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Guest Editorial
Dr Lezlee Brown Halper

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Cover photograph of entrance door of Buddhist temple, Luang Prabang, Laos. Photograph © Mark Ulyseas

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Guest Editorial Dr Lezlee Brown Halper

Dr Lezlee Brown Halper M.Phil (cantab.), PhD (cantab.) is a Tibet scholar who has extensively travelled in and written about South Asia. She is the co-author of *Tibet: An Unfinished Story*



Will China Export its Water Crisis? Dr Nimmi Kurian

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The Asia-Pacific Region and Cyclic Approaches to Disaster Legislation Camilla R Barker

Barker is a doctoral candidate at the Faculty of Law, University of Oxford and is supervised by Catherine Redgwell, Chichele Professor of Public International Law and Fellow at All Souls College. She holds law degrees from Harvard Law School (LL.M., Fulbright Scholar) and the University of London (LL.B. (Hons)). Camilla's doctoral research involves humanitarian access in natural disasters, and she has been grateful for the opportunities to work on this as a Scholar-in-Residence at NYU Law summer of 2014, and as a member of the Policy Advice and Planning Section at the United Nations Office for the Coordination of Humanitarian Affairs in New York summer 2015.



Changing Brazilian Urban Landscape Mariana Prandini Assis

Mariana is currently a PhD candidate in Politics at the New School for Social Research, in New York. She received her Bachelor of Laws and Master's in Political Science from the Federal University of Minas Gerais, Brazil. In her doctoral research, Mariana offers a map of women's rights discourse production and circulation in the trans-national legal sphere. Her research has been supported by various institutions, such as the Brazilian Ministry of Education (CAPES), Fulbright, and the American Association for University Women (AAUW).



From 9/11 to the War on Terror - *The Limits of Theory and Criticism* Pavan Kumar Malreddy

Malreddy is a Researcher in English Literature at Goethe University Frankfurt. He is the author of *Orientalism, Terrorism, Indigenism: South Asian Readings in Postcolonialism* (SAGE, 2015) and co-editor of *Reworking Postcolonialism: Globalization, Labour and Rights* (Palgrave, 2015). He has co-edited special issues with the Journal of Postcolonial Writing (2012) and ZAA: Journal of English and American Studies (2014), and has authored over twenty academic essays and chapters on terrorism and postcolonial theory in journals.



The Future is Female David Morgan

David Morgan is a London based journalist with interests in politics, human rights, international relations, history and cultural issues. He has been working in journalism as an editor and writer for three decades after he studied literature and history at university. He has edited several titles from the Socialist History Society (SHS) of which he is the Secretary. He writes regularly for the SHS Newsletter, occasionally for the Morning Star newspaper and for a range of other online and printed publications.



On Education in India Professor Ganesh Devy, Chair, People's Linguistic Survey of India

Prof Devy, was educated at Shivaji University, Kolhapur and the University of Leeds, UK. Founder of the Bhasha Research and Publication Centre at Baroda and the Adivasi Academy at Tejgadh. In January 2014, he was given the Padmashree by the Govt. of India. He was advisor to UNESCO on Intangible Heritage. Devy's books are published by Oxford University Press, Orient Blackswan, Penguin, Routledge, Sage among other publishers. His works are translated in French, Arabic, Chinese, German, Italian, Marathi, Gujarati, Telugu and Bangla.



A Lost Generation of Tamil Youth Dr Daya Somasundaram

Dr Somasundaram received the Commonwealth Scholarship in 1988 and fellowship of the Institute of International Education's Scholars Rescue Fund in 2006–07; Fellow of the Royal College of Psychiatrists, Royal Australian, New Zealand College of Psychiatrists, Sri Lanka College of Psychiatrists. Author of *Scarred Minds: The Psychological Impact of War on Sri Lankan Tamils* describes the psychological effects of war on individuals. He has co-authored *The Broken Palmyra: The Tamil Crisis in Sri Lanka: An Inside Account*.



The Problem with Human Rights: Public Perception Sophie Gallop

Sophie is a doctoral researcher and teaching associate at the University of Birmingham Law School. Her doctoral research is focused on the relationship between examples of non-independent judiciaries and incidents of torture, and the effect that relationship has on individuals attempting to exhaust domestic remedies under the Optional Protocol to the International Covenant on Civil and Political Rights. She has previously worked at the University of The Gambia, and studied at the University of Bristol, and the University of Warwick.



Declaration on the Rights of Indigenous Peoples Dr Fleur Adcock

Dr Fleur Adcock is a Research Associate with the National Centre for Indigenous Studies at the Australian National University (ANU) and teaches at the post-graduate level in the ANU College of Law. Fleur's specialization is Indigenous peoples' rights under international law and she has published widely in the field. She is from the Māori nation Ngāti Mutunga. http://ncis.anu.edu.au/people/adcock_ra.php



Combating Human Trafficking: Gaps in policy and laws Dr Veerendra Mishra

Veerendra Mishra is CEO/Secretary, Central Adoption Resource Authority (CARA), Ministry of Women and Child Development, Government of India. He has authored a book titled Community Policing: Misnomer or Fact (SAGE, 2011), edited another book, Human Trafficking: The Stakeholders' Perspective (SAGE, 2013) and authored latest book Combating Human Trafficking: Gaps in policy and laws (SAGE, 2015). He also writes fiction; he has written a short-story book (Cracking of Dawn-2009 Selective and Scientific Publication Delhi), and contributed stories in the Chicken Soup Soul series.



Update 2015 - Another year of Living Foolishly? Mark Ulyseas

This essay was written and published in 2008. Since then I have updated it every year. Except for a few lines here and there the basic essay has remained in its original form. It is a reminder to us that the inhumanity of humanity has not changed. In fact it appears to be growing in intensity. Sadly the more things change, the more they remain the same.



DR LEZLEE BROWN HALPER

M.Phil (cantab.), PhD (cantab.) is a Tibet scholar who has extensively travelled in and written about South Asia. She is the co-author of [Tibet: An Unfinished Story](#)

In 2015 the world witnessed the largest movement of people fleeing violence and oppression since World War II. Included are four million Syrians among others from the Middle East and North Africa who have fled the ravages of war and ethnic persecution. The image of 3 year old Aylan Kurdi's body lying dead on a Turkish beach near Bodrum is an image few will forget - his young life sacrificed to the desperate hope for freedom from war and the safety of Europe.

His plight, an example of the latest and most vivid abuse of captive peoples, reminds us that tyrannical oppression is not limited to Syria.

Just as these refugees risk their lives to reclaim their dignity and a future for their families, so the oppressed Uighurs in Xinjiang, and the Tibetans, struggle against China's oppressive military governance. Who can forget the searing images of Tibetans, doused with petrol, who set themselves alight in Lhasa's public square. Since February 2009, 143 Tibetans have self-immolated in protest of Beijing's iron-fisted rule. In August of this year a mother of five, Tashi Kyi, from Eastern Tibet, died after setting herself ablaze in protest of Chinese agents who were demolishing Tibetan houses in her village.

But pay this no mind. A Beijing White Paper released in September informs us, in a glowing account, of Chinese economic, social, spiritual and environmental improvements in Tibet. We are assured that, in fact, Tibet today is basking in a "golden age".... But facts are stubborn little things.



On July 1st the Xi regime issued new security regulations that will further curtail minority rights in China. This new National Security Law gives Xi Jinping control over all aspects of security - from cyberspace to education to religion to speech and assembly. Criticism of the Communist Party is now prohibited; violators are to be punished. Any Tibetan who is suspected of being connected to an individual who has self-immolated or has discussed or shared the event on social media is subject to detention. The new law is particularly notable because it claims the Party's right to protect its interests not just in Xinjiang, Tibet and Hong Kong, but also in the East and South China Seas. In 1950's China began its claim on the Indian province of Arunachal Pradesh and Aksai Chin; today China is claiming 900,000 square miles of the South China Sea and the Japanese administered Senkaku islands in the East China Sea.

Tibet's peculiar "golden age" means Tibetans are not permitted to practice their religion. It is unlawful to carry a picture of the Dalai Lama or to celebrate His Holiness' birthday or to possess any of his teachings. The monasteries are carefully controlled by the Communist Party with each Monk assigned a Communist Party minder; nomads are no longer free to roam with their herds, and this year's World Report from Human Rights Watch finds that China has adopted a two-track system for issuing passports. Han Chinese may access a fast-track while minorities must use the slow track. So while the Han travel freely with their new passports, the Tibetans find it nearly impossible to obtain one.

In 2012 the Chinese government ordered residents in the Tibetan Autonomous Region- 90 per cent are Tibetans- to surrender their passports as new "ePassports" would be reissued. But, according to the Human Rights Watch report, replacements were not issued which, in effect, means that some 3 million Tibetans are unable to travel. (One Tibetan quoted in the Human Rights Watch report said: *"It's harder for a Tibetan to get a passport than it is to get into heaven"*.) The report further finds that the new Chinese system prevents Tibetans from attending Buddhist festivals and events held by the Dalai Lama in India which are deemed "splittist activities" by the PRC; those caught attending are punished. These policies also apply to Muslim Uighurs and Hui who are prohibited from making pilgrimages to Mecca.

Since the protests in 2008, Tibet has experienced a harsh crackdown on civil liberties that has worsened under President Xi's restrictive rule. On July 1st the Xi regime issued new security regulations that will further curtail minority rights in China. This new National Security Law gives Xi Jinping control over all aspects of security - from cyberspace to education to religion to speech and assembly. Criticism of the Communist Party is now prohibited; violators are to be punished. Any Tibetan who is suspected of being connected to an individual who has self-immolated or has discussed or shared the event on social media is subject to detention. The new law is particularly notable because it claims the Party's right to protect its interests not just in Xinjiang, Tibet and Hong Kong, but also in the East and South China Seas.

In a State visit to the United States in September of this year President Xi used the same formulaic propaganda to explain China's land grab in the South China Sea as Zhou Enlai did in 1950 when China invaded Tibet. Then Zhou explained to the world that Tibet had been a part of China since "ancient times". Now 65 years later, in a joint press conference with President Obama at the White House, Xi told the media that the islands in the South China Sea had also been part of China since "ancient times".

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In Washington, Xi promised not to "militarize" the islands which are claimed in whole or part by the Philippines, Vietnam, Malaysia, Taiwan and Brunei. Yet just days earlier satellite images showed Chinese workers completing as 10,000 foot runway on Fiery Cross reef--long enough to accommodate the PLA's biggest military aircraft. (Fiery Cross reef is claimed by six nations.) In a remarkable sleight of hand in 1954, Zhou Enlai placated Nehru who questioned Chinese maps showing Indian territory as part of China. Zhou explained the maps were old and would later be revised- of course they never were. Today even as Arunachal Pradesh is part of India and protected by its military, Chinese maps label it Southern Tibet.

If China wishes to have respect and influence on the global stage, it will have to gain credibility on a range of governance issues. Transparency would be a good first step. Today, China holds a seat on the United Nations Human Rights Council yet, in an inexplicable contradiction, it continues to deny Chinese and Tibetans the fundamental rights of freedom of expression, freedom of assembly and religious freedom. Moreover, even as Xi was touting women's rights at the United Nations in September his government continues to monitor and control female reproductive rights and imprisons feminists and female activists.

The 2015 Human Rights Watch report on China states: Chinese authorities have "unleashed an extraordinary assault on basic human rights and their defenders with a ferocity unseen in recent years—an alarming sign given that the current leadership is slated to retain power through 2023". What is even more alarming is the silence of world leaders whose "go along, get along" attitude has eshewed the public shaming that could pierce China's blatant propaganda and move the Beijing authorities to more ethical governance.



Dr Nimmi Kurian

Associate Professor at the Centre for Policy Research, New Delhi.

Will China Export its Water Crisis?



The signs of water crisis are everywhere in China. From declining freshwater reserves, increasing droughts, desertification levels and a vulnerability to sandstorms, the browning of China is both real as well as stark. China is witnessing a virtual dam-building boom with a concerted national campaign to develop and augment the country's huge hydropower capacity. As China's largest hydroelectric dam on the Brahmaputra (Yarlung Tsangpo) became fully operational in October this year, it has triggered a renewed bout of fear and paranoia in India. The \$1.5 billion Zangmu hydroelectric dam as well as 39 run-of-the-river projects on the Yarlung Tsangpo and its tributaries has raised questions about the likely transborder implications of China's resource choices. The fact that three of these dams, the Jiexu, Jiacha and Zangmu dams are within 25 kms of each other and at a distance of 550 kms from the Indian border has further stoked downstream concerns.

It is easy to understand why. Having already built more than 25,800 dams, China is embarking on an ambitious programme to nearly double its hydropower generation to 380,000 MW by 2020. Much of China's hydropower expansion is based on augmenting capacity in its Western region, which is being projected as the energy powerhouse of the country. Within the western region, the provinces of Tibet and Yunnan are emerging as focal points of hydropower expansion with a series of dams being planned on major international rivers such as the Salween, Mekong and the Yarlung-Tsangpo. As the headwaters of many of Asia's mighty rivers, the Tibetan 'water bank' in every sense becomes Asia's water bank and the environmental sustainability of Tibet means the environmental sustainability of much of Asia. Many of these rivers flow into some of the most populous regions of South and Southeast Asia. There are growing concerns in the region that construction of dams by China could adversely impact flows downstream. For instance, when runoff levels fall substantially during the lean season, levels of vulnerability among downstream communities are likely to be heightened significantly. Changes in the hydrology of glacier-fed rivers also raise fears of flash floods and dam safety.

Climate change is exacerbating the spatial and temporal variations in water availability, with the annual runoff in mega deltas such as the Brahmaputra and Indus projected to decline by 14 per cent and 27 per cent respectively by 2050. This will have significant implications for food security and social stability given the impact on climate sensitive sectors such as agriculture. There is also growing concern that transboundary dam projects are blocking fish migratory routes and fish production. For rural riparian communities this spells nothing short of a food crisis since fish constitutes a chief source of food and their principal source of protein.

Added to these are concerns that the fragile ecosystem of the Tibet-Qinghai plateau is showing other signs of stress as it struggles to cope with the furious pace of economic activity that forms part of China's Western Development Strategy. The 'pillar' industries of mining and timber processing have fed the rapid industrialisation of Tibet, bringing in its wake assorted problems of deforestation, soil erosion, landslides, floods, acid rain and pollution especially of the water systems. These are creating ecological imbalances in the form of rising temperatures, retreat of glaciers and droughts caused by indifferent rainfall. Chinese researchers have estimated that average temperatures on the Tibetan plateau have been rising by 0.31 degree Celsius every decade based on an analysis of climate change data collected between 1961-2013. This is reported to be 10 times the national average and thrice the rate of global warming. The average annual mean warming in Asia is expected to rise from 3 degree Celsius in the 2050s to 5 degree Celsius by 2080s as a result of a concentration of greenhouse gases in the atmosphere. There are growing fears as many of these ecological imbalances in the form of rising temperatures, retreating glaciers and droughts caused by indifferent rainfall are increasingly finding their way to parts of the extended subregion. Climate change is exacerbating the spatial and temporal variations in water availability, with the annual runoff in mega deltas such as the Brahmaputra and Indus projected to decline by 14 per cent and 27 per cent respectively by 2050. This will have significant implications for food security and social stability given the impact on climate sensitive sectors such as agriculture. There is also growing concern that transboundary dam projects are blocking fish migratory routes and fish production. For rural riparian communities this spells nothing short of a food crisis since fish constitutes a chief source of food and their principal source of protein. These will also entail troubling trade-offs between hydropower, food security and biodiversity will have ripple effects across the transboundary basin. In neighbouring Mekong there is growing concern that transboundary dam projects are blocking fish migratory routes and fish production.

Many of these concerns get further compounded by the fact that India's official narrative has largely tended to downplay many of these concerns. For instance, Prime Minister Manmohan Singh summarily chose to dismiss these fears when he informed the Rajya Sabha in 2011 that India 'trusts China' and relayed China's assurance that 'nothing will be done that will affect India's interest'.

Assam's Chief Minister Tarun Gogoi tersely noted recently, "Construction of big dams will adversely affect downstream areas of Assam and the north-east region and I fail to comprehend why the Centre is not taking the matter seriously despite knowing this fact." These concerns are further exacerbated by the fact that there are currently no platforms to institutionalise regular interactions between the Centre and the Northeastern border states on many of these cross-cutting issues. For instance, the Interstate Council (ISC), a forum designed to bring all Chief Ministers to work on operationalising coordination mechanisms between the Centre and the states has only held two meetings so far, the last one being held in December 2006.

Not surprisingly, there is growing consternation in the Northeast on what is widely perceived as the Centre's lack of resolve in raising the issue with China. It has also not helped that while India and China have signed agreements for the sharing of flood-forecasting data, India does not have any water-sharing treaty with China. For instance, Assam's Chief Minister Tarun Gogoi tersely noted recently, "Construction of big dams will adversely affect downstream areas of Assam and the north-east region and I fail to comprehend why the Centre is not taking the matter seriously despite knowing this fact." These concerns are further exacerbated by the fact that there are currently no platforms to institutionalise regular interactions between the Centre and the Northeastern border states on many of these cross-cutting issues. For instance, the Interstate Council (ISC), a forum designed to bring all Chief Ministers to work on operationalising coordination mechanisms between the Centre and the states has only held two meetings so far, the last one being held in December 2006. Centralised agencies such as the Brahmaputra Board under the Ministry of Water Resources have also shown the limits of a top-down model that does not seek to involve active cooperation with the states. There are also as yet no forums for engaging in an institutionalised dialogue with the 39 MPs from India's Northeast.

The fact that many of these transboundary challenges are experienced at the local level calls for finding effective ways of incorporating border regions into India's engagement with China on transboundary waters. Given the multiple ripple effects, transboundary water governance issues rightly need to be conceived as regional public goods that require transnational frames as against the bilateral frames. Can we frame some of these questions in ways that can create institutional entry points for a whole set of missing issues that currently are invisible to the mainstream policy and research gaze in India and China? India and China's willingness to begin a subregional conversation on regional public goods could pave the way to designing norms of benefit sharing, negotiating trade-offs, and allocating risks and burdens on collective goods and bads in the region. It remains to be seen if India and China can indeed cross the river by feeling the stones.



CAMILLA R BARKER LLB (HONS), LLM, FRSA, AFHEA

THE ASIA-PACIFIC REGION AND CYCLIC APPROACHES TO DISASTER LEGISLATION

Whenever we think about a State that is affected by a natural disaster, we tend to think about what happens during and immediately after that disaster. More and more often, we are also thinking about what happens before these disasters strike and about how we can better prepare ourselves for their onset. What we do not think about as much, however, is what happens when that disaster and its effects have gone away. What happens when the debris is cleared, homes and services are rebuilt, and life returns to normal? Is that the end of the story?

For legislators, it certainly isn't. When a disaster strikes, it is true that most of the legislative attention is focused on dealing with that disaster and its immediate aftermath (usually in relation to emergency powers), but that is not to say that the long term is not already being considered. The reason for this is the increasing tendency of legislators to think of disaster-related legislation as pertaining to different stages of the disaster cycle.

“Nepal has new disaster legislation pending, but the government has been working to strengthen its disaster preparedness and disaster response for a number of years. 2009 saw the creation of the [Nepal Risk Reduction Consortium](#), an initiative that brings together groups from the humanitarian, development, financial and governmental sectors to identify risk priorities and reduce Nepal’s vulnerability to natural disasters.”

The Disaster Cycle

[Daniel A. Farber](#), a professor at the University of California, Berkeley, suggests that there are five stages in the disaster cycle: risk mitigation – disaster event – emergency response – compensation and insurance – rebuilding. Each stage of the cycle is prompted by the one before it, and each stage somehow feeds into the one after it.



It is no surprise, then, that States that have experienced a major natural disaster are keen to enact new laws that not only deal with the challenges presently faced, but also the challenges to be faced in the future. In this article, we take a look at three countries in the Asia-Pacific region and the laws that they have put in place in recent years to encompass these different disaster cycle stages.

Nepal

Nepal has new disaster legislation pending, but the government has been working to strengthen its disaster preparedness and disaster response for a number of years. 2009 saw the creation of the [Nepal Risk Reduction Consortium](#), an initiative that brings together groups from the humanitarian, development, financial and governmental sectors to identify risk priorities and reduce Nepal’s vulnerability to natural disasters.

“The Asia-Pacific region as a community of States has certainly taken a lead in the development of disaster management laws. As the frequency and intensity of disasters continues to rise, this cyclical or holistic view of disaster management is sure to take hold as the prevailing approach in new legislative initiatives.”

