

## PART 7: HUMAN RIGHTS EDUCATION IN ACTION AROUND THE WORLD

The articles collected in this chapter illustrate the diverse ways in which human rights education has been implemented in various regions of the globe, for different reasons, with different areas of focus, and with various degrees of success. In almost all the examples, the need and desire for HRE has stemmed from the indigenous people themselves, who, with help from various human rights NGO's, have developed their own programs, or followed examples from elsewhere.

### LAW

In many different contexts, organizations are working at bringing the law closer to those who most need it. Providing legal counsel in emergencies to both individuals and communities is unquestionably an important function, and one that is relevant to human rights. More important, however, and of more lasting value, are those situations in which the legal counsel is itself a bridge to a deeper understanding of the legal principles involved in the system with which the individuals or the communities are dealing.

#### *a) Lawyers to Lawyers: Witnesses to Interference With Due Legal Process*

Lawyers all over the world are not only bearing witness to human rights violations in the legal field, but are also victims of violence, especially as many of their colleagues world-wide are threatened or even killed by their own governments or politically-oriented opponents. They are appealing for international action in the form of letter-writing by legal professionals to all concerned authorities.

#### **United Nations Basic Principles**

##### **#16**

*governments shall ensure that lawyers are able to perform all their professional duties without intimidation, hindrance, harassment or improper interference*

##### **#17**

*where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities*

*The Basic Principles are an important source of authority, intended by the United Nations to provide specific substance to the due process guarantees recognized in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR).*

## **The case of Meas Minear and Kim Sen** January 1999

## **CAMBODIA**

Two activists from the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) - Meas Minear and Kim Sen - have been jailed by Cambodian authorities in what appears to be an attempt to punish the two men and LICADHO for their legitimate human rights monitoring activities. Pournng Tong, a volunteer activist with the Cambodian Human Rights and Development Association (ADHOC), was murdered on December 19, 1998, allegedly by a private militia. These events are indicative of the Cambodian government's failure to ensure the safe exercise of the fundamental rights and freedoms guaranteed by the International Covenant on Civil and Political Rights (ICCPR), and are of particular concern in light of the recently adopted United Nations Declaration on Human Rights Defenders, which seeks to strengthen the role of human rights organizations in the international community.

Meas Minear and Kim Sen were detained on charges that appear to be politically motivated. On December 18, 1998, 45 people went to the LICADHO offices in Sihanoukville to express their concern about the dumping of 3,000 tons of toxic waste close to the city. In response to their request for assistance, LICADHO's staff documented the complaints and sent them to the provincial governor. On December 19, a petition with 727 signatures was sent to the governor and approximately 350-500 people staged a demonstration demanding the removal of the industrial waste. In accordance with the mandate of LICADHO, Meas Minear, LICADHO's investigator in Sihanoukville, and Kim Sen, LICADHO's coordinator, monitored the demonstration and reported back to the LICADHO office in Phnom Penh. The following day the demonstrations degenerated into riots. Several buildings, including a hotel, were destroyed, vehicles were set on fire, the house of First Deputy Governor Kim Bo was ransacked and looted, and a number of persons were injured. Several of the participants were arrested. Meas Minear and Kim Sen once again monitored the event. On December 21, Kim Sen and Meas Minear were arrested. Neither man was presented with an arrest warrant. After international pressure by, among others, the United Nations Secretary General's Representative for Human Rights in Cambodia, Thomas Hammarberg, on January 20 the Cambodian Court of Appeals ruled that the *detention was illegal and unnecessary* and granted the two men bail.

## ***b) Alternative Law in Cameroon***

By Rose Ngo Innack<sup>4</sup>

### ***Juristes-solidarités***

The term "Alternative law" designates all behaviors and practices whose goal is to make people actors, or even producers of laws and rights. These practices are rooted in people's actual lives and encompass: information, demystification of the law, of its machinery and of its professionals. They lead to the effective use of law when it is beneficial, and its neutralization when it is harmful.

**Juristes-Solidarités** was founded in 1989 as international network of juridical and legal information supporting groups that utilize alternative legal practices. All the groups with which Juristes Solidarités is involved have a very wide perception of human rights, including all rights essential to the full humanity of people. They inform and train their local base populations about their rights in all areas of life.

