afghanistan have been discussed below,

The recent collaboration of Afghanistan Government with UN for developing the National Action Plan against child trafficking and Bacha-Bazi is anticipated to be effective for reducing the severity of the issues within the nation (Erdogdu et al 2016). Although the Criminal Law in Afghanistan does not have any certain law or provision regarding Bacha-Bazi but article 427 in Afghani Criminal Code is able to protect children from the extreme activities related to Bacha-Bazi, such as rape, gang rape and pederasty (Ehsan & Khalil, 2016).

The AIHRC has recently given its firm declaration towards Afghanistan Government to declare Bacha-Bazi as a strong criminal offence. AIHRC recommended the Afghanistan Government to make significant changes in the Penal Code so that different forms of Bacha-Bazi could be prevented with specific criminal codes and laws (English, 2016). The arm licensing policies in Afghanistan has also been recommended to be reformed by the AIHRC so that social influence of perpetrators and coercion in Bacha-Bazi could be prevented with greater efficiency (Ng, 2014).

The Afghanistan Government has adopted a better towards developing the domestic schooling and education system so that illiteracy could be reduced and the next generation children could be made better aware of their basic human rights (Jones, 2015). However, it should also be mentioned that there are various negative political and legal aspects in Afghanistan which is adverse for the prevention and elimination of the system of Bacha-Bazi from the nation, such as, The criminal law in Afghanistan still does not have any certain provision against the practices of Bacha-Bazi and it is unable to prevent the most common form of Bacha-Bazi which is dance in public and private ceremonies (Erdogdu et al 2016).

A social division in Afghanistan which is involved in child trafficking and other activities related to Bacha-Bazi is highly supported by local political groups and local authorities due to their economical power and social influence. Hence, taking action against them is not easy (English, 2016).

A larger proportion of Afghani population is suffering with illiteracy which restricts them for asking proper justice for the coercion Bacha-Bazi (Ehsan & Khalil, 2016).

### **3.6. Conclusion**

Afghanistan is considered as one of the most religious country in the world, where men and women do follow the Islamic religion very carefully. But, behind this dedicated peripherals, the country of Afghanistan do have a deep secret that is Bacha-Bazi or child abuse which the government of the country have tries to forecast in order to abolish this illegal activities (Brown 2010).

# CHAPTER IV

## ACTION TAKEN TO CHANGE THE SITUATION

Bacha-Bazi in Persian language literally means “boy play”. This term in Afghanistan language is a kind of slang language used in perspective of a wide variety of activities that mainly includes the child sexual abuse as well as pederasty. This would also include some form of child pornography, sexual slavery also including the child prostitution wherein all the prepubescent as well as the adolescent boys are being sold to people belonging to the wealthy families just for entertainment and also for making out different types of sexual activities. The concepts of Bacha-Bazi still exist throughout the historical concept. Force and coercion are common elements of the child abuse concept in Afghanistan (Catani et al 2008). The security officials of the country have stated that they have totally failed to stop this child abuse because many people involved in these types of activities are well armed warlords of the country. It was only during the Islamic emirates of Afghanistan that Bacha-Bazi was officially considered as a huge offence and resulted in death penalty of the individuals. The practice of dancing by adolescent boys is totally an illegal concept as stated under the Afghan law and this practice is also totally against the Sharia and civil law. This sexual exploitation of Bacha-Bazi is of such standard where it is notice that the owner of the child have all sorts of rights over the child like he would make influence in their habits and even possess the right to beat or kill the child if he or she is not found to be ready to do what their owner have suggested them to do. The children subjected to this kind of sexual abuse become easily traumatized and often hope for ending their life before their parents.

The poverty level of Afghanistan is one of the most important driving force that is leading to a rise of child abuse from the last 15 years. In reality this is something more than sex slavery and where boys are passed on between the different middle aged persons for meeting their sexual gratification. The practice of Bacha-Bazi in Afghanistan is very shameful and for this a nationwide investigation was carried out by the independent Human Rights Commission (Craig 2010). Lack of guardianship, rate of literacy in the country as well as domestic violence proves to be main reason behind the expansion of Bacha-Bazi. This are making the children reduce their

level of confidence in a fruitful manner and at the same time are notice to undergo psychological trauma as well as stress in life.