One year later in 2010, the National Emergency Operations Centre was established. The recent earthquakes have no doubt tested these frameworks, but it remains to be seen how successful they have been. What is clear now is that legislators will be incorporating the experience of the earthquakes and the apparent cyclical nature of disaster response into Nepal’s pending Disaster Management Act.

Cambodia

July 2015 witnessed the signing of a new national disaster management law in Cambodia, a move that demonstrates the country’s commitment to strengthening the regulation of disasters as the current Chair of the [ASEAN Committee on Disaster Management](#). As well as prevention and mitigation provisions – that not only make calls for the incorporation of disaster risk reduction measures in development planning, but also provide for action on climate change – the new law contains significant provisions on assistance and cooperation. These achievements can be seen as part of a momentum in Southeast Asia in which countries are underscoring the need for action on mitigation as well as response to disasters, reflecting that very same cyclical understanding of disaster management.

Timor Leste

Early in 2015, some innovative steps were taken by Timor Leste to ascertain the extent to which the country’s disaster laws needed strengthening. A large-scale [disaster simulation exercise](#) was conducted, involving around 150 participants, including major organisations such as the United Nations and the Red Cross Red Crescent movement. The exercise revealed weaknesses and gaps in the system, and prompted the government in Timor Leste to focus on areas such as civil-military coordination, technical development, community resilience, and management planning more broadly. This approach will ensure that a holistic view is taken in respect of the development of the country’s new legal and policy frameworks for disaster management.

Concluding Remarks

The Asia-Pacific region as a community of States has certainly taken a lead in the development of disaster management laws. What these three countries demonstrate is that the focus of legislators working on disaster-related issues is not solely the immediate response to a disaster (what we tend to think about the most), but also the prevention thereof and long term reaction thereto. As the frequency and intensity of disasters continues to rise, this cyclical or holistic view of disaster management is sure to take hold as the prevailing approach in new legislative initiatives.



Occupation Tomás Balduino, in Ribeirão das Neves/MG



Mariana Prandini Assis, The New School for Social Research, New York.

Building homes while Affirming Rights: How the housing movement is changing Brazilian Urban Landscape

“We do not want the right to housing. We want housing.” This is how Brazilian homeless families express their grievance, and denounce the gap between ‘the law in the books’ and ‘the law in action’. By doing so, rather than abandoning the grammar of rights, they instead demand that these are taken seriously and made reality. Taking a step even further, they move beyond claims, and make rights real through their political action: by occupying vacant buildings and land, thousands of homeless families are breaking the real state speculative bubble and building their homes. In this process, not only the legal discourse is central to their political activism but also courts have become a crucial space where their fate is decided. The use of legal discourse and strategies by social movements to advance their goals has long been an important concern for both scholars and activists. The reliance on legal institutions, such as national or international courts, continues to foment critical questions that include, but are not limited to, the role of (legal) experts in movement processes, the appropriate language for political mobilization, the tension between institutional tactics and larger movement building, and the trade-off between short-term victories and deep structural transformations.

Early scholarship on the issue tended to be rather skeptical about the role and capacity of litigation or any other legal strategy in promoting social change. Galanter (1974) and Kairys (1998), for example, suggested that “law is biased towards the *status quo*”, and therefore operates as to reinforce exclusions and social hierarchies.¹ In addition, scholars such as Scheingold (2004) and Handler (1978) claimed that, as “a conservative strategy dominated by elites”, litigation would only capture energy and efforts that could otherwise be used for more effective, transformative and grassroots organizing.² In this sense, this first assessment is marked by a strong anti-law/rights position: it admonishes social movements on the myth of rights and the illusions created by the liberal creed that it is possible to achieve deep social change through the legal system. Despite my agreement with some of the claims above, particularly those that stress the elitist and thus conservative character of the legal institutions, I still want to argue that the legal system has fissures through which an insurgent, therefore transformative, discourse can emerge and develop. In what follows, I attempt to demonstrate this claim by giving a picture of the current urban landscape in Brazil and the struggles for housing that unfolds in it. I argue that, without the legal mobilization pursued by these movements, neither the social right to housing³ nor the fulfillment

of the social function of private property would have been taken seriously by governments and judiciary alike. Therefore, law sits at an ambiguous place, where it can be both a sword on the hands of the powerful, and a shield to protect the dispossessed.

Brazilian Urban Development: Deregulated Expansion and Exclusion

For many decades, beginning in the 1930s, Brazil followed an exclusionary path of urban development, which had in its core “the legal recognition of property rights, more specifically, urban real property rights”.⁴ This approach, embedded in “classical liberal legalism, has long made possible the definition of real property merely as a commodity, thus favouring economic exchange values to the detriment of the principle of the social function of property”.⁵ A disastrous consequence of this private model of negotiating urban land is real estate speculation, which has become a serious issue all over the country and, particularly, in the metropolitan areas. It is easy to find vast parcels of land completely vacant. All in all, the housing deficit in Brazil, which reached 5,430,000 units in 2012,⁶ is directly linked to the nonexistence of any regulatory mechanism of the urbanization process for more than fifty years. This condition led not only to the state’s failure in providing the population with efficient housing policies but also contributed to enhance the dynamics of a highly speculative urban land market.

Today, the design of Brazilian urban landscape portrays the deep inequalities that mark our society: while upper class neighborhoods have access to facilities, implement renovation and conservation plans and are served by a variety of public services, poor areas exhibit precarious conditions of living. In a way, one can claim that Brazilian cities display, in their streets, squares, buildings and public services, the differentiated citizenship⁷ characteristic of our socio-political heritage. Formally, citizenship is universal and inclusive, but when it comes to the benefits linked to it, especially social rights, only a small parcel of population experience them fully. Therefore, urban space in Brazil mirrors the unequal distribution of wealth and the political exclusion of the lower classes. And while the city provides a material representation of these unequal conditions, it also plays an important role in reinforcing them, through the spatial segregation it structures.



Occupation Izidora, in Santa Luiza/MG

Law as a Shield: The Ambivalent Legal Architecture of the 1988 Constitution

The outcome of a highly disputed drafting process, the 1988 Brazilian Constitution is an ambivalent document that amalgamates diverse aspirations, including those of the urban reform movement. For this reason, while the Constitution protects private property as a fundamental individual right, it also establishes that all private property has to fulfill a social function. In addition, the derived constituent power⁸ explicitly recognized the right to housing as a social right, a victory of large-scale social mobilization. And once granted constitutional status, the right to housing, along with other social rights, requires a positive action from the state.

It is in the meeting between the failures of the state to confront the housing deficit and deliver this social right efficiently, an increase in the number of vacant land and building, and a constitutional framework that allows for an insurgent legal thesis to be developed, that the housing movement emerges in the Brazilian landscape with full force. Operating a true subversion in the dominant vocabulary, it argues that the direct action of taking back vacant land and turning it into homes cannot be framed as invasion, but rather occupation. Occupation acquires here not only a positive content, but also a dimension of legitimacy: to occupy means to enforce the law that requires every property to fulfill a social function. In this new scenario, the illegality is on the side of those who pursue real state speculation. By operating this shift in the social grammar of property and housing, the homeless families reinvent themselves as subjects of rights, and not only objects of the law. They see themselves as pursuing justice and constitutional enforcement, and by doing so speak truth to power, both public and private.

If at the beginning this seemed to be a difficult shift to take place, the movement starts now to have some victories in court. While it is still hard to dismantle completely the notion of property as the stronghold of individuality and thus fully commit to a view that grounds it on the social, a recent high court decision provides some hope. Just a few weeks ago, the Superior Court of Justice decided, in the case of probably the largest occupation in the country, that “no judicial decision is worth more than a life”. But even more important than these judicial victories are the subjective transformation that the individuals involved in the struggle undergo, as legal discourses “become meaningful through, the practical social activity of conscious legal agents”⁹.

Rather than understanding the legal discourse as a limitation to political mobilization, it is important to acknowledge, first, that legal norms shape the terrain of social struggles and, second, that various legal tactics might prove a useful resource for activists to further develop their cause. In such approach, law is seen as far more than litigation and victories in courts: it is a powerful symbolic and legitimating resource – just as it may also work as a constraint - that influences larger movement processes. The case of the housing movement in Brazil, and its victories thus far, is a decisive instance of this.

Final Remarks

The argument I attempted to develop here is dependent upon a series of assumptions that take a step away from the scholarship mentioned earlier in this essay and critically examines how legal mobilization unfolds on the ground, in an ethnographic fashion. Indeed, in order to be able to fully apprehend the dynamic and nuanced ways in which law affects not only social movement processes but also activists themselves, it is necessary to leave to courtroom and look at the constitutive role that law plays in movement dynamics, by empowering the dispossessed and providing a novel grammar equipped with social legitimacy. It requires thus, following McCann,¹⁰ that we take an interpretive approach to examine law and its capacity to promote social change when employed by progressive social movements.

Rather than understanding the legal discourse as a limitation to political mobilization, it is important to acknowledge, first, that legal norms shape the terrain of social struggles and, second, that various legal tactics might prove a useful resource for activists to further develop their cause. In such approach, law is seen as far more than litigation and victories in courts: it is a powerful symbolic and legitimating resource – just as it may also work as a constraint - that influences larger movement processes. The case of the housing movement in Brazil, and its victories thus far, is a decisive instance of this.

1. Boutcher, Steven A. ‘Law And Social Movements: It’s More than Just Litigation and Courts’. *Mobilizing Ideas* 2013. Web. 26 Oct. 2015.
2. Idem.
3. Article 6th of the Brazilian Federal Constitution guarantees the right to housing, as a social right, along with education, health, food, work, transportation, leisure, public safety, social security, protection to maternity and childhood, and social assistance to the impoverished.
4. Fernandes, Edesio. 2002. Providing security of land tenure for the urban poor: the Brazilian experience. In *Holding Their Ground: Secure Land Tenure for the Urban Poor in Developing Countries*. Earthscan, p. 101.
5. Idem. p. 102.
6. According to the research conducted by João Pinheiro Foundation, available at < <http://www.fjp.mg.gov.br/index.php/doc-man/cei/559-deficit-habitacional-2011-2012/file>>.
7. Holston, James. 2009. *Insurgent citizenship: Disjunctions of democracy and modernity in Brazil*. Princeton University Press.
8. Constitutional Amendment no. 26, passed in 2000.
9. McCann, Michael W. 1994. *Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization*. University of Chicago Press. p. 283.
10. Idem.

ORIENTALISM, TERRORISM, INDIGENISM

South Asian Readings
in Postcolonialism

Pavan Kumar Malreddy



We thank Dr Pavan Kumar Malreddy, author of *[Orientalism, Terrorism, Indigenism: South Asian Readings in Postcolonialism](#)* (SAGE, 2015), for generously contributing this article.



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From 9/11 to the War on Terror

The Limits of Theory and Criticism

In 2003, I vividly remember encountering a group of six Mohawk Aboriginal men in a public park in Toronto, who summoned me to leave the “land of the Indian sons” at once, and then “go back to whichever the refugee camp” I came from. The men, who mistook me for “a refugee from Afghanistan”, would later make amends for their faux pas upon learning that I too am **Indian** (albeit, of some other kind) and would go on sharing jokes about what would have happened if Columbus fell from the edge of the Earth, or simply sailed in a circle and ended up rediscovering Spain.

In the post-9/11 climate of racial anxieties, this encounter had a curious yet lasting impact upon my thinking on the limits of postcolonial theory. Up until 9/11, Orientalism has been understood in a rather linear and modular fashion, as a discursive caveat that harnessed and justified colonial enterprise, including its pseudo-humanist aspirations. Said’s work, despite its ambitious scope, did not have much impact outside of literary studies and anthropology, nor has it been modified or extended to reflect the competing discourses of terrorism, security, rights, migration, and displacement. The Mohawk Indians or First Nations scholars, for instance, had probably little or no use for Said’s *Orientalism*, despite the fact they were both *subjected to*, and evidently *subjectivised by*, the popular Orientalism of the post-9/11 epoch.

...many Aboriginal scholars hold the view that postcolonial theory, with its European roots and residual Eurocentrism, lacks both the epistemic and experiential tools for understanding Indigenous conceptions of spirituality, collectivity, cosmology, ecology, and holistic thinking. I address these tensions in the last three essays of the book, while proposing new conceptual categories such as “Indigenous humanism”, “locopolitanism”, and “nationalogues”.

Although the critics of *Orientalism* have gained a new ground since Said’s untimely death in 2003, none of them offered a substantial revision or reconceptualization of Said’s work. It is against this theoretical aporia that I became interested in the critiques of Orientalism and their potential contributions for a better understanding of post-9/11 racial and cultural anxieties, which I examined in my monograph *Orientalism, Terrorism, and Indigenism: South Asian Readings in Postcolonialism* (SAGE, 2015). Building on Gyan Prakash’s distinction on “the opposition between the stability of synchronicity and the instability of diachrony,” (1995, 207) in Said’s work, and Hamid Dabashi’s (2009, 213) reading on the diffusion of Orientalism into multiple, disposable (“use and throw”) discourses, I propose a typology of multiple yet competing Orientalisms – from “counter-Orientalism” and “traveling Orientalism” to “pulp Orientalism” – in the first section of the book. In the subsequent section – “Disjunctures” – I examine the legacy of *Orientalism* to humanities and social sciences, especially its role in shaping and instituting the field of postcolonial studies. As such, I identify a critical disjuncture between partisanism and universalism, which is also expressed in postcolonial studies’ anxieties in grounding itself as a *discipline* while simultaneously challenging the disciplinary hegemony of the western academy.

In the final section of the book – “Indigenisms” – I turn to postcolonial theory’s ability to articulate cultural politics that are “partisan” and “nativist” in character, but remain complicit in the language of humanism, cosmopolitanism and rights. For instance, in my experience of working with Indigenous institutions in Canada, I have encountered a great deal of reluctance for, if not outright rejection of, theorists such as Spivak, Bhabha or Said by Aboriginal educators, scholars, and activists who considered theoretical models build on postcolonial societies to be inadequate, as they did not address the concerns of settler colonial societies such as Canada.

Hence, many Aboriginal scholars hold the view that postcolonial theory, with its European roots and residual Eurocentrism, lacks both the epistemic and experiential tools for understanding Indigenous conceptions of spirituality, collectivity, cosmology, ecology, and holistic thinking. I address these tensions in the last three essays of the book, while advancing new conceptual categories such as “Indigenous humanism”, “locopolitanism”, and “nationalogues”. Taken together, these conceptual interventions forge a “post-Eurocentric” perspective that serves as a mediating ground between the European tradition of liberty, humanity and rights, and non-European conceptions of collectivity, locality and “worlding from below”.

In my recent co-edited collection (with Birte Heidemann, Ole Birk Laursen, and Janet Wilson),

In the context of civil wars, separatists or revolutionary conflicts, literary texts have the capacity to play a transforming role in debunking the propagandaic nature of the political discourse(s) from both ends of the spectrum – states and revolutionaries –, owing largely to the rhetorical and imaginative qualities inherent to their form. Accordingly, my project constructs a hitherto unfounded category of “insurgency literature” through a genealogical study of colonial uprisings, peasant rebellions, and resource conflicts of the 20th and 21st centuries.

Reworking Postcolonialism: Globalization, Labour and Rights (Palgrave Macmillan, 2015), I’ve expanded my interest in local universalisms to the emergence of multiple subject positions of labour (as opposed to wage labour), citizenship, and rights in an age of terror, precarity, and political upheavals.

In my forthcoming book project, tentatively titled *Towards Post-Terrorism: Necro-Nationalism and Cultures of Violence in Insurgency Literature*, I shift my focus from 9/11 to “war on terror” and its ancillary discourses such as “eco-terrorism” and “energy security”. Moving away from the event-centrism (“event theory”) of 9/11, I am to document *the responsive violence* to terrorism, which has far-reaching effects on the armed conflicts in the postcolonial world that were typically classified as “internal security problems” of their respective nation-states. The insurgencies in India, Nigeria, and Burma are among the prime examples that have been systemically absorbed into the “war on terror” discourse, which my study investigates through a combination of literary and ethnographic sources. Incidentally, it is only in the aftermath of the 9/11 attacks that the literary output on insurgencies from India, Nigeria, and Burma has witnessed a steady rise. Despite the fact that the ethno-nationalist, revolutionary, and secessionist violence in the three countries had a long history of political grievances since the formal end of colonialism, they have been dramatically recast as “resource conflicts” in the wake of the “war on terror” campaign.

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DAVID MORGAN

THE FUTURE IS FEMALE



Inanna on the Ishtar Vase French museum Louvre
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The state of the world might easily leave one in utter despair. The achievement of social justice for all seems a matter for idealistic dreamers, the welfare state safeguards that offered many the only hope of a half-decent existence (I won't say "life") are systematically eroded, while wars, conflicts and deep social divisions in power and wealth are tearing the world asunder.

The refugee crisis in the Mediterranean is a huge catastrophe with suffering on an unbearable scale unfolding before the world's gaze while empathy is far too feeble and fleeting to address the real roots of the problem.

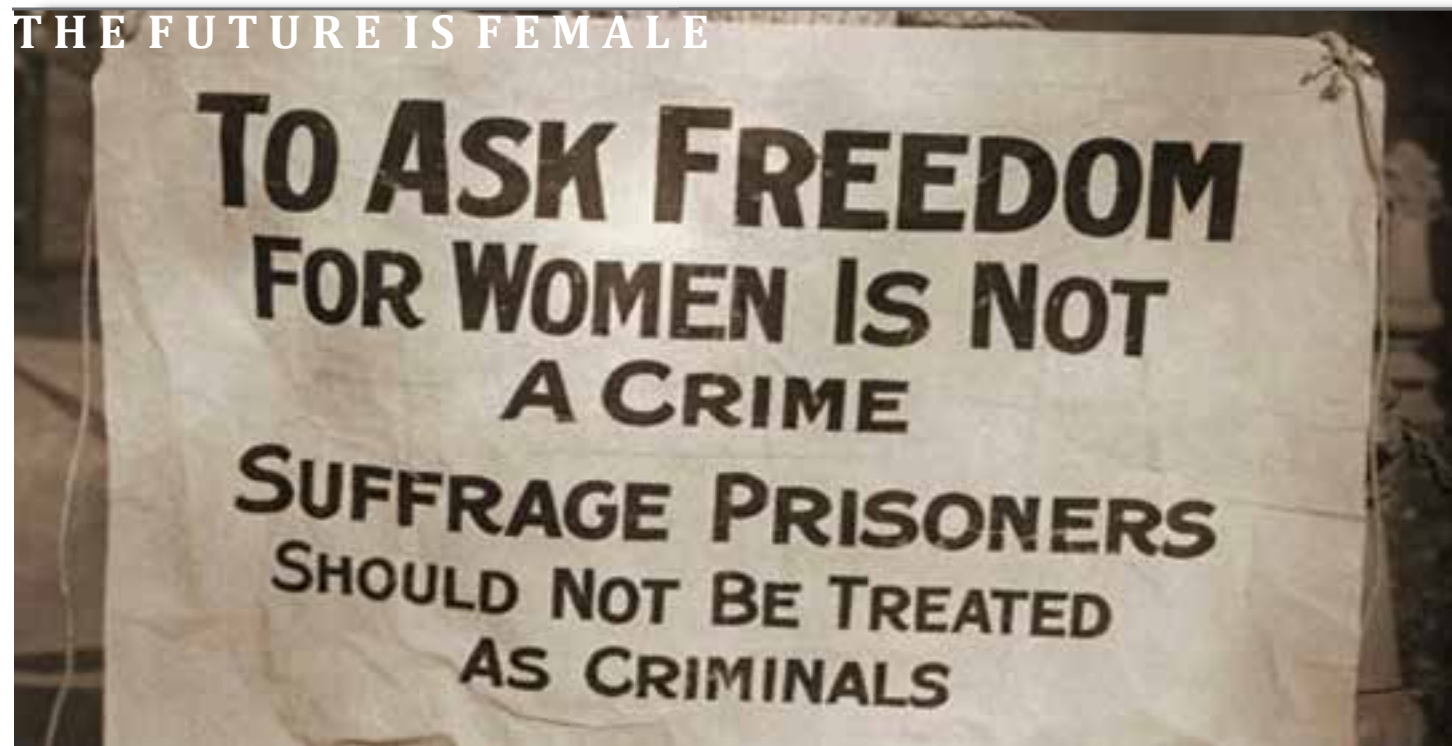
Bombing is presented as the only solution to resolve such conflicts as that in Syria and where it has become an indication of a state's virility to bomb and who can bomb the most often and the most relentlessly.

Despite all the horrors of war, terrorism and violence, 2015 in many respects was a positive year for women in society. Women have been organising in new movements, launching campaigns and taking political action against the abusive behaviour and power structures that oppress them and make their lives intolerable. Their resistance has achieved some notable successes despite the formidable obstacles and challenges that confront them.