### The four major categories of alternative legal practices

1. Those that allow the poor and powerless access to the Law, taking the process beyond mere information or legal aid. They aim to develop a basic understanding of the Law, and how to apply it.
2. Those that create in the "consumers" of Law an awareness that Law is a common good, accessible to all. This process begins with the development of critical thinking about Law, and learning to sort between its various layers.
3. Those that encourage participation. When faced with ill-adapted laws, dysfunctional legal practices, or a complete legal vacuum, groups create their own mechanisms to resolve conflicts and resolve problems, for, with and by the community.
4. Those which demand and encourage new interpretations of the Law so as to take into account new realities not covered by existing texts. Alternative law tries to utilize to the fullest extent possible existing law, where there is a gap between conventional reading of this law and reality. An important part of J-S work is to inventory existing practices and to enable creative connections between them.

The goals of alternative law:

- to undress the law
- to uncover its potential as an agent for social transformation
- to reveal that law and rights are not identical but that they both deal with living content, in which movement and constant recreation is the rule

**Legal Clinics for Women in Cameroon**

Theoretically, post-independence Cameroon is ruled by the colonial legal system. In practice, the system is for the most part misunderstood by large numbers of the population, partly because the neo-colonial system is perceived as a forbidding accumulation of incomprehensible dispositions; partly because it often seems more practical to use one of a number of other "customary" avenues for conflict resolution. This is symptomatic of a gap between the state and society, one aspect of which is the breakdown of family structures and social processes, deteriorating relationships between men and women, and the disintegration of necessary support systems.

Partly in the wake of changing economic conditions, and partly as an effect of the colonial administration's patriarchal prejudice when it came to interpret and organize family relationships, women's role in the 20th century has been steadily marginalized, and traditional sources of their power have vanished. Customary structures or processes, while still familiar and appealing, may no longer be entirely functional, given the shifting values of Cameroon society as a whole, the existence side by side, sometimes within the same generation of one family, of different marital practices, different religions, different types of education, and different levels of insertion in the global economy.

<p style="text-align: center;"> <b>polygamy ..... monogamy</b>  <b>arranged marriages .....love marriages</b>  <b>dowry.....no dowry</b>  <b>parents.....children</b>  <b>family responsibility.....individualism</b>  <b>free love.....traditional marriage</b>            ?????????????????????????????????????         </p>
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A 1981 Ordinance tried to consolidate the rights of legitimate vs. illegitimate children, and to affirm the role of the husband as head of the household, simultaneously giving him priority over brother or maternal uncle, and affirming him as “head of household” with the unprecedented right to “give his wife permission” to take a job. At that same time profound economic changes were causing men to become migrant workers, thus increasing the numbers of unmarried mothers and women-run single parent house-holds, leading to an array of potentially conflicting new rules and practices. While traditional life no longer provides sufficient scope for women's abilities, alluring global consumer society both empowers and disempowers women.

Starting in the 1990s, in Cameroon as elsewhere in Africa, the return of democracy was marked by the flourishing of women's voluntary organizations such as mutual help societies and credit unions, with the encouragement and support of the state. Preparations for the 1995 Beijing Conference of Women accelerated the pace and made women's “empowerment” a major axis of social action.

Among the organizations born of that time, the Association Camerounaise des Femmes Juristes (ACAFEJ - the Cameroon Association of Women in the Legal Professions) founded in 1989 and consisting of judges, lawyers, notaries, and bailiffs, made its top priority the promotion and implementation of new legislation concerning women, and the implementation by the Cameroon Government of the Conventions relative to women's and children's rights.

*Through discussion, information, litigation and paralegal training, ACAFEJ aims at providing women with the necessary tools for a quickly mutating society, while also preserving every possible element of “traditional” support systems, which in the recent past, might have been prematurely discarded when thoughtful adaptations would have been more constructive.*

From 1992 onward, ACAFEJ complemented the original offerings of lectures and formal talks with radio and television programs, and created popular education classes on law and its alternatives. Several Legal Aid Clinics were created, some *permanently located* in major population centers, some

*mobile*, in outlying areas. In each case, the work consists of a combination of straight legal advice, legal literacy and the creation of solidarities between legal professionals and grassroots women and their families around a central social function: the regulation of family and social interactions.

As it turned out in a study conducted between 1992 and 1995, the fixed and mobile clinics correspond to different types of approaches.

- The permanent, urban clinics refer to “modern” thinking
- The mobile, back-country clinics correspond to “traditional” thinking.

In many ways these two approaches are complementary. Rather than the rural clinics representing examples of “delayed” development, or “folkloric” throwbacks to obsolete ideas, they seem to represent a functional rethinking of law, an attempt to give a dynamic and sustainable place to so-called “traditional African values” within a post-modern model of law. In fact, the very “modernity” of the urban legal clinic is making it less useful, and to that extent less well-frequented, despite the numbers of situations where the help it provides would be sorely needed.