#### **4.1. Changes in situation by imposing legislative rules**

It was only after the Taliban regime during the 21<sup>st</sup> century a new government was formed and with the introduction of the Karzai administration brought up relaxation over the policies for human rights. The Bonn agreement of 2001, which established the Afghan independent human rights commission (AIHRC) as a national human rights institution developed for the need of protecting and promoting the human rights and also for the purpose of making investigation over the human rights abuse as well as war crimes. Further, it was the National security directorate as well as Afghanistan's national security agency who have now been entitled to develop judicial protections against the concept of "Boy Play" (Fontes et al 2010). Previously it found that there was an absence of the effective national judicial systems that mainly suggest for judicial protection of the boys who have been kidnapped for meeting the sexual gratification of the middle aged individual. Today a freedom over speech and media have been given up so that those boys are able to state what they want to do or carry out instead of carrying out some other activities that is comparatively more than sex slavery. With imposition of different legislative rules and legislations, homosexuality as well as the cross dressing concept is now taken totally under capital crimes and practising this rules have brought a reduction over "Bacha-Bazi" in Afghanistan. Instead of negative social attitudes and strong legal prohibitions, still their exists institutionalised form of bisexuality within the culture followed by Afghan. A new law known as the LGBT rights (lesbian, gay, bisexual and transgender) rights gender freedom was brought into practice along with sexual liberalism (Frederick 2010). Later in the year, 1976, the penal code was reinstated, which possess several provisions that would be applied to all the LGBT person staying is brought up to the Afghan country by kidnapping. Article 398 of the Penal code is found to state less amount of punishment over vigilant honour killing of the family members who discover their spouse of have made themselves involve in homosexual activities. Next is the article 427 of the Penal code which prescribes long term imprisonment for pederasty. Though the law suggested under this article is all about rape, pederasty it does not address the crime of Bacha-Bazi particularly and therefore, there still exist a gap as well as higher level of ambiguity among all the laws developed in perspective of Bacha-Bazi, whereas all the existing laws does

not highlight much information regarding this child abuse concept of Afghanistan (Lewig 2010). Also the article 430, states that marriage for people in the country of Afghanistan should be treated as an “Instigation of delinquency”, and should be made sure from beforehand whether the person is involved in any kind of acts like homosexuality, infidelity or prostitution.

#### **4.2. Actions taken by UNICEF for improving situations**

UNICEF is strictly advocating over prevention, response as well as abolition of the high form of violence that afghan children’s are prone to on daily basis. UNICEF is on the note of ensuring the children’s specially the boys of the country who have been subjected to child abuse that they are able to enjoy freedom and safety while moving from one place to another in order to enjoy childhood and at the same time grow up as healthy adults. UNICEF today is on the move of organising campaigns for the protection of children from “boy play” or any other forms of child abuse activities. UNICEF is today found to make an out of reach effort just for engaging the people of the community, different NGO partners as well as the local and national governments to look into the ways that would subsequently bring a reduction in the rate of child abuse within afghan culture (Mansoor 2010). UNICEF decided to put into practices all its safeguard strategies into action by making use of tools like community based dialogues that are make provocation within the minds of the people who have got involve into dangerous homosexual activities as well as “boy play” for meeting their own sexual gratification. For increasing the concern among the people belonging to the Islamic culture of the Afghan community, UNICEF today have taken up the initiative to supply materials based on “Children on Islam”, to make different religious leaders and Islamic scholars become conscious about the different illegal activities that are taking place within the Afghan culture and let them know about ways of saving these children who have become prone to child abuse. Currently, UNICEF is notice to take up proper initiative of monitoring and reporting over mechanisms in perspective of grave violations that is carried over children’s brought up to the Afghan country by kidnapping so that the child abuse is reduced to some extent by imposing strict punishments over the people who are still giving priority over the concept (Margolin et al 2010). Other strict initiatives that has been taken up by the UNICEF to abolish Child abuse from the Afghan culture is the establishment of task force over children as well as Armed Conflict just for developing facilities to perfectly monitor and provide response over the grave violations that is child abuse

which is making serious exploitation over the religious culture of Afghanistan. Meanwhile UNICEF is giving huge support over the role of certificate course in social or giving complete protection of the children of the country so that they do not get prone to illegal practice of homosexual abuse. For abolishing this illegal practice of Bacha-Bazi in Afghanistan UNICEF is making out a 24/7 advocacy for giving complete freedom and safety to the children so that they are properly able to understand the time period of childhood and is not forced to get into adulthood with less maturity standard.

### **4.3. Actions taken by the Afghanistan government**

The government of Afghanistan has recently taken up the initiative for making provincial level monitoring and monitoring over the boys who are dragged into “boy play” for meeting sexual satisfaction of the middle aged people and this should be totally detained under the national security charges for betterment and safety of the children’s those who have been made prone to the sexual abuse. In return to this initiative developed by the government of the country UNICEF is determined to provide good amount of technical support to the government for putting into practice different legal action plans in order to provide justice to the children’s so that they are able to lead a proper and healthy childhood (Raj 2008). Further in order to provide proper justice to the children who had already been accused under the child abuse UNICEF is currently notice to take up serious legal actions for making the legal protection rules developed for the safety of the children, also higher level of coordination and collaboration among the administrative officials of the other countries have been mutually developed so that legal punishment or the person who are involved in this kind of activities so that the punishment suggested to them would be mutually considered all. The government today is putting stress over imposing more legal rules and systems for improving the level of co-ordination and collaboration of Afghanistan with the other states in order to save small children from falling into the trap of sexual abuse as they are the future of the nation.