Out of the turmoil of Syria the Rojava revolution has seen the Kurds take control of their region in the northern part of the country where they have established a new system of democratically run assemblies in which women have an equal representation. Kurdish women are also inspiring people worldwide by taking up arms in defence of their community and they have shown formidable resistance to the onslaught waged by Islamic State (ISIS) in Kobane. The participation of women has a central place in the new ideology of the Kurdish movement as developed by their jailed leader Abdullah Ocalan, who is possibly unique among Middle Eastern political leaders in his espousal of feminism. Today's world could do with a little more of this feminist activism and influence.

Almost thirty years ago, the feminist activist and author, Lynne Segal, in a seminal work, posed the question, **Is the Future Female?** She seemed reluctant however to answer in the affirmative, which was understandable given the negative political trends then prevalent, not least of which was the threat of nuclear annihilation which seemed all too real in the belligerent 1980s. This was a decade when British Prime Minister Margaret Thatcher denounced "godless Communism" and US President Ronald Reagan adopted the strategic defence initiative (known as "Star Wars") in order to bankrupt the Soviet Union; it was a time when the Chernobyl disaster dispersed radioactive pollution across Europe and when the new Cold War teetered on the brink of becoming a very hot one.

Today, "international terrorism" seems by comparison a less serious threat, but for those who have not lived through these Cold War tensions, ISIS are a real and present danger. This group has revived medieval forms of torture and brutality, all too familiar from the propaganda films that they have produced to celebrate all the head chopping and severing of limbs. In addition, to throwing victims from high buildings, burying and burning other victims alive, ISIS has even been dragging living victims through the streets tethered to the back of a moving vehicle, just like the tyrants of old would drag defeated enemies from the back of a chariot until they expired. Much of the focus for ISIS violence has been directed at women. They tremble in fear at the thought of independent women, and if they cannot control them, they kill them. Apart from these wars and conflicts, climate change and environmental destruction wreak havoc on Mother Earth. Our very survival as a species is once again at stake. But despite all this gloom and horror, there is hope for humanity in the numerous struggles of women for justice and equality in Britain and around the world. Women are increasingly active in resisting oppression, sexual violence, sex slavery, rape, abusive partners, poor working conditions and social injustice of various kinds.



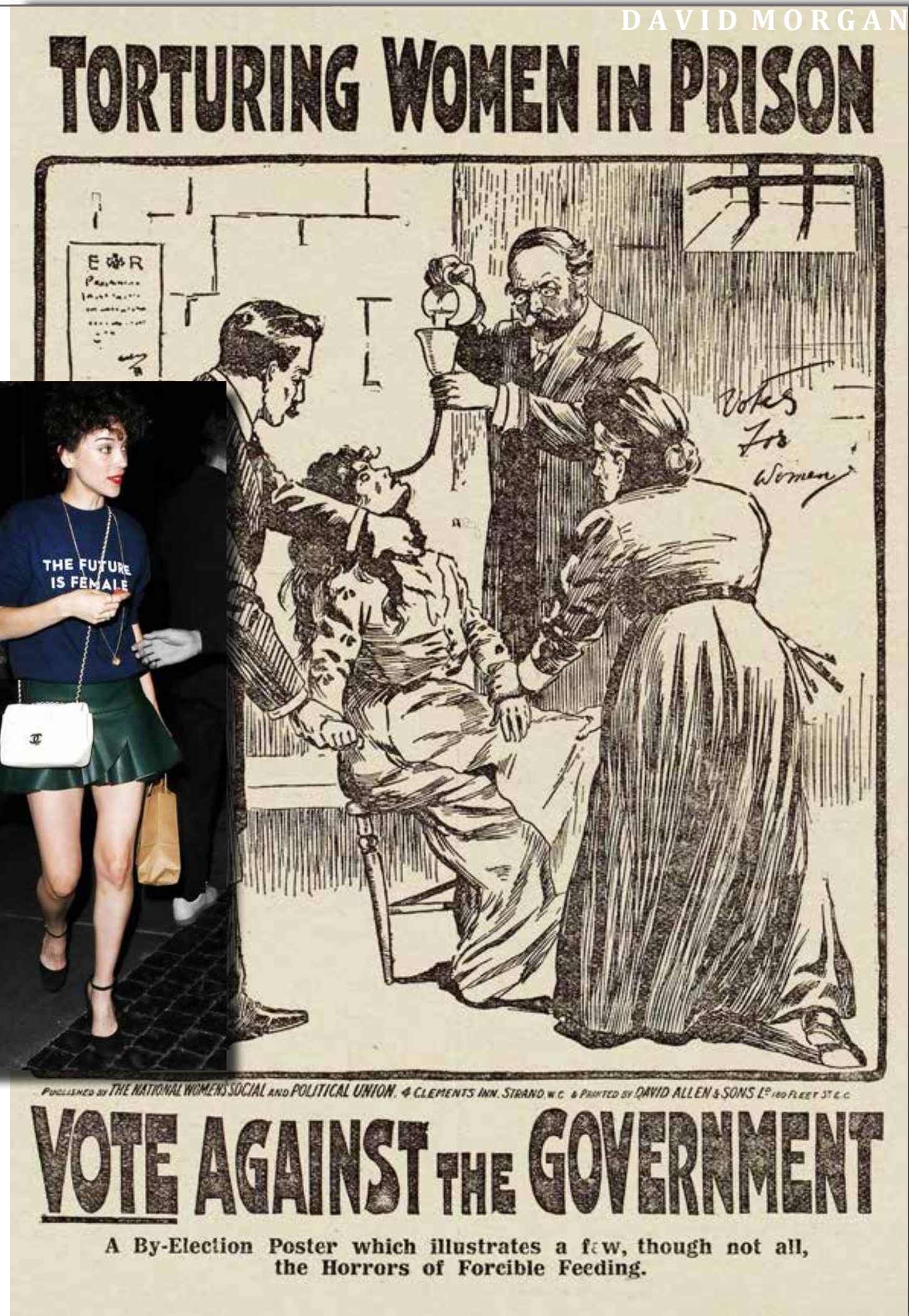
Top: Protest banner. Right: Protest poster: Suffrage - prison torture. And musician Annie Clark.

It is inspiring that some women now have the confidence to express a positive response to Segal's still timely question. *The Future is Female* was the assertive slogan defiantly displayed on the sweatshirt worn by musician Annie Clark (who performs under the name of St Vincent, a name chosen in honour of the American feminist poet, Edna St Vincent Millay). A day later, the paparazzi happened to photograph her partner, the British model turned actress, Cara Delevingne, wearing exactly the same style of sweatshirt, perhaps the very same garment, which baffled some of the fashion journalists who thought it was extremely uncool.

One is not born, but rather becomes a woman, is an insight from Simone de Beauvoir which points to a process of socialisation that equally applies to men. It is our conditions of existence and experiences that shape and inform who we are, but that we can shape and take control of our own lives once we recognise this. In Cara Delevingne's changing career, one sees a young woman gradually becoming her own person, growing in confidence and asserting her true independence. She has bravely confessed to having suffered from depression which she successfully conquered and has explained that she now wanted to share her experiences in order to help others to deal with their own depression. Her growing stature has allowed her to challenge abuses in the fashion industry and the wider media where young women are the victims of predatory older men who have all the power to make or break a career. By boldly speaking out she is taking a firm stand against the objectification and sexualisation of all women.

A danger comes from those women who believe that they are empowered by adopting male behaviour patterns and attitudes to advance their professional careers because this individualism leaves the mass of their sisters languishing behind. This is feminism that accommodates itself to capitalism which only has value in enabling more women to climb the social ladder and enter the boardroom. This will not of itself change the world for the betterment of all.

An extreme example of women becoming like men is seen in the rise of the girl gangs in the big cities. This worrying trend is part of an increase in reported violent street crimes committed by young women and girls. There have been several cases such as the incident on 21 October when a 13 year old girl was arrested on suspicion of murder following the fatal stabbing of a man in a street in Essex. This incident seemed like a random, motiveless killing. Novelist Anthony Burgess's dystopian vision of a society terrorised by young gangs who kill for pure enjoyment depicted in **A Clockwork Orange**, might be coming true, but it is even worse than he imagined if girls have now joined in the orgy of killing along with the boys. Fortunately, this is only a small minority of women.





L to R: Simone de Beauvoir, Sisters Uncut protest

It once was argued that women were simply not capable of brutal violence. But the young women who join ISIS to become “jihadi brides” are another visible manifestation of how women can be just as cruel, selfish and destructive as men. It is vital to look to social explanations for this behaviour rather than simplistic notions of inherent evil.

The last century was defined by historian Sheila Rowbotham as the *century of women*, but this does not mean that their struggle for liberation was any way over. In fact, women’s struggle for equal rights and status is far from complete. Despite adopting one of the world’s most democratic constitutions in 1848, Switzerland did not grant its women citizens the right to vote until 1971; one Swiss canton even resisted giving women full voting rights on local issues until as late as 1991. This illustrates that the struggle of women for such basic rights is very recent and remains of great contemporary relevance.

The film, **Suffragette**, released at the London Film Festival in October 2015, was the first ever movie to take as its theme women’s struggle for the vote. The launch in London’s Leicester Square became the occasion of a noisy protest from a new group of women activists called *Sisters Uncut*- who wanted to draw attention to domestic violence against women today, highlighting that the conditions of women in modern society are all too similar to what the suffragettes had to endure.

Earlier in the year feminists in London had waged a boisterous campaign against the opening of a new Ripper Museum objecting to the celebration of the life of the notorious Victorian serial killer. That struggle continues. A Women’s Equality Party, claiming 50 thousand initial supporters, was founded in London this summer in an attempt to raise women’s demands in the political arena. We witness women ever more frequently taking similar actions in different communities and situations across the world. This is all very encouraging.

The struggle of women in history provides an important source of inspiration. Women today are guided by the stories and lives of courageous women from mythology and ancient history. This is well explained in the book, **Myths of Mighty Women** edited by Arlene Kramer Richards and Lucille Spira (Karnac Books, 2015). They tell us that the myths of mighty women have a very long history stretching back to the very origins of spoken language, which is the start of human civilisation. Hence these myths are intrinsic to civilisation as such.



Arlene Kramer Richards points out that the earliest myth comes from what is now Iraq, once the cradle of civilisation. This first female myth is the story of Inanna, the Queen of Heaven, daughter of Enki, God of Wisdom. Her story from Sumer was written an incredible 2,000 years before the Old Testament.

Inanna wrests her power from her father and, as Kramer Richards explains, she thus foreshadows the myths of Sara, Delilah, Judith and other strong-minded women who use their intellectual powers to overcome men’s physical powers. This story has a tremendous lesson for women today, where, within the context of advances in science and technology, along with the relative decline in heavy industry, intellectual powers are more important to economic prosperity than the physical powers once required when traditional industries were dominant. Thus brain now triumphs over brute force. In this respect, the modern age offers a material basis for the advancement of women.

The traditional obstacles of the pre-industrial and industrial eras, where physical strength was essential for survival, and which gave men the upper hand in society, are no longer required and will become progressively less so in future. As such, women will at last see a time when their innate qualities will be allowed to flourish. Thus, the future is indeed female. All power to them, we should declare for their success will rescue humanity from oblivion. At least, they cannot make as big a mess of the world as men have done so far. Therefore, the next time a brave young woman like Cara Delevingne chooses to wear clothing with the defiant statement, *The Future is Female* let’s applaud her as an inspirational role model. Such actions are actually sowing the seeds of future dissent, slowly but surely this will start people thinking. From such small beginnings great social movements may grow.





On education in India

Gujarat's renowned tribal activist *Ganesh Devy* on Sunday (11th October 2015) joined the brigade of other eminent writers in the country who have returned their *Sahitya Akademi Awards*. Here is an excerpt from his letter addressed to Sahitya Akademi's president Professor Viswanath Pratap Tiwari and vice president Dr Chandrashekhar Kambar. Devy said he is returning the 1993 *Sahitya Akademi Award* which was conferred upon him in the category of books in English for his 1992 work *After Amnesia*.

"When I gave the Gokak lecture, Dr. Kalburgi was still alive. Alas, he had to fall to the forces of intolerance. A week after his killing, I participated in a Seminar organized by the *Sahitya Akademi*. This was in Nagpur. I was to preside over the Inaugural Session. I was quite dismayed to see that the seminar began without a word of reference to the recent attack on a scholar honoured by the Akademi. Therefore, when my turn to speak came at the end of the session, I asked the audience if they would object to my observing a two minute silence to mourn the dastardly killing. Please note that all of them stood up in silence with me. If our writers and literary scholars had the courage to stand up in Nagpur, I fail to understand why at the Ravindra Bhavan there should be such a deafening silence about all that is happening to free expression in our country. I have personally known both of you as my seniors and have admired your writings and imaginative powers. May I make bold to say that your moment of reckoning has come? I hope you will give this country the assurance that it is the writers and thinkers who have come forward to rescue sense, good-will, values, tolerance and mutual respect in all past ages. Had this not been so, why would we be remembering the great saint poets who made our modern Indian languages what they are today? The great idea of India is based on a profound tolerance for diversity and difference. They far surpass everything else in importance. That we have come to a stage when the honourable *Rastrapatiji* had to remind the nation that these must be seen as non-negotiable foundations of India should be enough of a reason for the *Sahitya Akademi* to act.," reads letter of Devy, who is also a *Padma Shri awardee* and *Unesco Linguapax laureate*.

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PROFESSOR GANESH DEVY

Chair, People's Linguistic Survey of India

Though somewhat old fashioned, one of the several perspectives on education is that it is all about knowledge. There have been other perspectives too that held sway in different phases of human history. For early man it was probably of prime importance for the very survival. In ancient times, after humans entered the agricultural mode of civilization, it came to be respected as a repository of collective memory. Much later, it acquired the function of training young minds, perhaps in the interest of preserving social order or simply because the collective memory had by then gained autonomy. For the last few centuries, education has become a scrutiny regime that a young one must imbibe in order to be socially acceptable, economically productive and politically non-volatile. Just as the objectives of education have kept changing through history, the formal arrangements for its transmission and reception too have passed through transitions from epoch to epoch.

In our time, education is once again facing the need for a complete metamorphosis. Often, the 'sea-change' so rapidly taking place in the human idea of education is placed along the question of knowledge. Thus, Lyotard's analysis of the post-modern condition proposed a wide scattering and utter fragmentation of knowledge in the twenty-first century into 'knowledges' pegged on not analogy but what he called 'paralogy'. Throughout the last quarter of the twentieth century, a large array of theory went into the archeology of knowledge in order to highlight the epistemic shift in human knowledge being witnessed.

Two major factors - at least the most visible and the easiest to grasp, as well as with an unusual power to hurt or to please—made their presence felt precisely at the same time when the established idea of knowledge was going through a seismic shocks. One, the post cold-war western economies started unleashing an unprecedented disinvestment tendency in the field of education, and two, a development in the field of artificial intelligence and chip-based memory started questioning the content in established educational practices. Thus, the governments that were keen on cutting public costs on education and institutions that were keen on cutting some of the more traditional fields of knowledge from the gamut of institutional education became the order of the day. While this was happening in the west, and surely as a fall out in the countries that had accepted the idea of a universal knowledge and, therefore, a 'universal idea of education', some of the UN agencies had been raising serious alarm on the plummeting development index in the global South.

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As someone involved in universities and research over the last four decades, I feel amply guilty for the state of education in India. I should also add that despite the sickening snap shot of the field, there are innumerable individuals and numerous exceptional institutions that have shown brilliance and contributed to furthering research and advancement of knowledge. However, it is the presence of these individuals and such institutions that makes the point even more pertinent. Has there prevailed a general atmosphere of institutional autonomy and respect for new ideas and thought, these numbers could have been much larger than the numbers associated with the public examination scams. The point really is that academic excellence does not appear to be the goal post for education.

Thus, in the first decade of the twenty-first century, in countries like China and India, there appeared a mixed and fairly confused situation in the field of education. On one hand, the number of universities multiplied as never before in history; on the other, governments actively promoted the idea of education as a kind of industry that cannot be developed without private enterprise. Lo and behold, in India, if one had been talking of a hundred and thirty universities at the beginning of the decade, by its end the number was in four digits. We have today several categories of universities: national universities, central universities, state universities, deemed universities, open universities, private universities and foreign universities operating through franchise arrangements, some of these as large as enviable industrial empires and others tiny as lap-top shops. Add to these, nearly sixty thousand institutes of tertiary technical education. This should be otherwise a thing to welcome, except that the phase of this explosion of institutions has precisely been the phase of the state's accentuated withdrawal from the field. The UPA governments trod this path and the present government is treading it likewise. The torrential invasion of ICT and the drying up of the state patronage provided to all fields and disciplines of knowledge have, together, created new rapids, new pitfalls, new puzzles and new unfilled spaces in the field of education in India. Here is a random and a merely symptomatic snap-shot of the 'news' in the field.

The country has watched on television and read in newspapers the gruesome and blood curdling scam involving tens of thousands of young persons whose education was not equal to the requirement of intellectual competence expected of them. So they went out seeking relief through impersonation, bribery, cheating and just simply falling pray to greed and murderous crime. If this shameful and horrifying scam took place in a short calendar space, the intellectual and moral rot atop which it stands has been around for quite a while. Saying this not a defense of the scamsters –vicious as they are—but a necessary comment on the larger scale tragedy and deception of which the young in India are the hapless victims. Add to this sordid tale of mockery of knowledge by the mediocrity and greed witnessed on the campus of practically every university and research institution. Add also the neglect of several key fields of knowledge and academic disciplines that makes knowledge generation hugely lop-sided and heavily laden with the idea of 'knowledge for profit.'

The decay and decline of the idea of a knowledge institution is worsened by frequent intimidation and brow-beating of institutions that still care to produce thought and raise challenging questions.

If we step a little back in history, we notice that from the beginning of the nineteenth century, every major Indian thinker, social reformer, scientist and writer has grappled with the question of education for modern India. These 'makers of India' include not just *Tagore, Gokhale, Tilak, Gandhi, Aurobindo, Ambedkar*, and such historically more visible personalities but also those, relatively less visible such as *Sayajirao Gaekwad* in Gujarat, *Bhaurao Patil* and *J. P. Naik* in Maharashtra and *Mahatma Hansraj* in the north, and those others who set up village level schools or high schools and colleges in various cities through the length and breadth of India. The fact of Indian history is that the modern education in India has not been just a public institutional system set up only or primarily by the state. It is also a cultural product for creating which a very large number of selfless individuals have given their all.

This show of raw strength matches the show of unmasked affection for the like-minded or the kinship-blessed when it comes to offering academic positions. If these happen to be key-posts, they are perceived now as unquestioningly political positions; and going by this principle, interference in the autonomy of knowledge institutions is seen as the constitutional prerogative of the regime.

It does not matter then if the institution in question is any prestigious institute of technology, university, national academy, museum, research council or a public body for research and teaching. The principle is simple: if we pay for you, you shall play the tune of our choice. No matter if the tune hurts the foundations of knowledge, if it diminishes the quest for search and destroys the ability to raise new and meaningful questions that go into making education a pursuit of knowledge. It is as if knowledge no longer is the heart of education.

When one looks at the snap-shot drawn together here, I am woefully aware that it is more a selfie rather than a sting clip. As someone involved in universities and research over the last four decades, I feel amply guilty for the state of education in India. I should also add that despite the sickening snap shot of the field, there are innumerable individuals and numerous exceptional institutions that have shown brilliance and contributed to furthering research and advancement of knowledge. However, it is the presence of these individuals and such institutions that makes the point even more pertinent. Has there prevailed a general atmosphere of institutional autonomy and respect for new ideas and thought, these numbers could have been much larger than the numbers associated with the public examination scams. The point really is that academic excellence does not appear to be the goal post for education.

If we step a little back in history, we notice that from the beginning of the nineteenth century, every major Indian thinker, social reformer, scientist and writer has grappled with the question of education for modern India. These 'makers of India' include not just *Tagore, Gokhale, Tilak, Gandhi, Aurobindo, Ambedkar*, and such historically more visible personalities but also those, relatively less visible such as *Sayajirao Gaekwad* in Gujarat, *Bhaurao Patil* and *J. P. Naik* in Maharashtra and *Mahatma Hansraj* in the north, and those others who set up village level schools or high schools and colleges in various cities through the length and breadth of India. The fact of Indian history is that the modern education in India has not been just a public institutional system set up only or primarily by the state. It is also a cultural product for creating which a very large number of selfless individuals have given their all.