### *Permanent Clinics*

The permanent clinic is open to both men and women, and aims to familiarize its clients with the legal dispositions concerning women and children, advise them regarding specific situations and if necessary provide support in litigation. While the intention is to provide orientation rather than to impose a point of view, the framework is unambiguously that of written laws concerning family law, property law, labor law, inheritance law, etc., handed down by an expert. The clinics are open during business hours two or three days a week and each is staffed by two or more persons, of whom at least one has to be a practicing magistrate or lawyer.

Upon first visiting the clinic, the client(s) receives a file and may choose to remain anonymous and be known only by a file number. Confidentiality is the rule, although elements of the conversations remain on record in the files for later purposes.

Clients in the centers of Yaounde and Douala belong to a range of socio-economic categories. Their questions primarily concerned property matters within marriages, inheritance, and land-litigations. Many of the people consulting the Douala clinic, more than 90% of whom come from low income brackets, had problems with the management of family finances.

In serious marital conflicts, women for the most part expressed concerns about losing their children. Some consultations concerned polygamous marriages, a small proportion rape, and a few relations between grandparents and grandchildren. Some men came for consultations, but they were a small minority

### ***Mobile Clinics***

A mobile legal clinic might involve six to eight legal professionals supported by the local paralegal(s), who make preliminary contacts and take care of translations into local languages. Prior to the legal clinic, priorities are established with feedback from local administrators, community political and religious leaders, and members of local associations. Radio programs, ads and pamphlets inform the population of the clinic. Meetings take place in a village hall, at the market place, or outdoors, and the audience devotes much of the time to questions and answers. Follow-up meetings are organized by the local paralegal(s) on a more relaxed basis.

The local paralegals are neither highly educated professionals, nor true legal technicians. However they live in the local village, are respected in the community (which contributed to their being offered training in the first place), and are familiar with local practices and the sociological realities of the community. They can act as mediators, and once called into a situation they can stay with it until a viable solution is found. In other words, ***the local paralegal is the stable anchor of the intense experience provided by the traveling legal clinic.***

From 1994 to 1996, the performance of mobile clinics in the coastal area around Douala was monitored. Attendance ranged from 20 to 150 people, at least half of which were men. Questions ranged across the landscape of traditional and modern marriage practices, dowry, divorce, free unions, cohabitations, widowhood, single mothers vs. married women, the overlapping realities of modern law and traditional laws, and the conflicts between religious law and state law. In many cases, the women complained bitterly about the unfairness of modern legislation, the fact that having escaped polygamy, a woman might be stuck with a “monogamous” but adulterous husband whose children had the same rights as the wife's; the fact that a single mother could be given by law, as head of household, more powers than a married woman could aspire to. The discussions were passionate and while the urban clinics helped resolve personal situations, the rural clinics had more transforming effects upon the communities involved, and represented high points of sociability for the participants. They appreciated the sharing of perspectives among women of different social status. The men too were favorably impressed and actively involved.

## *Different Lessons*

- *In the permanent urban legal aid center, a person arrives as an individual and is subjected to a certain social order to which one is supposed to conform, as a passive learner of written rules which were made to be obeyed, and which the person has a responsibility to learn, without necessarily being involved in the process of their development. These legal truths, or laws, are handed over to a professional for safekeeping and transmission.*
- *In rural legal clinics, participants are involved in a tissue of social relationship, a complex interplay of personal and social realities. Whereas in the urban clinic the image is that of an office, a concrete building with fixed equipment and permanent files, in the rural clinic it is the community in process, the interactions themselves that are perceived as the permanent factor. Each person within the group is assigned the responsibility of keeping the flow in an ongoing search for negotiated solutions. The paralegals bridge two intellectual modes, two worlds. Even though they have written materials such as handouts and newspapers, their primary mode of communication is the spoken word. This is a realistic response to illiterate or semi-literate populations, but it is also a highly valued form of communication in Cameroon society, and therefore a precious asset.*

## THE PROBLEM OF LEGAL PLURALISM

In some cases, the existence of parallel tracks had clearly paralyzed problem solving. Especially in the case of urban clinics, clients often came only after having unsuccessfully attempted to use a traditional venue, e.g. the family council, and found it inadequate, partly because it was no longer a familiar enough venue. Having lived away from the extended family for long periods of time, having attended school or worked as migrant laborers, some members of the family had forgotten or had never properly learnt how to play by the rule of the family council. In some cases, the professional's role was then to help the person learn ways to use that tool.

**It has become clear that the complementarity between these models cannot erase the real problem caused by the simultaneous presence of two or more legal models.**

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Sometimes, moving between two legal systems allows offenders to avoid responsibility altogether. The role of the professional then may become to help impose a choice, arbitrary maybe but preferable to a wrongdoing remaining unpunished.



