



Women Judges and Prosecutors on Human Trafficking and Organized Crime

Summit



This meeting has been called under the conviction that modern slavery, in the forms of forced labour, prostitution and organ trafficking, is a crime against humanity and must be recognised as such, following numerous requests and definitions by Pope Francis and Pope Benedict XVI. As Chancellor of the Pontifical Academies of Sciences and Social Sciences, I am honoured and grateful that through outstanding efforts by the United Nations Goal 8.7 was included amongst the Sustainable Development Goals. This was the fruit of a meeting that took place in the Casina Pio IV between Pope Francis and the Secretary General Ban Ki-moon. Goal 8.7 states: “Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms”.

The universal adoption of the Sustainable Development Goals, including Goal 8.7, immediately followed a memorable and historic address by Pope Francis to the United Nations General Assembly in September 2015. The 193 countries of the United Nations are obliged to follow the moral imperative which aims to eradicate all forms of modern slavery as quickly and efficiently as possible.

Rightly, Pope Francis and Pope Benedict XVI have defined human trafficking as a serious crime against humanity, because its victims suffer the worst form of exclusion, referred to as ‘the globalisation of indifference’.

To fully grasp such rejection, of despair, and ultimately exclusion from a minimum human dignity, it is necessary to understand that this form of violence against humanity consists not only in physical abuse (torture, repeated sexual abuse, forced organ harvesting, forced labour, including child labour) but also involves violence to the survivor's soul. The latter creates wounds that are deeper and more complex than those already caused by the physical violence.

Friends, those who share in a mutual love, affirm each other and each other's existence. Victims cannot have true friends, since they lack the affirmation that makes friendship the "unique good," as defined by Simone Weil, inspired by Aristotle. The humiliation of the victim, perceived as the withdrawal or rejection of that affirmation to exist, which harms, first and foremost, at a pre-judicial level, that "g-with-and-be-with" others that characterizes any friendship. The humiliated person feels looked down on or, worse, being completely unvalued. Being deprived of that essential existential approval that is friendship reduces the personhood as if the victim did not exist. The humiliation of forced labour, prostitution, involuntary organ extraction, in addition to bodily violation, from this point of view, consists in the victim's perception of non-being, as not being considered as an end, but as a simple means or property of another: the person becomes a thing, an object.

In the case of prostitution, there is still something worse than the complete reduction of human identity: it is a betrayal in the most intimate part of affection, something of crucial importance to a young woman. When families sell and give their daughter away to prostitution, as often happens in cases of extreme poverty and in environments of promiscuity, they betray her in the affection that they must first give her, and that she must receive from them. Likewise, when the partner or boyfriend of a young woman promises her the earth, and heaven too, and then sells her to prostitution, she is also betrayed in a most intimate sense: in the relationship of love as mutual approval and "bond of perfection" (τὴν ἀγάπην, ὃ ἐστὶν σύνδεσμος τῆς τελειότητος - St. Paul, Col 3:14). Unfortunately, this betrayal is the most common and effective method among traffickers, who use young men to capture teens through promises of love. "We will get married and have children", they tell them. This destroys the most intimate core of trust of a person. The victims then feel worse than experiencing rejection, and therefore, the rehabilitation process usually starts from the reconstruction of the confidence in themselves and in others, in a kind of public acknowledgement of the betrayal and the trafficking process they suffered. This betrayal, that of someone in whom trust and love was placed, is often perceived as worse than death.

In order for the effective implementation of the moral imperative of Goal 8.7 to eradicate these extreme forms of exclusion, human trafficking and modern slavery, two procedures are needed. First, it is necessary to get the best possible estimate of the extent of this phenomenon and the places and regions that, most affected by it. Secondly, it is necessary to propose models and best practices that are effective for these purposes.

Regarding the first, the most concerning estimations speak of 50 million annual victims, more

concerningly, of a continuous increase of this tragic phenomenon. It is, of course, our task to perfect these estimates and to locate the victims as accurately as possible.

In relation to the models and best practices, these vary according to the type of crime. Here we cannot do a detailed analysis, but for now simply state that we consider the model followed by the Nordic nations to be exemplary, which for the first time in history penalizes the customers and not the real victims. It is incomprehensible that in our 2000 years of Christianity there has not been a social rebellion to clearly condemn the discrimination suffered by women in the buying and selling of their bodies. St. Paul did state though that “the body is the temple of the Holy Spirit”,⁽¹⁾ but then St. Augustine formulated the doctrine of the lesser evil, when prostitution was in some way regulated by the State, something that did not contribute to the understanding of the specific feminine anthropology. Today, there are also people from the private sector, benevolent activists, who dedicate their lives to the rehabilitation of these victims, creating a very positive model with a process for recovery, that besides giving them spiritual and psychological sustenance, help them reinsert themselves in society, offering them shelter, a dignifying job, friendship and acknowledgement.

As for the delicate issue of organ trafficking, in our last trip to China we launched a very promising model for the eradication of this terrible evil, which seeks to favour donations. It is well known that an increase in organ donations taking place reduces trafficking. To favour organ donation, the Chinese consider donors and their families to be heroes, and thus are buried in special places reserved to such exceptional beings. There is, in addition, a decisive collaboration of the State, without which it would be very difficult to comply with the short times required for the transplants and to have the appropriate means to do so safely.

The judges and prosecutors participating in this important summit are gathered to share their experiences, propose new models and assess existing ones. We trust that the feminine sensibility, rich with kindness and gentleness as well as of profundity and fairness, will play a decisive role in judging justice in each case and in proposing the best practices. It is not without meaning that Justice is always represented as a woman; the lady of justice is a moral allegorical representation that the judicial system requires. Certainly, from this allegory follows the universal recognition of the ethical and human value of women. It is commonly acknowledged that women are more capable than men of directing their attention to the concrete person in their circumstances and that their vocation for justice in society – giving each what is theirs – is a further manifestation of this disposition. The dignity of the woman judge is intimately related to the good and severity emanating from the love that she is able to commit to such interpersonal relationship.

Without justice there is no human society. Only through the figure of the judge are societies recognized as just and free. This must be reaffirmed, because the increasing tendency is to dilute the figure of the judge through pressures from above and below, from the state and from the private world, from recognized social structures and from the “structures of sin”, that just as

powerful mafias do not cease in their objective of vitiating society, corrupts its justice and its people.

Unfortunately, this process of dissolution affects the people and their most sacred institutions. Just as the Rio de la Plata is not only fresh and abundant water that flows and gets lost in the sea, and above all, its channel, a people are not only the sum of individuals that compose it a given moment, but its permanent values, its ethics, its institutions and especially its justice represented by the judges. “Salt is good, but if it loses its saltiness, how can you make it salty again? Have salt among yourselves, and be at peace with each other” (Mk 9:50). Such is Christ’s message, which particularly applies to the judges and prosecutors. With this hope, we call for this summit that will undoubtedly leave an indelible mark on the stormy and changing sea of the liquid modernity in which we all live.

(1) “Do you not know that your bodies are temples of the Holy Spirit, who is in you, whom you have received from God? You are not your own” (1 Co 6:19).