What can be sadder than the fact that the primary school teacher's job is the very last on the priority list of the educated young persons in India? Instead of turning this woeful situation around, we are collectively forcing the school teacher to tow the political line—whether in Bengal or in Uttar Pradesh or in Gujarat. Similarly, the state support to the universities and institutions should be entirely merit based. What great good did the Communist regime in the former USSR or China do to development of research by forcing the academic community to subscribe the doctrine? What good did the Iranian government do to its universities by forcing only the Islamic vision of knowledge on the professors and writers in Iran?

Therefore, their vision and creation cannot be seen as a government undertaking ready for disinvestment when such a move suits the economy. Unfortunately, after independence, none of the greater visions of education suitable for sustaining the innate strengths of the Indian society got organically integrated with education, particularly the higher education in India. The idea of producing engineers and doctors as man-power for economic development gained predominance, and all of the secondary school education got bogged down under its crushing pressure. The English language alone was seen as the language of knowledge; and the easier access to employment for those who access to the English language drove the entire primary school education too inexorably to the learning of English.

Though there is nothing wrong with the idea of schooling through the English language per se, it is a scientifically established fact that education in one's mother tongue gives young learners a far greater ability to grasp complex abstract concepts. So, all in all, we have now millions of children who simply drop out because there is nothing in school that can hold them back. Those who continue have to study in a manner such that their ability to think originally is systemically curtailed at an early age. When they cross the school age and move to higher education, the institutional rot there leaves little space for them to acquire any genuine intellectual interest, let alone research skills. The college level institution too defines 'success' in terms of 'placements for jobs' and how high the graduates can draw as their first salary. What about knowledge, thinking, questioning, reasoning, quest, research and pursuit of truth? Well, they are the marginalized beings in the arena of the human resource development. Not good news for the nation, nor for the humanity.

Under these circumstances, the state needs to take a real hard look at the situation of the schools and the idea of schooling itself. One is aware that this is easier said than done. Yet, the need can be ignored only at our collective peril. What can be sadder than the fact that the primary school teacher's job is the very last on the priority list of the educated young persons in India? Instead of turning this woeful situation around, we are collectively forcing the school teacher to tow the political line—whether in Bengal or in Uttar Pradesh or in Gujarat. Similarly, the state support to the universities and institutions should be entirely merit based.

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If our education keeps drifting aimlessly, and is assessed purely quantitatively, if it is pressurized to follow only certain ideologies rather than giving it a chance exposure to all ideologies, 'isms' and perspectives, if the public institutions built through people's sacrifice and public funds are not allowed their dignity and autonomy, will India be able to stand with pride in the global arena of knowledge? All of us need to reflect on these questions, and most of all those whose responsibility it is to give to young Indians what they deserve as citizens of a great democratic country marked by its heritage and its diversity. It is time that the attention shifts from petty attempts to intimidate and silence dissent, and from the covert or overt indoctrination, to the question of Indian education as a collective national challenge.

What great good shall the present government in India do by expecting academics to subscribe only a certain understanding of history or culture? History has more than ample testimony that such moves result in emasculation of the intellectual capital in a given society.

Nationalism and a genuine respect for the cultural past will emerge if the young minds are exposed to all ideologies, all versions of truth and then encouraged to decide on their own what is worth respecting and what worth discarding. Not even the best among the Indian universities are able to create and nurture such an intellectually vibrant ethos. Besides, if you try to be vibrant and that vibrancy is going to be termed as anti-state, none but a few shall ever make the attempt. In the process, India will be the loser. Finally, disinvestment may be a principle worth trying out, or it may even be a dire need of the hour, but if the privately invested institutes drive entire education to the single goal of material success, safeguarding and nurturing the materially less attractive branches of knowledge should become one of the top priorities of the state.

Disinvestment – even when it bears the attractive name of public-private-partnership - without the 'knowledge responsibility' for the materially non-gainful disciplines may become the last nail in the coffin of 'knowledge'. If the principle of corporate social responsibility can be invoked for improving the access of those made vulnerable by the processes of globalization, why can the government not impose the responsibility of setting a chair of philosophy or aesthetics, or music or linguistics in a state university on the private technology and management universities that are today free to make profits out of education? If our education keeps drifting aimlessly, and is assessed purely quantitatively, if it is pressurized to follow only certain ideologies rather than giving it a chance exposure to all ideologies, 'isms' and perspectives, if the public institutions built through people's sacrifice and public funds are not allowed their dignity and autonomy, will India be able to stand with pride in the global arena of knowledge?

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Anandarajan Memorial Lecture Delivered by Dr Daya Somasundaram. Saturday, 3rd October 2015, Peto Memorial Hall, St. John's College, Jaffna, Sri Lanka.



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A Lost Generation* of Tamil Youth

IMPACT OF PAST WAR TRAUMA, PRESENT PSYCHOSOCIAL CONTEXT, EDUCATION AND GLOBALIZATION

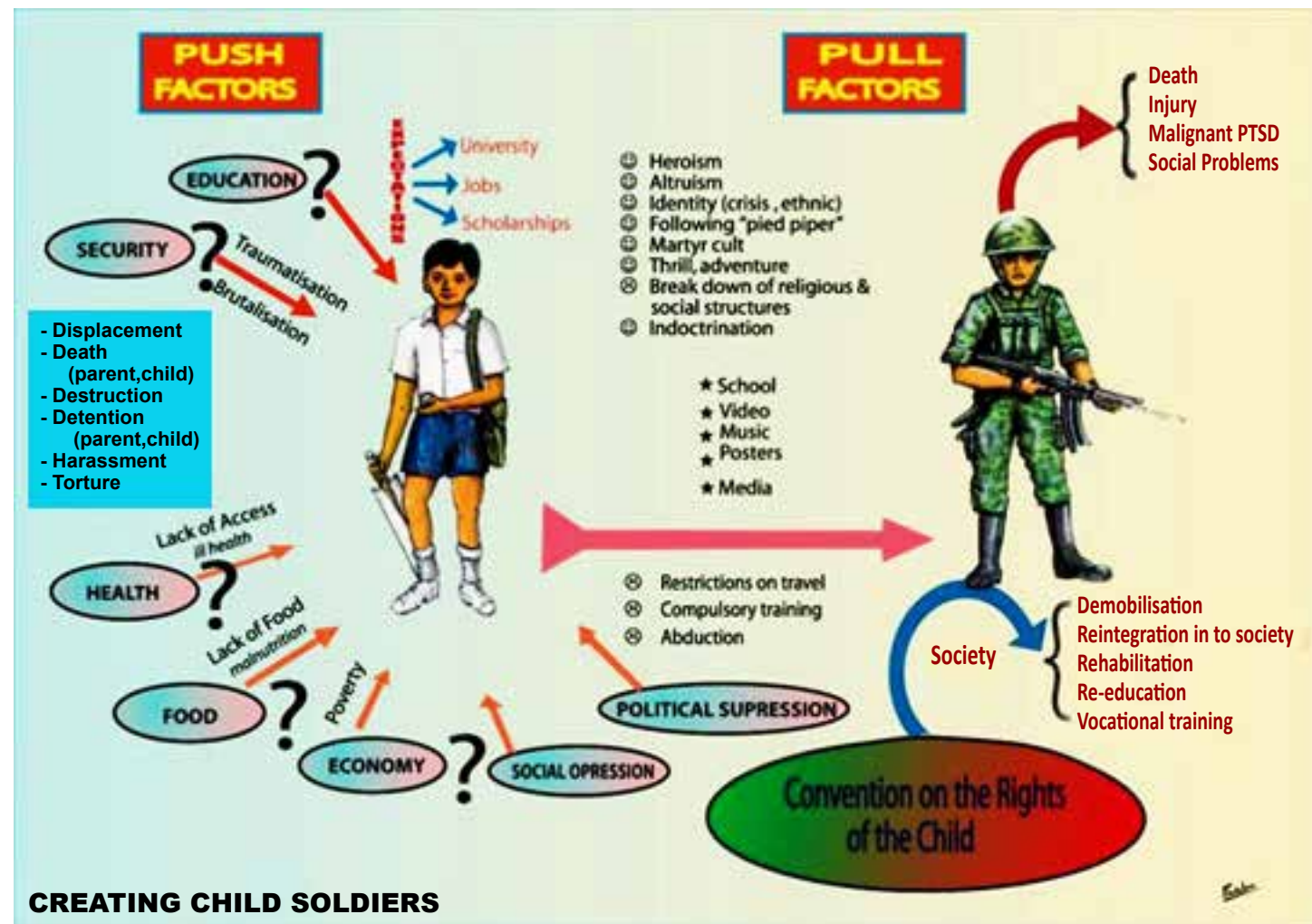


Fig. 1 Push and Pull Factors

* The title 'Lost Generation' is taken from Ernest Hemmingway, "The Sun Also Rises", referring to the youth who grew up with World War I.

Introduction

Many youth, the blossoming flowers of our communities were killed during the recent civil war in Sri Lanka. Many more were injured, maimed, lost limbs, became handicapped, some continue to live with shell pieces and spinal injuries.

Many were psychologically scarred by their traumatic experiences. They were sacrificed, or sacrificed themselves or were caught in the crossfire in an orgy of youthful dreams of freedom, better social order and adventure (see Fig. 1 of Push and Pull Factors that motivated and pushed youngsters into joining militant movements). While the state terror and violence, military atrocities, detention and torture of youth and general discrimination against Tamils, particularly in university admissions pushed youth and students to join militant movements; the propaganda of the militants and other social leaders to arouse feelings of Tamil identity, motherland (*Eelam*), soil (*mann*) and blood (*raththam*); appeal to heroism (Fig. 1 Push and Pull Factors) (*veeram*), commitment (*arpanippu*), sacrifice (*thiahham*), a martyr cult, and adventure pulled youth into becoming child soldiers. Although Anandarajan resisted and eventually paid the supreme price, militants had a fairly free run of schools and other public places to carry out their meetings and videos to recruit students. Whole batch of students joined overnight or ran away from home, leaving a note in the sugar bottle for their mother. They were lured by the pied piper to their doom, to become cannon fodder on frontlines across the northeast. A considerable portion have migrated or had to flee to escape death, conscription or detention and possible torture. Their desperate journeys took them across the Palk Straits to India, continents and seas in rickety, sinking boats; through freezing forests in Northern Europe, jails in South East Asia, Africa and Latin America and international borders, hiding as human cargo in containers and undercarriages of trucks, seeking refuge and asylum. The result is a world-wide diaspora of Tamil youth, some discontented with homesickness and acculturation stress, others doing well in their host countries.

The surviving, present day youth in Northern Sri Lanka face a grim future. Society is just recovering from three decades of devastating civil war. In the current post war context, the future of the community depends on rebuilding broken social structures in which youth can play a crucial role. However, to understand the predicament of today's youth, it would be necessary to understand their past, current psychosocial context and the educational system.

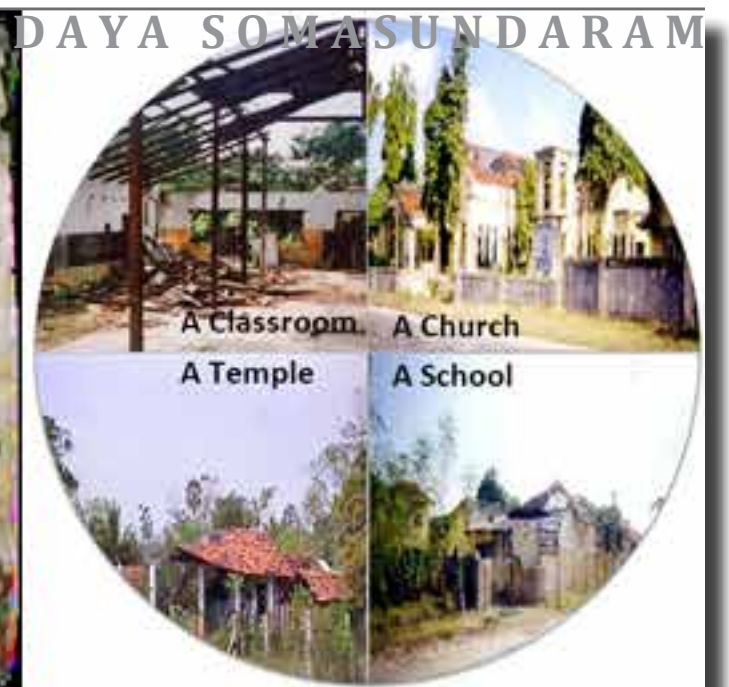
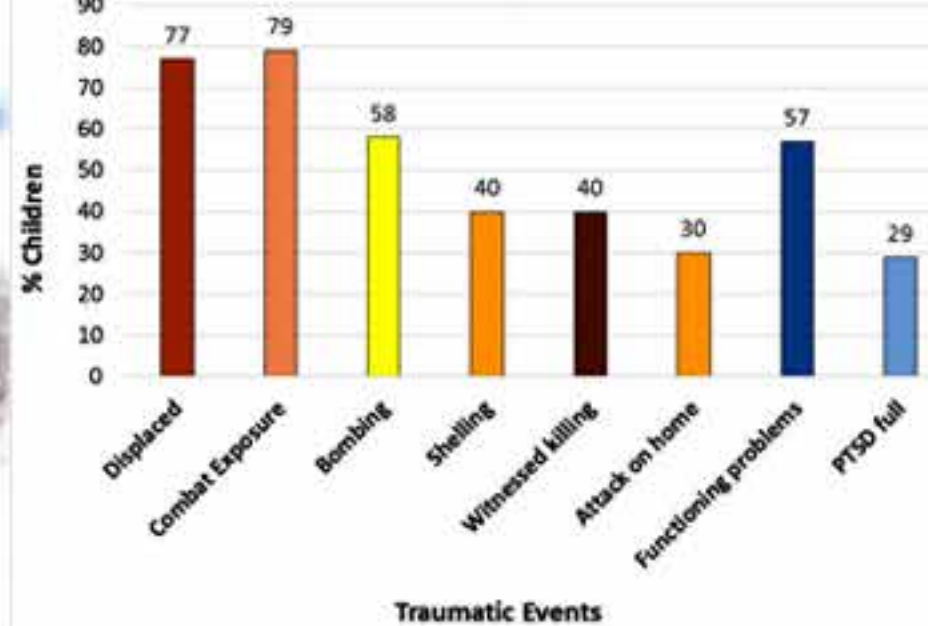


Fig. 2 Push and Pull Factors. Fig.3 Children exposed to war trauma in Vanni. Fig 4 The path that present youth have travelled through. Fig 5 Destruction of social institution

There is a popular caricature of male youth, particularly among critical elders, that they hang around street corners, smoking, drinking and harassing females. They are wasteful of money and do not become involved in work or other constructive pursuits but spend their time on motorcycles and other consumer pursuits (see satirical Fig. 2). A Jaffna judge has recently ordered police to arrest all 'rowdy gangs' hanging around street corners and put them behind bars following an increase in violence and other antisocial activities. Obviously this is an extreme, the overwhelming majority of youth, males and females, are struggling with their identity and role in society. The periods of adolescence and youth have no clear-cut boundaries, tending to last much longer, into the later 20's in traditional societies like the Tamils, sometimes dependencies on parents, involvement with family and extended family, the adolescent behaviour patterns and role can last even into marriage and beyond. But generally, adolescence and youth are critical periods of transition where children grow up, mature and develop into adulthood, taking on responsibilities, becoming respectful citizens, marrying and forming families, working and settling down. There is commensurate physical and biological changes in body, endocrinal function, emotions, thinking, behaviour and capacities. It can be tumultuous period of tremendous upsurge in energy levels, behavioural changes, identity confusion and personality formation, rebellion, experimentation, risk taking, peer influence, independence, impulsiveness, adventure, sexuality and creativity. Most of the present youth in North and East, Sri Lanka were born during the war, faced many hardships and had grown up amidst manmade and natural disasters (i.e. internal ethnic conflict, brief Indian intervention and Tsunami). Coming of age, they have to struggle through a multitude of psychosocial problems, many of them a legacy of the war. There is also the sudden impact of modernization and global culture which they were not exposed to during the war due to blockades and more immediate survival needs. In addition to these handicaps, they also have not had the advantages of a beneficial educational sector to help them make a future for themselves and rebuild their society.

Background of present youth

Almost all the youth in Northern, Sri Lanka, had been exposed to horrendous war events as children or more recently as adolescents. Many have been traumatized as shown by standard international and local research studies (for example, see Fig. 3). The mass exodus from Jaffna peninsula in 1995 affected almost everyone in Jaffna and the final war in 2009 in the Vanni District caused massive destruction and devastation. During the war, many were injured, lost their loved ones, witnessed killing and some were detained and tortured (Table 1 & Fig. 4).

War was not only a direct threat to many lives, but also caused displacements, and economic difficulties which led to a state of inability to fulfil even basic needs. There was massive infrastructure destruction including whole villages (uur), social structures and institutions (*Temples, Churches, Schools, Government and social offices, Courts* - see Fig. 5) and homes (*veedu*) where people have been living together from generation to generation. The hopes, trust and feelings of safety that children need to develop normally would have been destroyed, causing permanent scarring at their impressionable age.

Table 1 War Trauma among Vanni and Jaffna Medical students²

Traumatic Events	Vanni Students N = 60		Jaffna Students N = 60	
	N	%	N	%
Lack of food and water	29	48	5	8
Lack of housing or shelter	40	67	5	8
Unnatural death of family/friend	38	63	11	18
Murder of family member/friend	21	35	9	15
Being close to, but escaping, death	40	67	9	15
Ill health without medical care	16	27	5	8
Witnessing killing of stranger (s)	26	43	5	8
Tortured or beaten	11	18	2	3
Forced separation from family	19	32	3	5
Being abducted or kidnapped	14	23	2	3
Made to accept ideas against will	42	70	15	25
Serious Injury	4	7	2	3
Forced isolation from other people	16	27	1	2
Being in a war (combat) situation	49	82	29	48
Imprisonment against will	16	27	1	2
Rape or sexual abuse	0	0	0	0

²Shayshananth, T. and M. Sivashankar (2010). Report on Comparative study on the impact of Trauma in General Health among Medical Students in University of Jaffna. 3rd MBBS, University of Jaffna.