From the year 2003, UNICEF is notice to provide strong social support to the government of Afghanistan for developing and implementing a Child protection and Action Network in order to provide different types of services to the children of the country of Afghanistan so that they are able to protect themselves from this type of harmful and dangerous child abuse. Along with this the government of Afghanistan and UNICEF is notice to provide support to the human rights

commission, who is on the move to fulfil their constitutional mandate for the need of protecting, promoting as well as monitoring the human rights of Afghanistan (Sullivan 2009). Most importantly the child rights unit at the AIHRC is found to focus on monitoring activities on the children who are at risks and in order to let know about the children who are considered now under marginalised situations.

Today report suggest, that UNICEF child protection have made huge achievements in developing a strong legislative framework making use of which the culture of Afghan country is maintained along with complete protection of the children of the country so that they experience a perfect childhood period rather than being forced to develop elderly behavior for satisfaction of others.

#### **4.4. Current situation of Afghanistan under implementation of the safety legislations from child abuse**

The situation of Afghanistan children has improved to some extent after the implementation of the different legislative rules and regulations in perspective of child abuse. Children who are very much prone to domestic violence often flee out from their homes and these children's mainly fall into the trap of domestic violence. To some extent fear have got into the powerful men of the country who mainly carried out this activity of homosexual abuse fearlessly in the afghan society. The government has moved away the less powerful armed forces and implemented new group of armed forces who would be highly concerned about the security of the children in the country. Change in the legislative rules like spread of education in order to reduce the rate of illiteracy that would be indirectly beneficial for reducing the rate of child abuse in Afghanistan. Improved form of guardianship within the afghan families have restricted people to reduce domestic violence and brought a reduction in the rate of losing their own children as children were found to fled away from their own homes due to domestic violence and felt into the trap of homosexual abuse. Increased effectiveness of judicial mechanisms have now made many places secure for the children's to move around and it is only with the help of judicial mechanism the practice of Bacha-Bazi have got down because now the sexual perpetrators have the fear of being sentenced to death once they are caught red handed. Other safety legislations that has been included under the list of Afghan's social policy is by the AIHRC who have brought into effect national program to provide high level of awareness for those vulnerable

families about the harmful consequences of child abduction specially Bacha-Bazi. Even after the imposition of different new rules and legislative principles still more improvements are required and the children's should be more adhere to different strict, conservative as well as social norms so that they are able to make complete maturity of both of their physical and psychological status till the time period this children's become capable of handling adulthood responsibility. Good protections over the human rights have now been imposed in order to save the male children from the risk of violence, abuse as well as sexual exploitation at any time in future. The initiation of extensive advocacy along with proper technical training support initiated by the UNICEF a child protection network is developed in order to provide case management services to children who have been effected by violence, abuse and exploitation UNICEF has also forwarded a helping hand to the Afghanistan government for implementing an inter ministerial action plan just for the purpose of increasing the rate of birth registration coverage which in future would prove to be beneficial for protecting the child living in remote areas in the country of Afghanistan.

#### **4.5. Conclusion**

Child abuse is a serious offence today and Afghanistan being one of the most religious countries makes a void over the different weakened legislative rules and regulations that have already been imposed by the government of the country, but this weakened legislative rules are increasing the confidence of the perpetrators to carry out more illegal activities related to child abuse (Usta 2010). AIHRC is requesting the government to make criminalisation over the Bacha-Bazi practices by making further modification over the penal code and accordingly integrate the criminal law labelling the child abuse practices as criminal offence which could not be forgiven, but a sentence to death. The human rights commission today is come forward for developing certain constitutional mandate in order to protect and promote the level of human rights in the country of Afghanistan so that people along with their children do not have to stay in fear, but lead a fearless life giving complete freedom of movement to their children.

## **5. RESULTS/ FINDINGS**

While both Afghan government and international community want to eradicate the illegal act of Bacha-Bazi in Afghanistan, I assume that the Afghan government is too weak to enforce law against those who are involve in the practice of Bacha-Bazi, because they are very powerful and well-armed former Northern-alliance commanders and warlords and rich businessmen. Second, many of the men involved in Bacha-Bazi are members of Afghan government and law enforcing agencies such as governors, line ministers, police chiefs, and military commanders. Third, weak judicial systems, corruption, corporatism, the absence of the rule of law and poverty also fuel Bacha-Bazi and child trafficking in Afghanistan. (Kapur et al, 2014). The United States and its allies in Afghanistan have maintained the policy of non-intervention about Bacha-Bazi because many of the people involved in Bacha-Bazi are former Northern-alliance commanders and their militia who helped the United States toppled the Taliban Regime. The United States have trained these militia and military men to fight against Taliban alongside the United States; therefore, they want to maintain good relationship with them. (Goldstein et al., 2015).

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