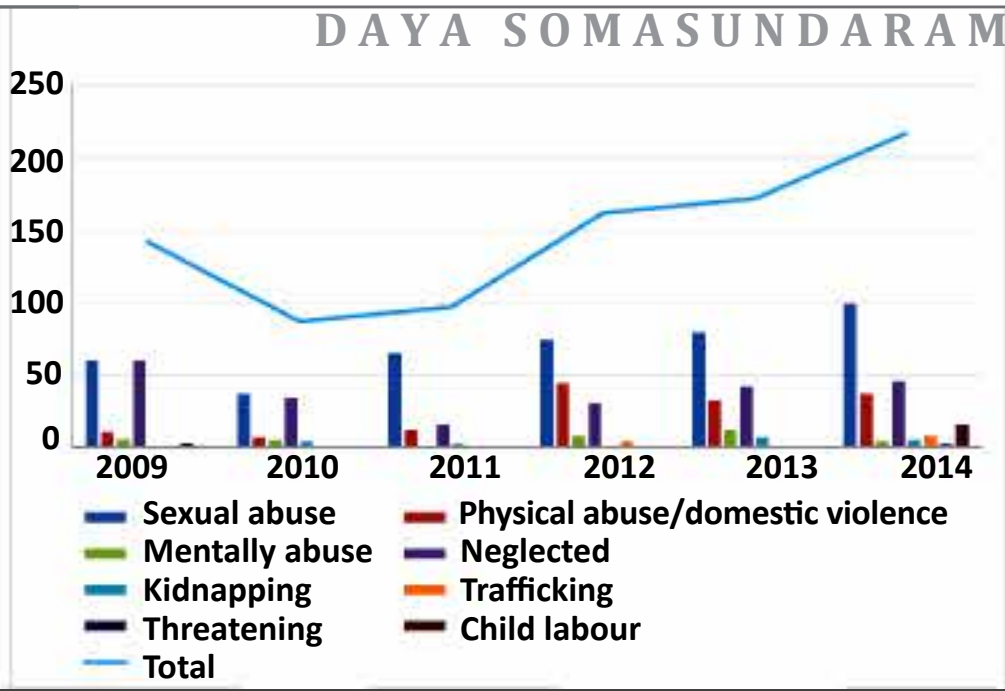
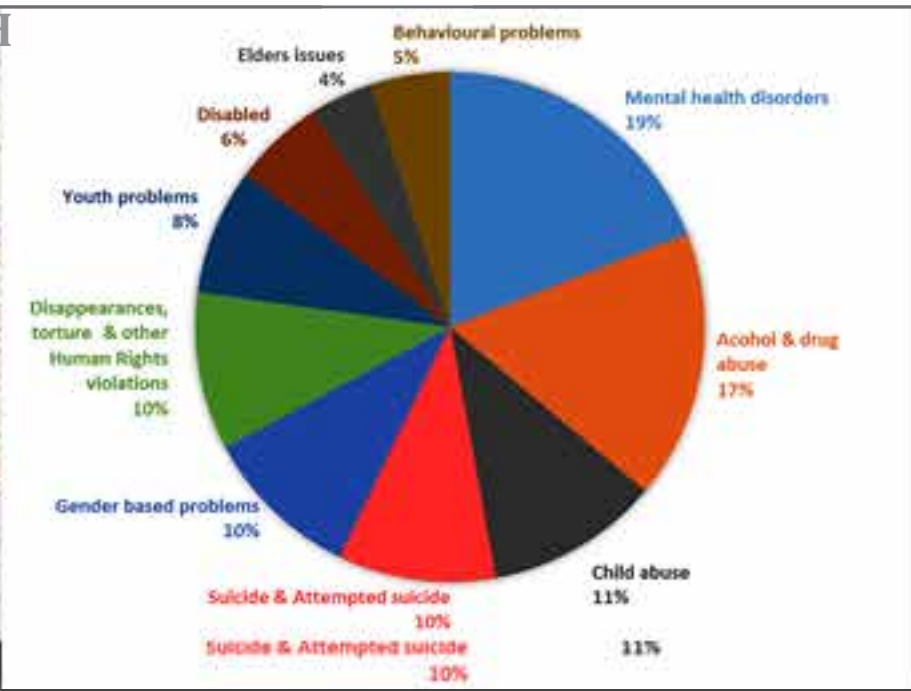


Fig. 6 Child ssoldiers. Fig.7 Burnt Public Library. Fig 8 Psychosocial problems in the North-2013 (Source: Focus Group Discussion with Psychosocial Workers in Jaffna). Fig. 9 Child abuse in Jaffna District (2009-2014)

Children were also forced to become soldiers and to carry weapons (Fig. 1 & 6). They were made to fight in the war front and carry out atrocities, imprinting hostility and violence in their developing minds. Traumatic events that their parents and society experienced at that time can be transmitted to children epigenetically, or through parent child interactions, family dynamics, sociocultural perpetuation of a persecuted, ethnic identity based on selective, communal memories; and through narratives, songs, drama, language, political ideologies and institutional structures. For example, the burning of Jaffna library (Fig. 7) which contained invaluable manuscripts, books and other resources has been described as an act of ‘cultural genocide’ causing a permanent impact on the collective unconscious influencing future generations. The culture of impunity for such acts, lack of social justice and historic victimhood has created a ‘learned helplessness’, feeling hopelessness and anomie that makes youth flee their homeland, seeking haven and opportunity in foreign shores or commit suicide. Their children too, grow up with hatred in their hearts and ‘chosen traumas’ in their minds. People in North faced another devastation during this period, the Tsunami of 2004. Due to this natural disaster, multiple deaths occurred in many families, houses were damaged, families separated, and whole villages destroyed. It is evident from studies that youngsters who experience massive trauma develop loss of concentration, memory impairment, hostility, loss of motivation, loss of efficacy in work, fear, anxiety, depression, relationship issues, and an increased tendency to become addicted to drugs and alcohol. Such war and natural disasters cause major consequences not only in youth but also in their families and society which we have described as collective trauma.

Present Psychosocial Context

Focus group studies among psychosocial workers in Northern Sri Lanka disclosed the present psychosocial problems (see Fig. 8). Youth related problems amounted to 8%. Serious issues included poverty, malnutrition, handicap, mental illness, disturbed family dynamics, loneliness, helplessness, abandonment, antisocial activities, child and sexual abuse, suicide and suicidal attempts, orphans, unmarried motherhood, teenage marriages and pregnancies, illegal abortions, domestic violence and increasing alcohol & drug abuse. Children have to grow up facing considerable abuse and violence within the family and even at school (see Fig. 9, Table 2 & 3). Corporeal punishment is widespread in schools, even in elite schools like St. John’s College. If society and the judiciary is now so concerned about youth rowdiness, antisocial activities and violence, what have we done to them in their childhood? Many students are scarred for life and develop aversion to education from the punishing atmosphere in schools and home.

Table 2 Child related issues in Jaffna District (2007-2012)

Type of Abuse	2007	2009	2010	2011	2012
Sexual abuse	32	60	37	66	74
Physical abuse	31	11	07	12	35
Psychological abuse	21	06	05	01	08
Attempted Suicide	09	01	03	05	07
Committed Suicide	02	09	10	01	05
Neglected children	00	01	01	16	31
Kidnapped children	12	01	04	02	01
Trafficking	--	01	00	01	04
Threatening	--	03	00	00	--
Separated children	--	00	11	13	18
Early child marriage	--	00	00	14	--
Total	107	93	78	131	397

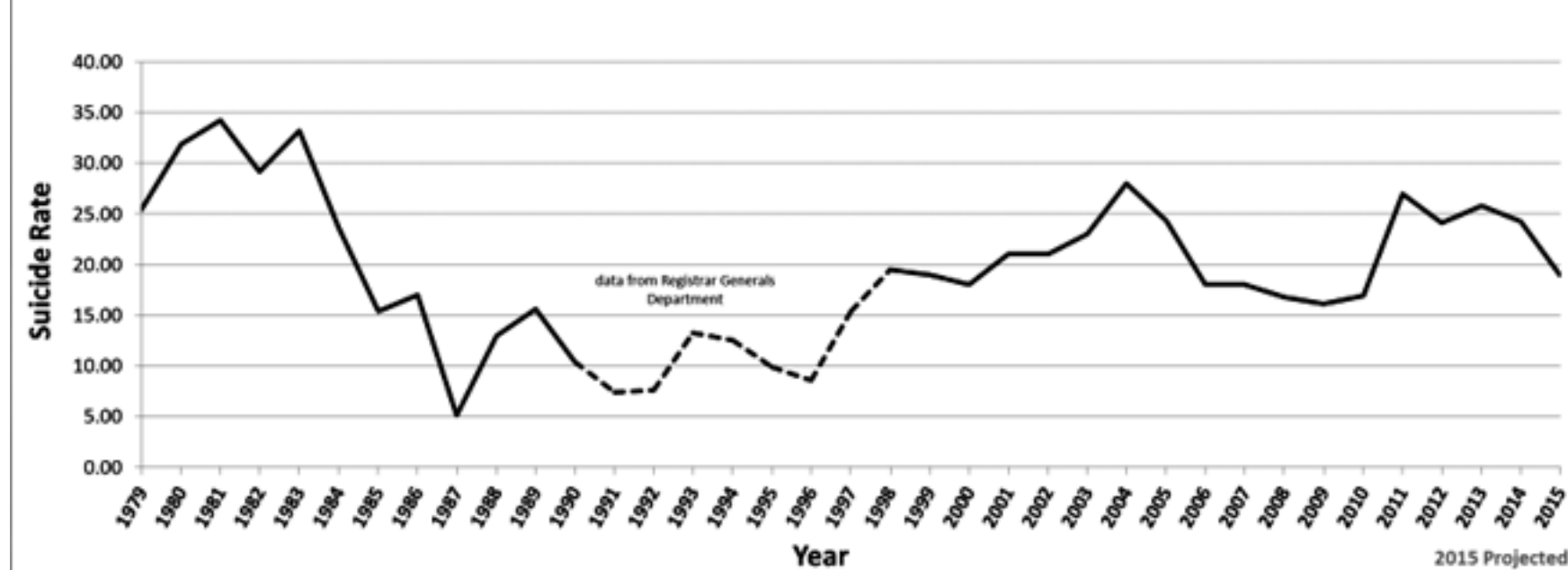
Source: Probation Department, Jaffna

Table 3 Probation and Child Care, Northern Province (2014)

Operation Information	Jaffna	Kilinochchi	Mannar	Mullaitivu	Vavuniya
Sexual abuse	99	21	22	19	31
Physical abuse	37	69	12	11	37
Mental abuse	04	47	00	06	07
Atempt to Suicide	02	15	03	04	06
Committed Suicide	01	05	00	06	03
Neglected	46	58	09	15	40
Kidnapping	05	00	01	01	01
Trafficking	08	00	04	01	00
Threatening	02	20	06	07	15
Drop-out from school	435	188	23	35	71
Child labour	16	16	01	04	17
Adoption	32	01	14	02	07
Others	122	10	55	03	20

Source: Vital Statistics – 2014, Northern Provincial Council

A LOST GENERATION OF TAMIL YOUTH



DAYA SOMASUNDARAM

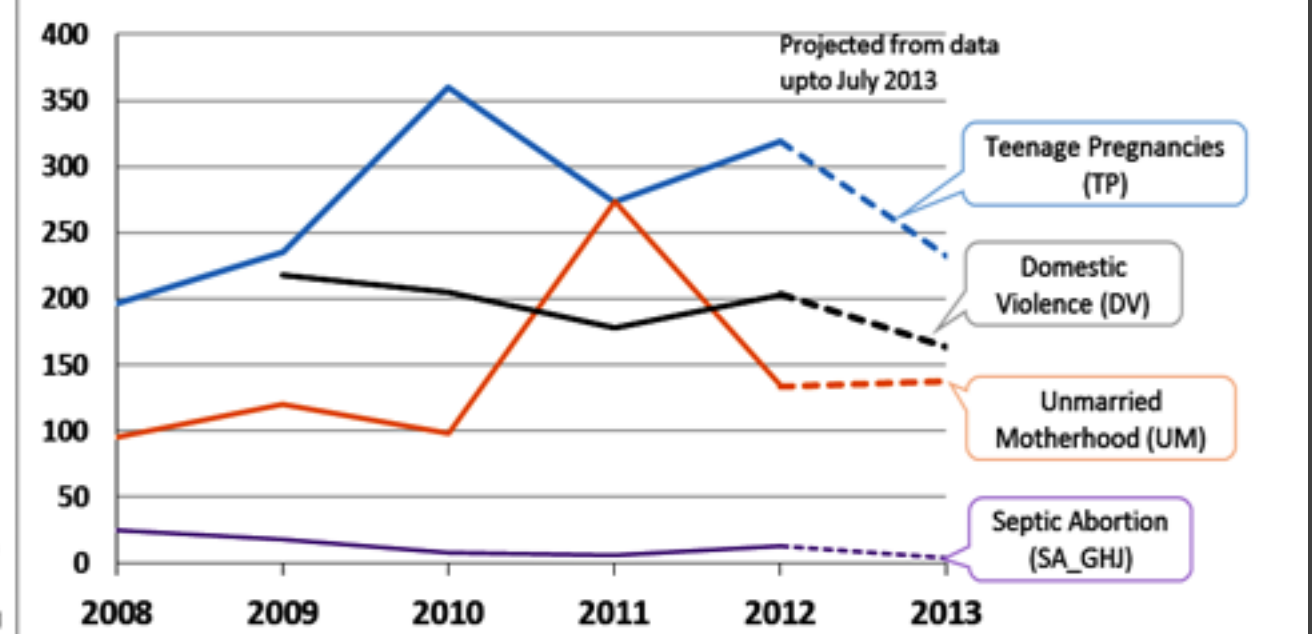
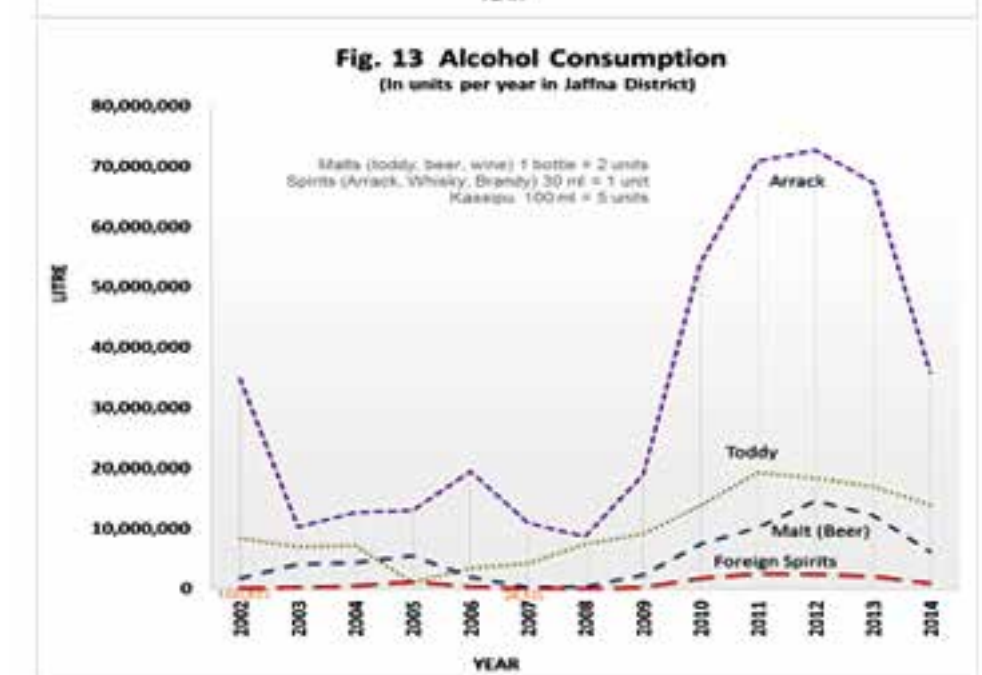
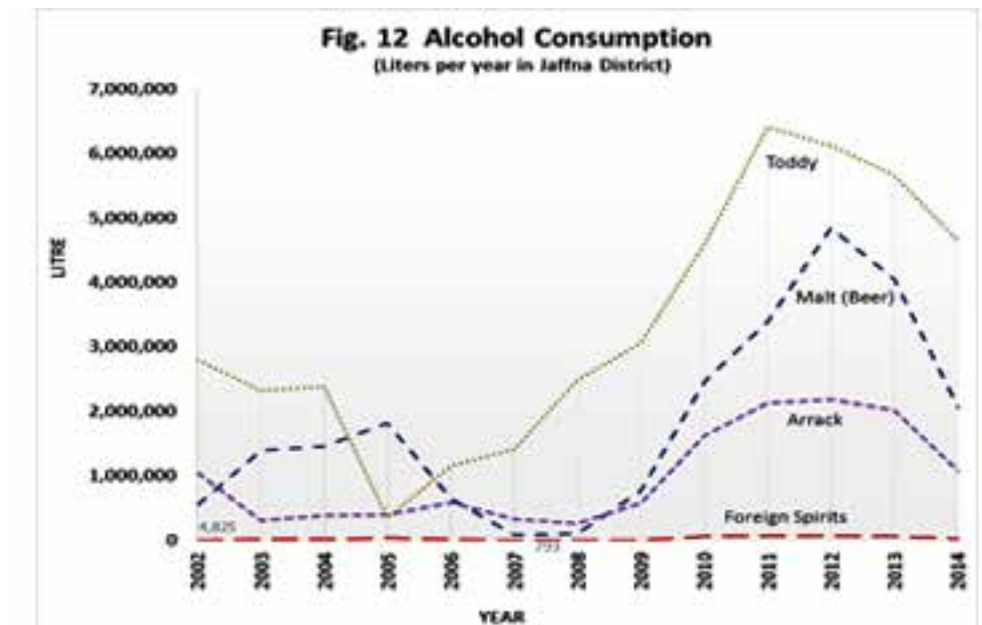


Fig. 10 Suicide rates in Jaffna from 1979-2015. Fig. 11 gender based Psychosocial problems in Jaffna.

Suicide rates have increased dramatically after the war (see Fig. 10). As the sociologist, Durkheim, has shown there is drop in suicide rates during war due to increasing social cohesion but an increase after the war, as seen here in Jaffna, due to various social factors described here like tearing of social fabric, collective trauma, anomie and hopelessness about the present and future. Psychoanalysts say that the drop during war is the opportunity to externalise aggression against a common enemy, while after the war, aggression gets turned inward due to a myriad of problems within the family and community. According to our figures, youth are forming a significant portion of these suicides (under 30's form about 1/3 of the total). There has been a welcome drop in suicide rates in 2015, perhaps, due to the hope that has been created this year.

Young females are compelled to start working at a younger age and look after a family at the same time. Generally, women's roles have been changed during the war, becoming more emancipated in generally, where they had to take on responsibilities when the husband died, disappeared or missing as female headed household. Apart from facing the social stigma of being a widow, they had to fend for their family single handed, negotiate with authorities, take their children to school, go shopping and attend to a myriad of responsibilities that normally have been done by their husband or a male member. Thus, there was increased demands and stress on females, some of who developed psychosocial problems like increased somatization and other minor mental health disorders. This could be considered the price they have paid to keep their families and communities alive. As militants, females have fought in battles, handling weapons and heavy machinery while playing powerful roles, commanding battalions and collecting taxes toughly.

In the post war context, the shift in the gender power balance in a traditional patriarchal society, has made males resentful and more aggressive at home and outside (see Fig. 11). However, it is highly unlikely that females are going to easily give up their new found independence. In the Vanni, females are also becoming pregnant as teenagers, giving birth and then bringing up children while they have barely attained adolescent age. This is mainly due to the lack of knowledge about reproductive health and consequences of unsafe sex. Some face harassment at the work place and violence at home. Young poor women go for well-paid jobs at the Army run CSD farms, then face problems at home with alcohol husbands and uncared for children. Others were lured to join the army with lucrative salaries and benefits but developed hysteria when the reality of their situation dawned on them. Alcohol consumption by males has increased dramatically after the war (see Fig. 12 & 13). Furthermore, there is an increase in consumption pattern of foreign liquors (whisky, brandy and beer) compared to local products of alcohol.



Whole communities have been uprooted from familiar and traditional ecological contexts such as ways of life, villages, relationships, connectedness, social capital, structures and institutions. The results are termed collective trauma which has resulted in the tearing of the social fabric, lack of social cohesion, disconnection, mistrust, hopelessness, dependency, lack of motivation, powerlessness and despondency.

One of few positive developments in the post war context is the decrease in *Kassippu* consumption and the inevitable toxic complications that used to fill up the medical beds in hospitals during the war. *Kassippu* production could have decreased due to free availability of other forms of alcohol. In the recent Punguduthivu gang rape incident, it was reported that an expatriate distributed alcohol to local youth perpetrators before the crime. Alcohol has been introduced even among school students, for example, by military alcohol mobile units in the Vanni. When considering psychosocial problems in the community, alcohol had a cross-cutting affect, being closely associated with domestic violence, crime, road traffic accidents, suicide and attempted suicide.

Families too have been affected with pathological family dynamics due to displacement; separations; death, disappearance or injury to bread winner with female headed households. It is common to see disturbed family dynamics as well as multiple sexual partners. Children and youth are exposed to these sexual licentious behaviour, marital conflict and strife. They often get caught between multiple competing adults and are neglected, abandoned and vulnerable to abuse. Whole communities have been uprooted from familiar and traditional ecological contexts such as ways of life, villages, relationships, connectedness, social capital, structures and institutions. The results are termed collective trauma which has resulted in the tearing of the social fabric, lack of social cohesion, disconnection, mistrust, hopelessness, dependency, lack of motivation, powerlessness and despondency. There is a breakdown in social norms and values. Many of the psychosocial problems have arisen in this post war context, processes characterized as globalization and other factors discussed later. As a result, the normal, healthy social control and adjusting mechanisms that operate in ordinary times are no longer working. For example, the upsurge of 'rowdy' behaviour and violence like '*val vettu*' and sexual violence against women would normally have been controlled or avoided by intra community mechanisms using village leaders, elders and respected community resources like priests, teachers and others. In contrast, these kinds of youth rowdy behaviour are not so marked in the East. A reason could be that many of the community level traditional practices, structures, functioning and belief systems have survived or revived in the post war context, thus providing the social control and adaptive mechanisms. In the north the police had to be ordered to provide external control and clean up. Children have to grow up amidst these family and social pathologies. They have poor or maladaptive role models among the elders. During the war, those with leadership qualities, those willing to challenge and argue, the intellectuals, the dissenters and those with social motivation have either been intimidated into leaving, killed or made to fall silent. Talented and committed leaders like St. John's Principal, Anandarajan and Dr. Rajani Thiranagama were labelled as traitors

Tamil children have grown up and become youths in a militarized environment with brutalization of their thinking and personality. Children and youth learned that violence, aggression, and power are the only ways to solve problems, the way society functions, as they have not experienced alternative, civilian and peaceful functioning. They learn to communicate and interact within a hierarchical, authoritarian system. Many of these hierarchical, authoritarian structures had been part of traditional Tamil society.

and executed in the prime of their life, leaving young, grief-stricken families and submissive communities. Apart from the extrajudicial killings of the state and its allied paramilitary forces, the internecine warfare among various Tamil militant organizations competing for the loyalty of the community resulted in the elimination of many of its own ethnic, more able, civilians - a process of self-destructive auto genocide. There was also a crippling brain drain, where intellectuals and professionals with their families sought greener pastures or safety abroad. Now, Tamil society is left without vibrant leaders and youth without role models.

Tamil children have grown up and become youths in a militarized environment with brutalization of their thinking and personality. Children and youth learned that violence, aggression, and power are the only ways to solve problems, the way society functions, as they have not experienced alternative, civilian and peaceful functioning. They learn to communicate and interact within a hierarchical, authoritarian system. Many of these hierarchical, authoritarian structures had been part of traditional Tamil society. Among the few positive consequences of the war and displacement was the disruption of some of these structures such as the rigid caste system and patriarchal suppression and violence against women. However, in the post war situation, these traditional structural practices and social attitudes are reviving with vigour. It is important that youth are not poisoned with these oppressive attitudes and behaviour. Once the germs are planted in their minds, not only will they continue these practices but pass them onto generations to come.

The much more virulent ethnic consciousness that was the cause of the war, and became reinforced by the bitterness and polarization during the war, would need to be sensitively and carefully weeded out from taking hold among the youth. Suspicion and paranoia was also generated against the Muslims who were expelled '*en masse*' from the north during the war. Some are venturing back. Politicians and conflict entrepreneurs will endeavour to fan the flames of the communalism and ethnocentrism which will lead us again down the path of calamity. Youth do not appear to be infected by the sectarian virus yet. The future of this country and society will eventually pass into their hands. For national reconciliation to work, youth will need to be encouraged to broaden their outlook and consciousness. Almost a century ago, the Jaffna Youth Congress exemplified a progressive, enlightened and non-sectarian mind set with an inclusive, expansive consciousness but was soon drowned in the cacophony of ethnic polarization, of exclusive, narrow consciousness that ended in war and devastation for all.

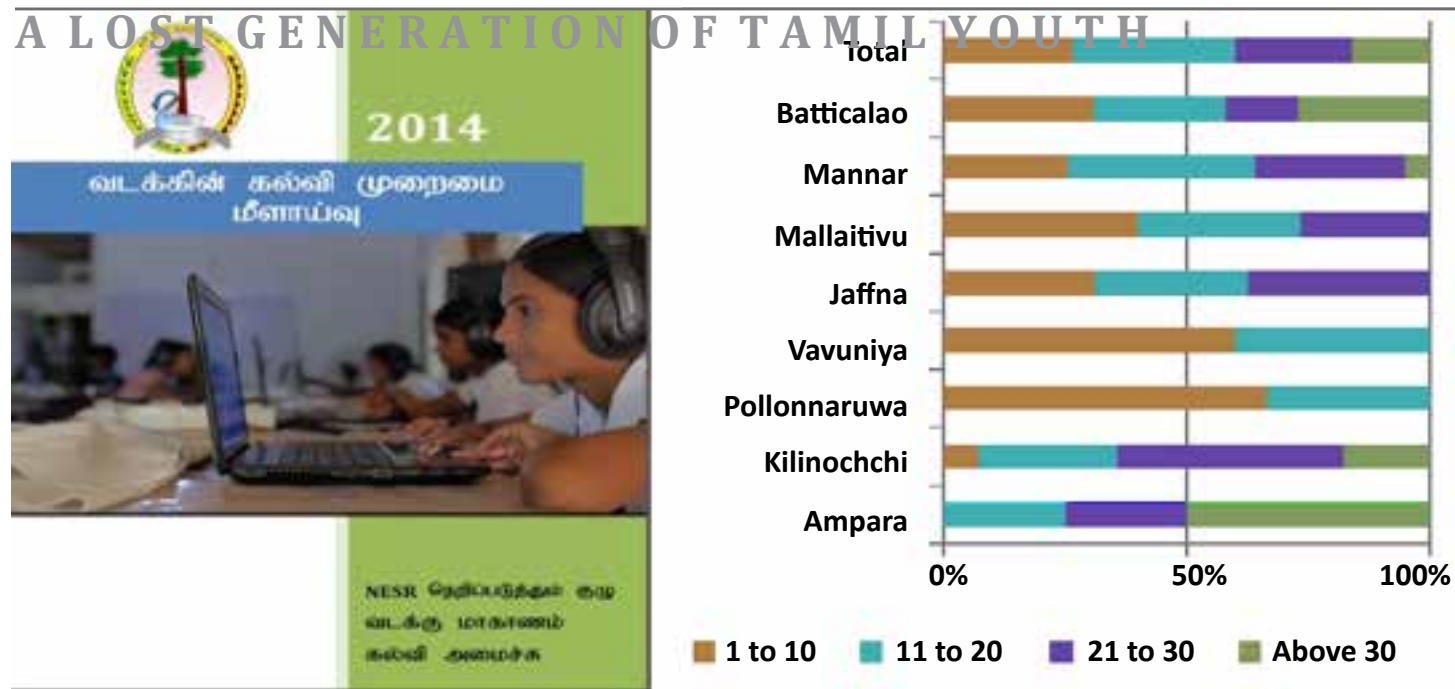


Fig. 14 Northern Education System Review (NESR). Fig. 15 Average No of Students per Class.

Adoptive behaviours

Many youth were at the forefront during the war and Tsunami to save and care for those who were injured, had lost limbs, or were separated, and lost. Where elders had died, been injured or were unavailable, youngsters took the responsibilities and leadership of mature adults to fill that gap and fulfil their role effectively and successfully. They took part in many essential activities fulfilling family and social needs, taking people to safe places, giving first aid to those who were injured, helping the handicapped, caring for patients and transporting people. Sadly, the youth are not provided with such opportunities or responsibilities at present. They wander around without jobs and healthy hobbies; at times they are induced to involve in antisocial 'rowdy' activities. If responsibilities are given to youth, they will show interest in their duties and carry them out effectively.

Education

Education is vital in moulding socially and culturally responsible citizens by influencing their thinking, changing their life styles and providing them with jobs. Unfortunately, our educational system is in a crisis. The current state of the northern educational system was assessed thoroughly under the Provincial Education Minister in 2014 which produced the report: Northern Education System Review (NESR) (Fig. 14). It recommended one teacher for 20 students in primary divisions, and one teacher per 35 students in higher classes. According to statistics published by the education department, the ratio between the numbers of teachers and students is reasonable (Fig. 15). However, in reality, one often finds one teacher managing 100 students in remote areas especially in the Vanni. Sometimes the number of students per teacher rises up to 400.

Schools in rural areas are sometimes closed because teachers are not willing to work in remote villages where the facilities are fewer and travel related difficulties (most teachers do not reside in remote or rural locations but commute to work from urban areas where they like to live). Parents too send their children to urban schools believing that they are better. Thus, students in these remote areas are compelled to daily travel long distances. When analysing the overall situation, even though enough teachers have been appointed to remote or rural schools, they use their influence (via politicians and educational directors) informally to get transfer, under the guise of temporary "attachment (*inaippu*)", to schools where there are better transport facilities such as along main road. But they do not appear to properly teach there too.

Children have to wake up very early and attend private classes in the early mornings and late evenings in addition to going to school. They are also beaten amply, and given physical punishments as well as made to undergo mental agony. They are prepared for their exams like sacrificial sheep or a race horse. This gruelling regime and frequent punishments amounts to torture at an age when they should be out playing, having fun, indulging their curiosities and creating with their imagination. The practice of corporal punishment in schools and at home is a form of socially sanctioned, sustained violence against a vulnerable young population. Student's natural development and growth, the blossoming of creative ability and the acquisition of a variety of skills necessary for life, responsibilities and maturation are neglected or repressed.

Many teachers travel every day to remote locations in the mornings and come back home in the evenings due to responsibilities in the family. Considerable time is spent in travelling, leaving little for actual teaching. On some days, the teachers may unofficially skip going to school altogether. There is an inherent bias against caste in the educational system that propagates the disadvantages against oppressed castes. For various reasons beyond their control, students from the oppressed castes tend to attend rural schools that are already under resourced, and even those who attend are treated badly and humiliated by upper caste teachers. Teachers from oppressed castes are also discriminated against, for example principal positions are denied to them. Thus, students' education in remote and rural areas, particularly those from socioeconomically deprived background or oppressed castes becomes a question mark. Hence, it is blatant discrimination against students living in less developed areas, social injustice done by elite Tamils against their own people by not providing the opportunity for thousands of youth, for successive generations, to build a hopeful future. It can be described as cultural auto genocide, when considering the number of children affected and the enormous negative impact in creating a lost generation of youth.

The whole educational system has become exam oriented, whether it is the year 5 scholarship, 'O' levels or 'A' levels. Exam results have become the main measure for assessing the ability and standards of teachers, schools and educational zones. Furthermore the exam results are perceived as determining the social prestige and dignity of parents, and the self-esteem of children. In this keen competition for social standing, childhood is sacrificed for examination success without extracurricular activities including arts, sports, play; and religious and cultural practices. Children grow up without having experienced fun, creative exploration, imaginative wonder and familiarity with nature and the ecological system. Their whole world and consciousness becomes unnaturally constricted and narrow like the adults driving them to study and memorize irrelevant details. Children have to wake up very early and attend private classes in the early mornings and late evenings in addition to going to school. They are also beaten amply, and given physical punishments as well as made to undergo mental agony. They are prepared for their exams like sacrificial sheep or a race horse. This gruelling regime and frequent punishments amounts to torture at an age when they should be out playing, having fun, indulging their curiosities and creating with their imagination. The practice of corporal punishment in schools and at home is a form of socially sanctioned, sustained violence against a vulnerable young population. Student's natural development and growth, the blossoming of creative ability and the acquisition of a variety of skills necessary for life, responsibilities and maturation are neglected or repressed.

At present, the main expectation and aim of middle class society is being successful only in exams and finally entering university. Even in rural areas, there is a premium on university admission and getting government job but there is more pressure for survival, can they get their youth to make an earning. Can they have their young daughter look after younger siblings? There is the need for incomes, so young boys are expected to go fishing or mason work. That is also the cause for school drop outs. Those who have high memorizing capacity pass or do well in exams. Sadly, much of the materials students are made to memorize are outdated and irrelevant, and forgotten very quickly by the students, once the exams are over.

The young are being abused for misplaced social and family prestige by restrictive social structures. Some of these tortured and abused children end up coming for treatment in mental health units before and after the exams or attempt suicide when their results do not come up to their parent's, teacher's or their internalized expectations. If we look at the exam results, 70% were unsuccessful in grade 5 annually and 50% failed the ordinary level (O/L) examination. In those who sit for the A/L examination, only 15% enter into the universities. Is it the aim of the educational system to defeat most of its students? Is it a useful educational system if its main focus is only on exams? What will be the future of failures?

At present, the main expectation and aim of middle class society is being successful only in exams and finally entering university. Even in rural areas, there is a premium on university admission and getting government job but there is more pressure for survival, can they get their youth to make an earning. Can they have their young daughter look after younger siblings? There is the need for incomes, so young boys are expected to go fishing or mason work. That is also the cause for school drop outs. Those who have high memorizing capacity pass or do well in exams. Sadly, much of the materials students are made to memorize are outdated and irrelevant, and forgotten very quickly by the students, once the exams are over. At the same time, some important topics in the curriculum for youth like reproductive health and information on alcohol and drugs are not taught as teachers are not conversant with the subject or harbour negative attitudes. Students with curiosity, imagination and ability to be creative or think 'outside the box', the real geniuses of any community, those most likely to find new advances, invent innovative advances or meet difficult challenges rarely do well in these types of rote learning systems. They may find the whole educational system boring, not stimulating or rewarding. Thus, education does not really develop the capacities and abilities of students. Moreover, students, parents, and schools compete among themselves, developing jealousy and hostility rather than friendship and a spirit of collaboration. Those who pass exams are praised and appreciated by their relatives and society; schools even publish their names and photos in newspapers and school walls, having functions to celebrate their results, honoured by leaders in society. On the other side, failures are doomed, feeling dishonour, shame, loss of self-esteem and even suicidal ideation. Even the few youth who enter University are not assured a bright future. The university system that was doing reasonably well up to the early 80's have deteriorated drastically due to the general chaos of the war, poor resources and support from the state, loss of able academics, researchers and teachers with the general brain drain, and breakup of the university atmosphere of learning, development of character, artistic creation, discussion and activities.

Consumption patterns have increased with the remittances from relatives abroad and easily obtainable loan facilities. In the post war context, this vulnerable and defeated society was subject to the free ingress of modern market and corporate forces. The financial companies and lending institutions that freely set up shop in every street corner after the end of the war, like the carpetbaggers after the civil war in the US, came in to clean up on the remittances and whatever meagre savings people were left with.

The time when lecturers like Rajani Thiranagama who interact with students to encourage widening of their consciousness and social concerns, develop their personalities and encourage a culture of lifelong learning are no more. Instead, we are left with a glorified tutoring system that focuses on outdated notes and make or break examinations that do not prepare the students for the future or world outside. The Universities have not served the students or the community but has only barely survived.

Taking a broader view of the whole community, youth should also be guided to be good citizens. Those with the capacity and inclination, those who may not do well in this narrow educational system, should be guided into vocational training early, perhaps at the 'O' level stage after acquiring a basic education. By doing what they are best at and interested in, youth gain self-esteem and dignity for themselves and their families, while at the same time earning reasonable incomes and other benefits (See section on vocational training). It is the responsibility of society, media and opinion makers to make these alternative pathways socially attractive, appreciated and meaningful so that youth can make an informed choice that best suits their situation, instead of being left at a dead or loose end, discarded by misplaced social value systems.

Globalization

In the post-war context, there is a major attitudinal and behavioural changes in the present day youth. During the war they had been insulated from global influences due to blockades, travel restrictions, lack of consumer goods and unavailability of credit. It is literally as if the doors have suddenly opened to the outside world and its influences-good and bad. With increasing feeling of security, the number of foreigners who visit Sri Lanka for tourism and to meet their relatives, has been rising, particularly after the opening of the A9 road (which connects the Northern and Southern parts of Sri Lanka). The sudden changes in their lifestyle, job aspirations, fashion, attire and commitment to place has drastically changed and altered the socialization of youth. Consumption patterns have increased with the remittances from relatives abroad and easily obtainable loan facilities. In the post war context, this vulnerable and defeated society was subject to the free ingress of modern market and corporate forces. The financial companies and lending institutions that freely set up shop in every street corner after the end of the war, like the carpetbaggers after the civil war in the US, came in to clean up on the remittances and whatever meagre savings people were left with.

We are faced with the urgent task of rebuilding this shattered society which was devastated by war and Tsunami, and to provide a prosperous, hopeful future for the younger generation. According to international and United Nations conventions, victims of war and conflict have a right to reparation, redress and rehabilitation including psychosocial rehabilitation. However, since the end of the war in 2009, the state had actively prohibited psychosocial interventions and healing processes.

State policies on development including infrastructure and facilities such as roads, electronic communication networks, trading outlets and banking and financial services have been complicit in pushing the market and exploiting the war-torn population. Given this easy access, the public, youth in particular, tend to consume with compulsion. Newly acquired familiarity with a variety of modern goods such as televisions, decks, music players, DVD players, computers, laptops, mobile phones including new smart phones, motorbikes and washing machines was apparently to enjoy, and to reduce their work load.

The widespread consumption culture has brought about changes in their thoughts, attitudes and activities. The impact of cinemas, videos, YouTube, and other media, particularly South Indian tele-drama series and movies on youth has been immense. They take these telecasted stories as real, and try to imitate or practise such imaginary life. For example, the recent popular, *Vaasuvum Saravanam Ontrai Padithavarhal* (Vaasu and Saravanan studied together), out rightly promotes an alcoholic life style.

While in any society after a prolonged deprivations due to war, such consumption patterns are bound to change. But, in this case such consumption comes in the phase of decreasing local production and few avenues of youth employment. Some youth have access to money from abroad and others are given the illusion that future migration to the West will solve their economic problems, therefore, they are less self-reliant and less motivated to work and earn. The few employment opportunities are irregular day-wage labour.

Thus, they have increased leisure time and spend it with peers, 'hanging out' in public spaces. In those deprived families and areas without links to outside remittances, the lack of opportunities and a future without jobs also leads to nihilistic life style among youth. In this context, state, foreign and diaspora investment should be towards getting the economy going to create opportunity structures, meaningful jobs and real income to make the future hopeful for the youth.

Psychosocial Regeneration of Youth

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In the recent post Punguduthivu incidents, youth reacted in the way they did as they had lost trust in the mechanisms and those responsible for law, order and justice due to their tragic experiences before, during and after decades of ethnic conflict. Due to the widespread nature of the impact of war trauma, it may be more appropriate to use public mental health and psychosocial approaches in most post-war states for the rehabilitation of affected populations.

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At present, with the change in the political climate, there are opportunities to address the psychological trauma youth have undergone and create an enabling environment for them to thrive. In this final section, the challenges of psychosocial regeneration of youth will be discussed. However, it should be noted that psychosocial regeneration has to be related to broader social and economic changes in a holistic approach.

It is important to realize that disasters such as a massive natural catastrophe or a chronic civil war can lead to depletion of social capital and what is called collective trauma. According to Bracken and Petty, strategies used in modern warfare (sometimes called counter-insurgency) deliberately destroy social capital assets to control communities. Social capital encompasses social institutions, structures, functions, dynamics, social interactions, community networks, relationships, civic engagement with norms of reciprocity and trust in others. It is a reflection of social cohesion, the glue that holds society together.

Thus in a post war context, families and communities have to recover if any meaningful socio-economic rehabilitation programmes were to succeed. In fact, in time most long-term programmes in other post disaster settings around the world began to include a community based psychosocial component, what is now being termed MHPSS, within the larger socio-economic rehabilitation and reconstruction efforts.

A key element of post-war rehabilitation, and reconciliation would be to rebuild trust, the basic glue that holds society and nations together. Trust in her institutions like those for law and order, justice, governance structures, between authorities and the ruled, between the different members of society themselves. In the recent post Punguduthivu incidents, youth reacted in the way they did as they had lost trust in the mechanisms and those responsible for law, order and justice due to their tragic experiences before, during and after decades of ethnic conflict.

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Street drama

Psychosocial education

Psychoeducation about trauma for youth, what to do and not to do, can be communicated through the media, pamphlets and popular lectures, empowering youth to look after their own problems. Media plays a big role in creating psychosocial awareness among youth. For example, Shanthiham, publishes a real life story regarding a common psychosocial issue in a Tamil newspaper, every Sunday. Subsequently, on second Sundays an interview with an expert about this issue and finally on third Sundays, the opinions, advice and answers to questions raised by the readers are published. Topics have included, indebtedness, exam pressure child sexual abuse, alcoholism, PTSD, and grief. One series looked at the issue of youth problems. Titled, *‘Those three persons’*, it is a true story of three youths who used to waste their time at the village street corners harassing females and other passer-by’s. A National Youth Officer took them in hand and slowly reformed them into useful, respectful citizens involved in socially constructive service. Among youth in Tamil society, drama is a powerful, traditional and cultural methods that can be used to raise awareness, disseminate healthy knowledge, understand problems and find solutions. *Koothu* and street drama (see above) have been used to create psychosocial awareness and promote healthy behaviour.

Training

It is effective to train teachers at schools to identify and help with psychosocial problems among students. The book, ‘Child Mental Health’ has been used to train teachers as counsellors. Grass-root workers and youth can be trained to deal with psychosocial problems in the community. The manual, “Mental Health in the Tamil Community” had been used to train a variety of community level workers and youthful core groups throughout the Northern Province to carry out psychosocial work, particularly after the tsunami and also during the war.

Expressive (emotive) Methods

Artistic expression of emotions and trauma can be cathartic for youth. Art, drama, storytelling, writing poetry, narratives or novels (containing testimony), singing, dancing, clay modelling, and sculpting are very useful methods to express pent up emotions, frustrations, new ideas and imagination. Youth can externalize disturbing emotions and experiences through a medium and



Fig. 14 Northern Education System Review (NESR). Fig. 15 Average No of Students per Class.

thereby handle and manipulate the working through outside without the associated internal distress. Youth who often find it difficult to express their thoughts or emotions verbally, will benefit from the above mentioned expressive methods.

Hobbies & Sports

Hobbies help youth to utilise their time and increased energy levels in healthy ways. Traditional games such as *Thachchi*, *Killithaddu*, and *Kiddipul*, as well as Volley Ball, Net ball, Football (soccer), Badminton, Aquatic games, and Cricket can be played regularly. Self-defence marital arts like Judo, Karate and the South Indian *Kalari* (see above) can particularly help females defend themselves against sexual violence. Play grounds, clubs, basic equipment, swimming pools, coaches, referees, matches, cups and athletic tournaments should be available. Musical programmes, cultural and religious festivals, celebrations and social gatherings, will help youth to meet, interact with society, find meaning in their life and pursuits, learn civil behaviour and healthy competition. These can be taken up as leisure time activities. If youth fail to make use of their leisure time, energy and efforts in healthy ways, it may end up badly. It is necessary to provide opportunities to enjoy, to have fun and to mix up with peers and members of the opposite sex.

Family Support

Family is the basic structural unit of Tamil society. Therefore, it is important to motivate youth to perform their roles properly, by taking shared responsibilities, helping each other, developing harmony, carrying the burdens of life, and communicating with mutual understanding within the family. Family dynamics should be directed into healthy ways. Family dynamics can be improved by encouraging youth to observe rituals for those who died (*apara kirihaihal*) and to assist in searching for those who disappeared. Traditionally, youth used to help prepare the sarcophagus (*padai kadduthal*) by cutting down areca tree (*kamuhu*) to make the casket and logs for the funeral pyre and then carry the corpse as a group. However, most of these practices have now become commercialized with hardly involvement of family and extended kin. Similarly, wedding used to be a time of full family involvement for over week, where they cook together, prepare short eats and decorations together. Youth should be encouraged to partake in these activities so that they become part of the family and community and relationships can be strengthened.



Fig. 24 Young Women group

Group therapy

Youth belonging to same age or having similar problems or same gender are united together, forming self-help groups and are given the opportunity to organize activities, learn new knowledge and skills, share their difficulties, find solutions to pressing problems, support each other and discuss disturbing issues. For instance, teenage mothers can become a group. Forming groups can become powerful ways where mutual cooperation, understanding and joint activities can produce impressive results giving a sense of self-efficacy; and building trust, relationships and civic responsibility (see Fig. 24).

Thus youth can be trained to do socially useful tasks and given responsibilities in first aid, organisation, health, food, maintaining health in camps, leadership, games, caring for elders, the disabled and handicapped; children; and run preschools and care for babies.

Life Skills and Vocational Training

Given the limitations of formal education to develop the inherent potential of youth, it is essential to make Life Skill and Vocational Training (VT) widely available to youth. VT should have subjects and courses that are interesting to the youth, compatible with their aptitudes and capacities but at the same time, addressing job vacancies, areas of need and income generating potential. Those interested and willing can undertake VT as well as those who are not enamoured with the traditional educational system that prepares students for university entrance. VT should meet social needs by providing dignity and self-esteem and to enable youth to gain regular income. Social dignity, honour and respect should be given to occupations that provide regular income and secure jobs in order to make them attractive for youth. Information and life skills in subjects like first-aid, hygiene, nutrition, reproductive health, computer literacy, parenting and social skills, money management, planning and problem solving are important areas that youth need training in that can be done through VT institutes. VT has been established in many fields all over the country in every district but most parents and children are not aware of the training opportunities. But a research survey done by Verite institute reveals 60% of parents have an interest in sending their children to vocational training centres. Educational officials, teachers and VT officers need to disseminate adequate information and awareness about courses available. Contrary to general expectation, this study discloses that few youth prefer to migrate abroad but many more don't. Vocational training should be given near to their residence with consideration

The present generation of youth are not that interested in traditional occupations such as agriculture and fishing because currently they provide poor income. The state, UN and other organizations trying to rehabilitate the war torn communities, will need to invest to improve facilities, modern machinery and marketing opportunities to make these occupations profitable. VT can be given in latest scientific methods with modern instruments and techniques. Basic courses in presently popular fields such as computer literacy, English courses, management and marketing techniques will be useful.

or allowance for travel, accommodation in cities if courses cannot be organized nearby or in local schools (after hours). Just like schools, VT institutes should also provide routine activities for the psychosocial regeneration of youth. Drop-in-Centres such as at community *sana samuha nilayams*, schools and universities can provide life skills and knowledge through seminars, lectures and printed materials with a library, IT and internet facilities as well be the site for training in topics mentioned above. Psychoeducation and courses in cultural relaxation techniques, yoga, home gardening report and CV writing, exam preparation, interviewing skills, and other relevant subjects can be done at the Centre. Group work can be facilitated by psychosocial workers who can also provide individual counselling to those in need. Youth can meet as peer groups to discuss and share views on various issues of importance to them. Cultural, artistic activities and games can be undertaken on a regular basis.

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Traditional Coping Strategies

Youth should be encouraged to partake in indigenous coping strategies that would help re-establish community processes, trust, values, belief systems and social cohesion. Culturally mediated protective factors like rituals and ceremonies should be strengthened. In traditional cultures, funerals and anniversaries can be very powerful ways to help in grieving and finding comfort. Funeral rites like *eddu chelavu*, *anthyetty*, *andu thivasam*, *thivasam* and similar anniversary observance are powerful social mechanisms to deal with grief and loss. The gathering together of relations, friends and the community is an important social process to share, work through and release deep emotions, define and come to terms with what has happened, find meaning and integrate the traumatic experience into social reality.



Fig. 26 Traditional healing ritual. Fig. 27 Koothu. Fig. 28

Traditional Coping Strategies

Religious and temple rites (see Fig. 26), cultural festivals, drama, musical concerts, exhibitions and other programs, meetings and social gatherings provide the opportunity for youth and elders to discuss, construct meaning, share and assimilate traumatic events. In cases of detention by the security forces the relatives may take vows (*naethikkadan*) at Temples to various gods which they will fulfil if the person is released. The practice of *Thookkukkaavadi*, a propitiatory ritual involving hanging from hooks, has increased dramatically after the war and may be especially useful after detention and torture. After resettlement, *Kovalan Koothu* (a popular folk drama) was performed all over the Vanni with large attendances and community participation.

In the traditional folk form of Oppari (lament), recent experiences and losses from the Vanni war were incorporated into community grief performances. Religious festivals, folk singing and dancing as well as leisure activities like sports can be ways of meeting, finding support and expressing emotions. *Koothu* (see Fig. 27), other dramatic forms, laments, poetry, writings and drawing should be encouraged and promoted. Recently a group of traditional artists, including *Annaviars* from the east, were able to revive the practice of *Koothu* at a local Amman Kovil.

Earlier the community had regularly performed Kathavarayan and other koothus, but with the war many of the practices had died down and practitioners dispersed. They had taught school students a child koothu, rain fruit (*malai palam*), for over two months, bringing together the community and families to partake in regular rehearsals, and the go through the initiating ceremonies (*chalangai ani vila; arangaettam*), and building of the performing site (*vadda kalari*) and decorating it with different roles and functions being earnestly undertaken by community members with considerable discussions, sharing of tasks, communal gatherings and functioning. By ongoing discussions, consensus was reached on various prickly topics like caste and gender, that found a progressive voice in the final performances. Hopefully, the *koothu* art form will be now be continued to be practiced from generation to generation binding the community together with the youth taking a leading role. Ideally the social processes should work to promote feelings of belonging and participation, where the group is able to give meaning to what has happened, adapt to the new situation, and determine their future. It is noteworthy that the worldwide panel of trauma experts identified restoring connectedness, social support and a sense of collective efficacy as essential elements in interventions after mass trauma. Cultural rituals and practices are well suited to do just that.

The teaching of the culturally familiar calming exercises like *jappa*, *dhikir*, *anna pana sati*, *rosaries* or *yoga* to youths in the community and as part of the curricula in schools can be both preventive and promotive of well-being (Fig. 28). Their traditional approaches can produce the calming, countering the hyperarousal due to traumatization and Post Traumatic Stress Disorder (PTSD) symptoms. At a community level it can create a sense of collective efficacy; and social and cultural connectedness and mobilize social support. Research has shown that when more than 1 % of the local society starts practicing cultural calming techniques, the levels of violence, anti-social behaviour and crime rate decrease.

Conclusion

In summary, when analysing the behaviour of the present lost generation of Tamil youth, external, environmental factors have determined their current state. Past war trauma, parents' behaviour and example, the style of parenting, the educational system and globalization have had a significant impact. In emergency situations, youth took responsibilities and acted courageously by helping those facing difficulties. It is best to encourage the good qualities in youth who have travelled through the dark shadows of war. Providing psychosocial awareness and education, training in healthy psychosocial activities, expressive therapy through creative arts, giving opportunity for healthy hobbies, obtaining family support, harmony and unity, forming self-help groups, giving suitable vocational training, observing religious and cultural rituals can be used in a holistic way to increase motivation and participation in development.

The challenges of rebuilding a society devastated by war for three decades and regenerating youth who carry the inter-generational burden of the war and post-war crisis are tremendous. It requires a major psychosocial, economic and political vision and the requisite leadership, both within Tamil society and the state. Education is one aspect of such social revitalisation. While the problematic aspects of school education has to be addressed, at the same time, education involves various social institutions including the family, religious institutions, co-operatives, village forums such as reading rooms (*sana samuga nilaiyam*) and the places of employment and work. At this crucial juncture, we as a society have to reflect on broader social and educational revival necessary



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THE PROBLEM WITH HUMAN RIGHTS: PUBLIC PERCEPTION

L to R: Saudi Blogger Raif Badawi, protests in Mexico on the missing 43 students and protests by LGBT activists in Russia.

From the lashes being inflicted on Saudi blogger Raif Badawi, to the forced disappearances of students in Mexico, to the imprisonment of LGBT rights campaigners in Moscow and The Gambia, human rights abuses continue to demand the protection of human rights law. The international community, however, cannot see the victims of these abuses, as the 'bad guys'. We cannot, for example, in good conscience believe Mr Badawi to be bad because he questioned freedom of speech rights in Saudi Arabia. We cannot believe the Mexican students who were training to be teachers 'bad', and we cannot believe the LGBT activists in Russia to be bad because of their decision to protest the anti-LGBT propaganda laws.

The Problem with Human Rights: Who are human rights for?

A little over eighteen months ago I was staying with family after living and working abroad for a year. My parents' next-door neighbour was catching up with me, and asked me what I was going to be doing next. In response to the fact I was about to start research in international human rights law, he turned around and disdainfully uttered "God, your parents must be so disappointed". Unfortunately, he was being completely serious.

As December 10th and Human Rights Day approaches for 2015,¹ now seems a opportune time to reflect on the transformation of human rights over the last 65 years. Human Rights Day celebrates the creation of the Universal Declaration of Human Rights in 1948,² the United Nations inaugural human rights charter. The UDHR was conceived in response to the atrocities committed both before and during World War II, and is one of the principal means by which the international community strove to ensure that such heinous incidents would never occur again.³ Importantly, at the time, the UDHR was widely welcomed.⁴ It was seen as a way to protect the rights and freedoms of every individual, regardless of their gender, race, religion, age, sexual orientation, political beliefs, or any other factor. Human rights existed for all of us, for the simple fact that we are all human.

Since then, however, there has been a significant shift in the international and public opinion of human rights. At present, human rights seem to be viewed by much of the European and American population with a degree of suspicion and animosity.⁵ My neighbour's opinion is not an anomaly; instead it seems to be the norm.⁶ Why this has happened is hard to quantify, but in part it seems to be due to the phenomenon of 'otherness': the idea that human rights only apply to 'other people'.⁷

It is of course true that members of ‘undesirable’ groups have benefitted from human rights protection. This is primarily because of their status as humans. As much as we may detest Abu Qatada and all that he stands for, his status as a human remains. Whilst we may not agree with the conclusions that human rights bodies reach in their interpretation of such rights, that those rights exist is indisputable.

On one hand it is clear that human rights abuses remain prevalent in many States; evidence of the fact that in many parts of the World human rights standards are not adequately enforced or ensured. On the other hand, the public perception in Western Europe seems to be that human rights are implemented with far too much vigour, thereby threatening to undermine domestic beliefs and values.

At face value this may seem true: the average citizen in the United Kingdom or Western Europe will have little need to worry about his or her human rights being violated. Of course this is because, for the most part, those rights are already adequately protected, in part because of human rights decisions that have already been passed. It was a human rights decision that demanded all care homes must protect the rights of disabled residents, regardless of its local authority status. It was a human rights decision that ensured that individuals in homosexual relationships had the same inheritance rights as those in heterosexual relationships. It was a human rights decision that demanded that family members be involved in local authority decisions on care of a family member. Human rights decisions have already achieved a huge amount in the protection of individuals, much of which seems to have gone under the public radar.

Another reason that human rights have fallen into bad press goes beyond the phenomena of otherness. The British media has repeatedly correlated human rights with groups of people that society (often correctly) regards with animosity: prisoners, terrorists, and paedophiles etc.⁸ Accordingly the feeling of otherness has been exacerbated by the impression on the public sub-conscious that human rights are there for the ‘bad guys’,⁹ not for you, or I, or for the vulnerable in society.

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However, what is perhaps more relevant is that human rights are not just there for the bad guys. Human rights litigation has done a huge amount for many vulnerable groups; the disabled community, the LGBT community, and has drastically improved the rights of children in the UK. Further afield, 67 years after the creation of the UDHR, human rights violations occur each and every day, and each and every day vulnerable individuals find themselves in fear of their government. From the lashes being inflicted on Saudi blogger Raif Badawi,¹⁰ to the forced disappearances of students in Mexico,¹¹ to the imprisonment of LGBT rights campaigners in Moscow and The Gambia,¹² human rights abuses continue to demand the protection of human rights law. The international community, however, cannot see the victims of these abuses, as the ‘bad guys’. We cannot, for example, in good conscience believe Mr Badawi to be bad because he questioned

freedom of speech rights in Saudi Arabia.¹³ We cannot believe the Mexican students who were training to be teachers ‘bad’,¹⁴ and we cannot believe the LGBT activists in Russia to be bad because of their decision to protest the anti-LGBT propaganda laws.¹⁵

The phenomenon of the otherness seems to me to be a tacit acceptance of the fact that human rights standards have so far adequately protected the rights of many individuals. To see human rights as the reserve of others indicates that so far they have done their job for me. Furthermore, the idea those human rights are there solely for undesirable individuals, is a fallacy. Yes, human rights protect ‘bad’ people. That is not the real problem. The real problem seems to be the human rights public relations. Why is selective reporting of human rights cases so rampant? Why do newspapers seem to hate human rights on one hand, and cite ‘freedom of speech’ rights on the other?¹⁶ The question at the start of this article was ‘who are human rights for?’ but the answer is clear: human rights are here for all of us. The real question is why do we not believe this?

The Problem with Human Rights: How are human rights implemented?

Another problem that has overshadowed the public attitude towards human rights is that of the perception of human rights implementation. There seems to unfortunately be a division in the perception and reality of human rights implementation throughout the World. On one hand it is clear that human rights abuses remain prevalent in many States; evidence of the fact that in many parts of the World human rights standards are not adequately enforced or ensured. On the other hand, the public perception in Western Europe seems to be that human rights are implemented with far too much vigour, thereby threatening to undermine domestic beliefs and values.¹⁷

To ensure that human rights standards are being implemented, the international community has a number of mechanisms to monitor each State. The United Nations utilises the Universal Periodic Review,¹⁸ which demands that each State submit a report to the relevant human rights body at timely intervals, detailing how human rights standards are being respected in that State. Additionally United Nations Human Rights covenants, and other regional human rights instruments such as the European Convention on Human Rights and the African Convention on Human and Peoples’ Rights, allow individual complaints to be made to international human rights bodies.¹⁹ This permits any individual who alleges to have had their human rights violated to make a personal application²⁰ to the relevant human rights body, which will examine the allegation and give a decision on whether a violation did actually occur.

In a recent poll the majority of those questioned from the British public felt that the application process under the Human Rights Act has been taken advantage of by individuals. This belief is exacerbated by the fact that the majority of those questioned also believed that the only individuals who benefit from human rights didn't deserve them.

The individual complaints procedure, especially that under the European Convention of Human Rights, has received a lot of attention in the British media. It was this mechanism that allowed complaints to the European Court from prisoners regarding their right to vote,²¹ and alleged terrorist Abu Qatada to challenge his extradition to Jordan.²² Public perception of the individual complaints mechanism seems, unsurprisingly, to mirror that of the British media.

In a recent poll the majority of those questioned from the British public felt that the application process under the Human Rights Act has been taken advantage of by individuals.²³ This belief is exacerbated by the fact that the majority of those questioned also believed that the only individuals who benefit from human rights didn't deserve them.

Yet the human rights that so often make the headlines have, in practice, a much narrower impact than the media might imply. The rights typically associated with the European Convention (civil and political rights) are not rights that States have to take active steps to ensure; instead, they are rights that the State has to prevent from being violated. The majority of these rights can be viewed as 'freedoms from' rather than 'rights to', for example freedom from torture, from forced disappearance, from death, from arbitrary imprisonment etc.

Despite the pervasive perception that human rights standards are implemented with too much vigour, there are several procedural mechanisms that protect national sovereignty and prevent human rights bodies being inundated with individual complaints of human rights abuses. One such mechanism is the domestic remedies rule. The exhaustion of domestic remedies rule demands that any application by an individual to an international tribunal should be rejected, until such a time as the individual exhausted all domestic remedies available to them in the country where the violation was alleged to have occurred.²⁴ There are only limited circumstances when the individual may circumvent the exhaustion rule, and make a complaint directly to the human rights body. The result is that individuals who allege human rights violations must not only make a complaint to the domestic courts in the State alleged to have committed the violation, but also exhaust any administrative remedies (such as national human rights commissions) available.

The exhaustion of domestic remedies rule is alleged to fulfil a number of functions. Firstly, it blocks too many application reaching international human rights bodies, to prevent them from being overwhelmed. Secondly, it protects State sovereignty, and allows States to do justice in their own way, whilst ensuring the domestication of international human rights standards.

We know that the more that people are educated about human rights, the more positive they tend to feel about them. But we also know that there seems to be a huge amount of negative press coverage about who human rights are for, and how invasive they are on public life. The problem is not what human rights are doing and what they seek to do, but with how we perceive those human rights. The sad reality is, the human rights' public relations machine has stalled, and without it human rights are under threat; for me, that is the real problem.

Thirdly, it protects the individuals from costly litigation. Whatever functions the rule serves, however, it has been one of the most significant barriers for individual complainants seeking to reach international human rights bodies. 92% of the individual applications to the European Court of Human Rights in 2013 were rejected for being inadmissible,²⁵ and States almost unfailingly cite non-exhaustion of domestic remedies, sometimes without even regarding the facts of the complaint, as a reason that the human rights body should reject a case.²⁶

Despite the reality that only a minority of cases (some have estimated as low as 1% of cases²⁷) are declared admissible and examined by human rights bodies, the belief that human rights are implemented with too much vigour remains. That human rights violations remain so prominent around the World and that statistics on admissibility are so low, both fly in the face of this assumption. How can there be too much of implementation of human rights standards when so many horrific human rights abuses continue? How can there be too much of implementation of rights, when comparatively so few individual applications are able to reach the international human rights body which is supposed to examine them? Once again it seems that the real problem with human rights is its public relations.

The perception of human rights has undeniably changed. But what human rights seek to achieve has not. That we are all human and all entitled to be free from particularly heinous treatment remains true. What has failed is this message. The media focus on prisoners, terrorists, and other 'bad guys' means that much of the public has lost the understanding of what the true goal of human rights. Human rights are there for all of us, particularly those who, whether by their own actions or not, are vulnerable. We give all people those rights because we aspire to be a society who treats all persons with respect, whether that person is a prisoner or an activist, a terrorist or a disabled person, a murderer or child.

We know that the more that people are educated about human rights, the more positive they tend to feel about them.²⁸ But we also know that there seems to be a huge amount of negative press coverage about who human rights are for, and how invasive they are on public life. The problem is not what human rights are doing and what they seek to do, but with how we perceive those human rights. The sad reality is, the human rights' public relations machine has stalled, and without it human rights are under threat; for me, that is the real problem.

Foot Notes Overleaf



Foot Notes

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Creativity Calls: Designing a Monitoring Body for the UN Declaration on the Rights of Indigenous Peoples



World Conference on Indigenous Peoples' Opening Plenary Meeting and adoption of the Conference Outcome Document, 22 September 2014, New York. Photo: Shane Brown, Indigenous Global Coordinating Group Media Team.

Calls for an international mechanism to monitor implementation of the 2007 [United Nations \(UN\) Declaration on the Rights of Indigenous Peoples](#) (the Declaration) are growing louder. The Declaration is the the most comprehensive articulation of the contours of Indigenous peoples' rights. The product of more than two decades of intensive negotiations and lobbying by Indigenous peoples and their supporters, it affirms Indigenous peoples' rights to internal self-determination, their lands and resources, culture, equality and development, amongst others. As a non-budgetary resolution of the UN General Assembly the Declaration is not strictly binding in the way that a UN treaty is. Yet, [aspects of the Declaration form part of customary international law](#). Since the Declaration's adoption, the idea of a monitoring mechanism has been raised both informally and formally. But in the past year the idea has gained momentum.

In early October 2015, the UN Human Rights Council (the UN's primary human rights body) is expected to pass a [resolution](#) to kick-off informal consultations on a review of the mandate of one its subsidiary bodies – the [UN Expert Mechanism on the Rights of Indigenous Peoples](#) – with a view to it potentially taking on the monitoring role. The idea emanated from the [UN World Conference on Indigenous Peoples](#), held at the UN headquarters in New York in September last year. The purpose of that conference was 'to share perspectives and best practices on the realization of the rights of indigenous peoples, including to pursue the objectives of the ... Declaration'.^[i]

Pockets of resistance to the recasting exist. Some [states](#) do not want a UN body monitoring domestic implementation of the Declaration, presumably for fear that it will show up their failings. Others question the legality of monitoring a formally non-binding instrument, an argument neatly put to bed by the Permanent Forum on Indigenous Issues in their 2014 [Study on an optional protocol to the United Nations Declaration on the Rights of Indigenous Peoples focusing on a voluntary mechanism](#), an ‘optional protocol’ being one specific type of monitoring body.

In paragraph 28 of the conference’s [outcome document](#), the Human Rights Council was invited:

to review the mandates of its existing mechanisms, in particular the Expert Mechanism on the Rights of Indigenous Peoples ... with a view to modifying and improving the Expert Mechanism so that it can more effectively promote respect for the Declaration, including by better assisting Member States to monitor, evaluate and improve the achievement of the ends of the Declaration.

The text echoed, in weaker language, the appeal for a monitoring mechanism for the Declaration articulated by Indigenous peoples in the 2013 global [outcome document from Alta](#) in Norway, a product of Indigenous peoples’ own parallel preparatory process for the World Conference on Indigenous Peoples.[ii]

In addition to its watered down wording, the UN document differs from the Alta document in singling out the UN Expert Mechanism on the Rights of Indigenous Peoples as a candidate for the task. The Expert Mechanism is one of the three UN bodies focused exclusively on Indigenous peoples, along with the [Permanent Forum on Indigenous Issues](#) and the [Special Rapporteur on the rights of indigenous peoples](#). The newest of the three, the Expert Mechanism was established in 2007 with a comparatively narrow focus: the provision of thematic reports on topical Indigenous rights issues to the Human Rights Council. It is made up of five expert members appointed by the Human Rights Council and meets annually in Geneva. In the 7 years since it first met, the Expert Mechanism has produced thematic reports on Indigenous peoples’ education, participation in decision-making, languages and culture, access to justice, disaster risk reduction and cultural heritage. Although the Declaration is a recurring agenda item at the Expert Mechanism’s meetings, the expansion of its mandate as envisaged by the World Conference on Indigenous Peoples’ outcome document would be a dramatic shift.

Pockets of resistance to the recasting exist. Some [states](#) do not want a UN body monitoring domestic implementation of the Declaration, presumably for fear that it will show up their failings. Others question the legality of monitoring a formally non-binding instrument, an argument neatly put to bed by the Permanent Forum on Indigenous Issues in their 2014 [Study on an optional protocol to the United Nations Declaration on the Rights of Indigenous Peoples focusing on a voluntary mechanism](#), an ‘optional protocol’ being one specific type of monitoring body.

Indications are that UN-savvy Indigenous peoples’ organisations will be working to broker state support for a resolution on a monitoring body at the Human Rights Council’s September 2016 session. What kind of monitoring body, if at all, will emerge as a product of the anticipated state-driven informal discussions and these lobbying efforts? What kind of body *should* emerge? The next year will be pivotal in answering these questions. Now is the time for Indigenous peoples, rights advocates, states and others to join the conversation.

On the flip side, there are also concerns that a monitoring body may replicate dimensions of the now well-known flaws with existing UN monitoring mechanisms, such as the UN human rights treaty bodies. The potential for a monitoring mechanism focused primarily on ‘naming and shaming’ reporting to bring about substantive improvements in the realization of Indigenous peoples’ rights was called into question during discussions at the [Permanent Forum on Indigenous Issues’ January 2015 expert group meeting](#), which specifically explored the establishment of a monitoring mechanism for the Declaration. This is not to undermine calls for a monitoring mechanism of some design. Rather, it is to argue that in the construction (or extension) of a body to monitor implementation of the Declaration it is vital to think creatively and expansively about how best to give life to the rights that instrument affirms. In addition to critiquing states’ rights failings, this could include building the capacities of states to foster continuous improvement in the actualization of those rights and actively working with states to support their current rights strengths, as I argue in my [report](#) to that meeting.

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[i] UN General Assembly Resolution 65/198 Indigenous issues (21 December 2010) para 8.

[ii] Global Indigenous Preparatory Conference for the United Nations high-level plenary meeting of the General Assembly to be known as the World Conference on Indigenous Peoples Alta Outcome Document (10-12 June 2013) page 6.



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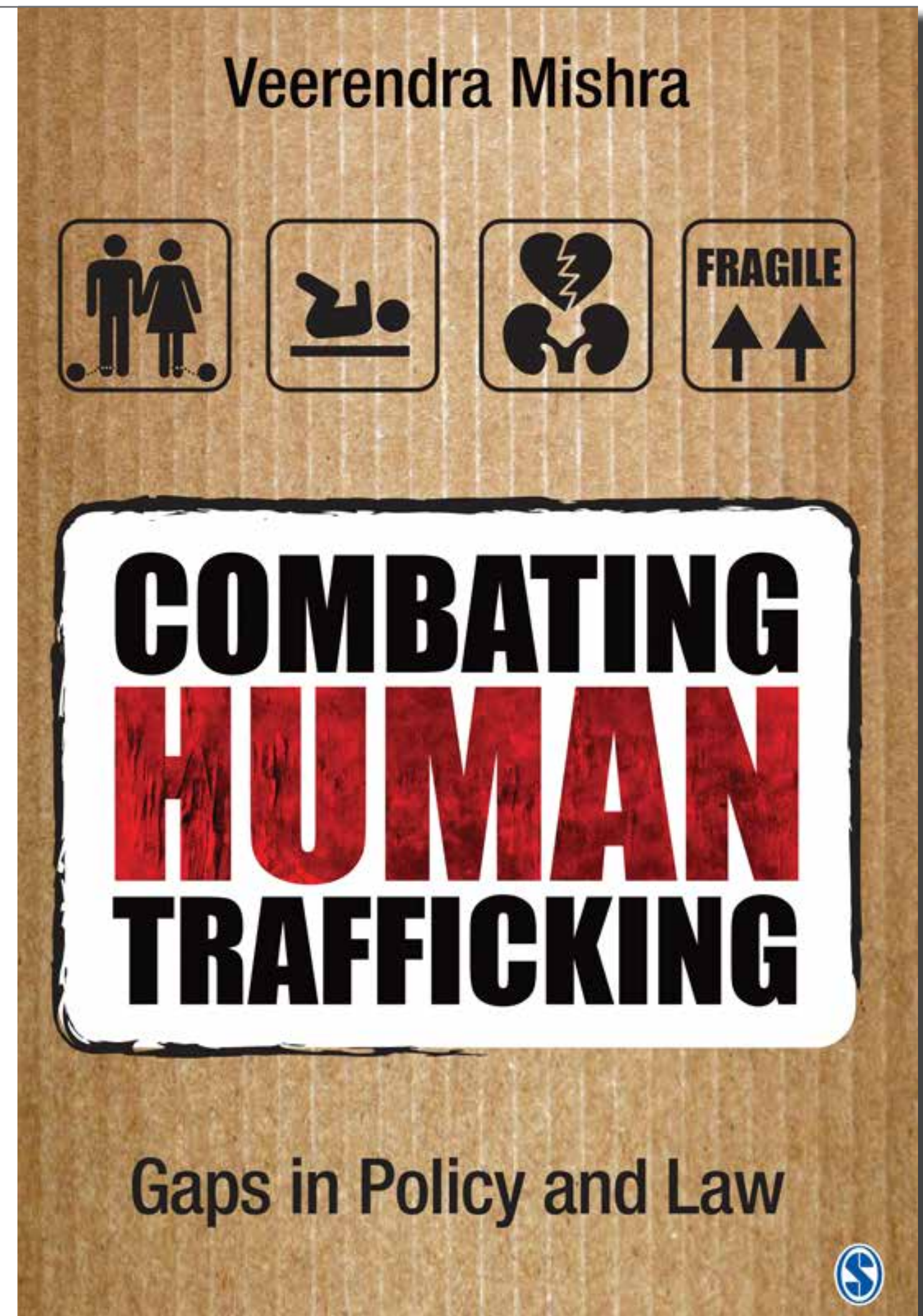
Combating Human Trafficking: Gaps in Policy and Law

Published by **SAGE** Publications

The publishers and the author have granted Live Encounters special permission to reprint the *Preface* of this book. We thank Dr Veerendra Mishra and Smrithi Sudhakaran, Marketing Manager of SAGE for sharing this with our readers across the world.

In Live Encounters September 2013, we had interviewed Dr Mishra on the book: *Human Trafficking – The Stakeholders' Perspective*, which he had edited when he was Assistant Inspector General of Police (CID), Madhya Pradesh, India. The book was also published by SAGE. You can read this exclusive interview [here](#). The first book should be read along with the latest publication so as to understand the complexity and magnitude of human trafficking.

Dr Mishra says, “I personally feel that by generalizing the act of human trafficking as slavery, more harm is done than good. The less knowledgeable service providers and law enforcers have started measuring degree of exploitation against their perception of overt exploitation of slaves, which they have gained by reading history books, films or stories heard. This ultimately restricts them in understanding the subtle and hidden exploitative mechanisms involved in highly complicated present day human trafficking. Eventually, they fail to address the problem resulting in its growth.”



Despite the fact that more than 13 years back, United Nations (UN) defined human trafficking in its Palermo Protocol, but still there are countries which have not framed laws to address it. Trafficking, per se, has not even found space in the law books of many countries. Even USA, which has been releasing TIP report for more than a decade now, ranking 184 nations, does not accept the UN definition in totality. In the definition given in Trafficking Victims Protection Act 2000, which has been reauthorized every three years, latest in 2013, talks merely about forced labor and sex trafficking, overlooking trafficking for organ transplant, which is mentioned in UN definition.

The book adds new perspective to the subject of trafficking by analyzing the gaps in social policies, which have resulted in continuous increase in human trafficking. The discussion ranges from understanding the criminal justice system, its merger with social justice system, and the new progressive shift in legislations in the form of socio-criminal acts. Brute Mute theory, developed over the concept of unheard stifled voices of vulnerable, who are supposed to be the main benefactors of any social policy but land up being victims of unfair social justice system, explains the practical gaps in framing and implementation of social policies and legal acts.

Preface[©]

Give me few men and women who are pure and selfless and I shall shake the world.
Swami Vivekanand

Human trafficking is referred to differently in different regions of the globe. USA refers it as Trafficking in Persons (TIP) and European countries prefer to call it Trafficking in Human Beings (THB). The general term is human trafficking. This book is very flexible and has used the terms interchangeably. Interestingly, in Hindi (India), human trafficking is referred as *manav durvyapar*, which literally would mean “illegal trading of humans,” though this would not construe human trafficking as per definition because of ambiguity in purpose. However, this is the closest workable term in vogue, and to make it more specific, it would be better to qualify the purpose of illegal trade, that is, *manav durvyapar*, for exploitation.

This book deals with the legal, functional, and technical part of human trafficking. Human trafficking, as a subject of study, has evolved very recently or, to be honest, is still evolving. There are still gaps in understanding of what action is construed as trafficking worldwide. Despite the fact that more than 13 years back, United Nations (UN) defined human trafficking in its Palermo Protocol, but still there are countries which have not framed laws to address it. Trafficking, per se, has not even found space in the law books of many countries. Even USA, which has been releasing TIP report for more than a decade now, ranking 184 nations, does not accept the UN definition in totality. In the definition given in Trafficking Victims Protection Act 2000, which has been reauthorized every three years, latest in 2013, talks merely about forced labor and sex trafficking, overlooking trafficking for organ transplant, which is mentioned in UN definition. There are many more dimensions of trafficking, which are not covered in UN definition; hence, this book has raised the issues of revisiting the definition. USA has found an easy way out by generalizing the term *forced labor* and claiming to encompass all other dimensions, which they fail to recognize or will be realized later. However, this book also mentions the practical risk involved in overgeneralization of terms.

To address the problem of human trafficking, it is necessary that we try to understand the various dimensions of trafficking. And each dimension has to be further classified to comprehend the basic difference, or else the strategy to counter trafficking, through legal or social means, will misfire. This book has tried to discuss in detail the possibly known dimensions with classifications.

A new addition to the most often discussed dimension is medical trafficking, which goes beyond trafficking for organ transplant, such as trafficking for surrogacy and clinical drug trials. Attempts have been made to specify dimensions, in contradiction to the popular US belief of considering all forms of trafficking under forced labor.

There are various perspectives on human trafficking as to whether to consider it as a legal problem or a social problem. Depending on perception of the policy makers, legislations are framed to address the problem. In the past, it was considered to be purely a law enforcement problem, but of late with the development of a concept of victim protection, there is a perceptible shift in approach, particularly among civil society organizations (CSOs) in Western countries. The book tries to analyze various perspectives and possible convergence for holistic address of the issue.

The book adds new perspective to the subject of trafficking by analyzing the gaps in social policies, which have resulted in continuous increase in human trafficking. The discussion ranges from understanding the criminal justice system, its merger with social justice system, and the new progressive shift in legislations in the form of socio-criminal acts. Brute Mute theory, developed over the concept of unheard stifled voices of vulnerable, who are supposed to be the main benefactors of any social policy but land up being victims of unfair social justice system, explains the practical gaps in framing and implementation of social policies and legal acts. A study of two communities, Bedia in India and the Native Americans in USA, reflects the above-mentioned gaps, enhancing their vulnerability.

Here, I would like to humbly submit that this is not a book on human trafficking laws. The reference of laws is a natural consequence of any discussion on human trafficking. As the title of the book suggests, this is a book on gaps in social policies and legal acts, which are the causes of perpetuation of human trafficking.



Update 2015 Another year of Living Foolishly?

This essay was written and published in 2008. Since then I have updated it every year. Except for a few lines here and there the basic essay has remained in its original form. It is a reminder to us that the inhumanity of humanity has not changed. In fact it appears to be growing in intensity. Sadly the more things change, the more they remain the same.

This year is grinding to a close and then hope will begin for the New Year. So what will it be?

More wars for religious or commercial purposes? Cultural genocide? Child abuse?

Human slavery? Beheadings? Sixth Mass Extinction?

New insidious revelations that expose the all-pervasive criminality of governments, international politics and sections of the Media?

And is the UN still a coffee shop for the rich and powerful to hang out in and where honour still exists among thieves.

There is so much to choose from. It's like a supermarket out there with all kinds of manmade disasters available on the shelves, one has simply to reach out and grab one. 2015 is ending on a note of negotiated delusions with the Climate Change Conference in Paris. What happened to the good old days when we used a blanket instead of a heater? All this talk of saving the world is pointless. Everything is done half-heartedly. Let's make a resolution for the New Year to decimate the planet. Destroy all our natural resources, pollute the rivers and farm the seas to extinction. At least we would be doing one thing properly.

On one hand we talk of peace, love and no war. On the other hand we bomb, rape, pillage, annex and subdue nations with money, military power and retarded religiosity.

For instance, let's take a quick look at Afghanistan. The British couldn't control the tribes in the 19th century, the Russians failed miserably and the American soldiers with their assorted comrades in arms, poor souls, are dying by the dozen along with faceless unarmed civilians. I suppose life is cheaper by the dozen. Hasn't anyone got a clue as to what the Afghans want?

What about certain parts of the Middle East and in particular Syria and Iraq, areas that have become mass open air abattoirs for the mindless slaughter of innocent people? Do you think they will run out of people considering the number of killings that are taking place? Education there is history – like the death of a six year old killed by a stray bullet. It stems from the barrel of a gun. The pen is for signing death certificates. And as 'heads begin to roll', aficionados of one religion pursue a scorched earth policy including hounding, raping and pillaging innocent civilians and their properties; people whose only crime is eking out a living on their ancestral lands and following their faith in peace.

Statistics are essential in war zones. They can always be rearranged to suit one's perceived objectives. The little numbers represent people; mothers, fathers, sisters, brothers, relatives and friends. A neat way to manage these numbers is to write in pencil so that an eraser can be used judiciously. And as the death toll in war ravaged countries rises, a hysterical caucus threatens Russia and a host of other countries for deviating from the 'acceptable norms of international behaviour' like illegally invading countries on trumped up charges and bombing innocent folk back to the stone age...while deliberately turning a blind eye to China, a country that continues to violently dismantle the vibrant ancient Tibetan culture, brainwashing and incarcerating the Tibetans. Incidentally these very countries vie for commercial and 'military' space in the South China Sea while using China as a manufacturing base and its banks for financing projects.

Africa, the Dark Continent, what can one say about its peoples and their ancient civilizations that have slowly been corrupted by large corporations and foreign governments meddling in the affairs of the states: Buying and selling governments on mammoth proportions? Oh for the days of Idi Amin. Remember Entebbe and the blood baths? Everything is so quiet now, no excitement and drama except for bloody popular uprisings, theft of natural resources and other inconsequential happenings like the sudden spread of highly infectious diseases and mass kidnapping of school children for forced marriage and conversion...and the continuing practice of female genital mutilation, which appears to be a thriving business across the world where doting parents take their little girls on 'vacation' cuts.

What about the sub-continent, India? Do they still abort female foetuses? Burn women who don't bring enough dowry? Is rape part of the culture? Do they continue to decimate wildlife? Persevere in the destruction of the environment? And do millions still exist on the threshold of life and death? And is the arrogant Indian Middle Class growing to newer levels self-indulgence? And, are the subsistence farmers still committing suicide due to failure of crops, seeds often supplied by a multinational? And are rationalists still killed for their beliefs? And is the holy cow more important than feeding hundreds of millions of people living below the poverty line? Forgive me, I missed that little country to the west of India; Pakistan. Poor chaps they've had such a tiresome year with the constant ebb and flow of political violence and religious fundamentalism peppered with suicide bombers that probably the common folk want to migrate to India... can't really blame them. All they desire is to live in peace to pray, work and procreate.

Now let's see who is left on the black board? Hmmm...the indigenous people of the Amazon are still fighting a losing battle with the powers that be to stop the plunder of their home, the rain forest, the green lung of mother earth. South America appears to be lost in translation. We never seem to get a lot of news from there except for soccer, drug lords, plunder of the marine world and the continued exploitation of the poor and defenceless.

Let's leave all this violence for some shark fin, whale and dolphin meat. The Japanese and an assortment of other 'civilised' countries are so considerate to the world at large. For countries that pride themselves on rejecting nuclear weapons they have a rather odd way of showing their respect for the environment. I am referring to the mass killing of whales, dolphins and other sea creatures on an industrial scale.

Actually you must admire their concern. Ever considered the fact that they maybe ridding the oceans of monsters that take up so much space and are a serious health hazard to humanity? I think Japan's neighbour China has the right approach. It has dispensed with the cumbersome concept of human rights and its implementation. In its place totalitarianism with a small dose of plutocracy has been suitably installed.

There are many countries that lecture China on its human rights. Wonder who has a perfect track record? The world's last Superpower? A superpower that continues to interfere in the affairs of other nations ... at times actually sending troops and bombing unarmed civilians, including hospitals and marriage parties along with perceived enemies of the State? I suppose the term 'collateral damage' is more palatable than the word... murder.

Civil liberties are essential for the survival of a nation and so is the health of its people. In some areas of society where common sense has been the victim, Nature has found a way of retaliating by inventing diseases like Ebola, AIDS and Swine Flu, infecting millions and helping to keep the population in check: Of course, with a little assistance from humankind's scientific community who often test drugs on unsuspecting illiterate folk in the holy name of finding new cures to make a profit.

And once again, as we have done in the past, this Christmas and New Year we shall all sit down to sumptuous meals, drink whatever fancies our taste buds, shop till we drop and pamper our overweight children and pets. It's the season of happiness, love and family especially for the homeless, injured and maimed children of wars, missing women in Afghanistan, Syria, Iraq and elsewhere, asylum seekers, political detainees and the fringe folk of the planet. They will surely be very happy and content with what they see, hear, feel and touch this festive season.

From genocide to environmental disasters it has been a roller coaster ride through many countries and peoples and cultures and religions. This journey will end only when we truly comprehend the reason as to why we have been put on this planet by a power far greater than we can ever imagine.

Merry Christmas and a peaceful New Year to you...

Om Shanti Shanti Shanti Om

Live Encounters celebrates 6 years 2010-2015

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