While in theory, each person in Cameroon may choose which legal system he/she wants applied, in practice, things are not that clear. The State's legal system tolerates customary law with the proviso that it may be used provided it does not run against the laws of the state or public morality as defined by the state!

Nevertheless, the challenging effect of the parallel legal clinics in Cameroon, as is true in all cases of legal pluralism (e.g. in Palestine, Canada), is to reveal the actual process of legal creation. From the conscious meeting of different viewpoints, law is seen as a process that develops over time. The value of ACAFEJ's legal clinics is that they take into account the multiple points of view, the continuities and breaks, the growth nodes, the places where new capillaries are being built to transport new social energies.



### c) *Rebuilding Cambodias Shattered Legal System*

By Seth Mydans<sup>5</sup>

When he was a police officer here in Kandal Province, criminal investigations were straightforward. "We beat the suspects," Ouk Vandath said. "If we wanted to get water from that glass over there," he added by way of illustration, pointing to a nearby table, "we beat it until it gave us water." Without equipment, without training, without an education in legal procedures or human rights, the police force is the first point of contact in a primitive judicial process - from arrests to trials to prisons - that has operated for years with few rules or resources.

**Nom Saroeun, 19, in a Cambodian prison for selling a girl into prostitution, is due to be released, officials said, because of her beauty.**

Like so much in this broken and struggling country, the justice system is only beginning to recover from the mass killings of lawyers, doctors, teachers, monks and other educated people and the destruction of government institutions, including the courts, carried out by the radical Communist Khmer Rouge from 1975 to 1979.

The lawyers were among at least hundreds of thousands and possibly as many as two million people who died during the Khmer Rouge years.

*When the United Nations helped to set up a democratic government here in 1993, there were only about five lawyers left in this country of seven million people.*

With the help of several international organizations, Cambodia is now beginning to develop a small corps of lawyers and judges, to train its police officers in proper procedures and to revive the rudiments of a working legal system.

"They had to start a legal system literally from scratch," said Francis James, an American lawyer who helped

to found a local nonprofit group called Legal Aid of Cambodia. "No more beating, no more cigarette burns, no more hitting with a rifle butt. You could clear out the prisons today if you reviewed the cases on the basis of procedural error. When I came here in 1994, the courthouses were in ruins," he said, adding: "In the prisons there were people who had been completely forgotten. Nobody knew why they were there or whether they had already completed their sentences." A year ago, Mr. Ouk Vandath, who had become increasingly uneasy about the beatings by his fellow officers, began a new career as one of

a small corps of barefoot public defenders working in the innovative Kandal Provincial Court, where prisoners are now assured of receiving a basic defense.

He has enrolled in Cambodia's newly revived law school, which will graduate its first class of 170 students later this year. Mr. Ouk Vandath was given training for his public defender's role by Karen Tse, 32, a lawyer from Los Angeles. She works as one of five expatriate "judicial mentors" in several provinces in a program run by the UN Center for Human Rights that trains lawyers, judges, prosecutors and police officers. "We look for areas where there are gaps," Ms. Tse said, "and we tailor our training to fit the needs." For example, there are some defenses that are basic in law:

### SELF-DEFENSE    DURESS    NECESSITY

#### Progress Has Been Measured in Small Steps

- a bulletin board where court dates are posted for the public
- file cabinets for keeping court records
- permission for public defenders to attend the questioning of defendants
- occasionally, the guilty looks that Ms. Tse observes from police officers when they deliver a defendant bearing the signs of a beating

#### *Hanging on to hope.*

In one significant step, Ms. Tse persuaded the chief prosecutor, Chheng Phath, to send arresting officers out of his office when he conducted his initial interviews with defendants. "The police would give the defendant the evil eye and intimidate him to give me certain answers," Mr. Chheng Phath said. "In the past the police arrested, the police detained, the police convicted. Some of them are angry about the changes. But I tell them we have to change." The crowning achievements in Kandal are the recent opening of a room where defendants can speak with a public defender and the inauguration, scheduled for next week, of the country's first arraignment court, where a defendant can hear the charges against him, be advised of his rights and enter his plea. Along with the other courthouse improvements, these were financed by the UN Development Program.

None of Cambodia's 70 judges have sophisticated legal training. Threats and bribery are still part of their working conditions.

## **ONLY THE POOR RECEIVE A SEMBLANCE OF JUSTICE THE RICH ROUTINELY BUY THEIR FREEDOM**

Officials said one of two female inmates at Kandal Prison, Nom Saroeun, 19, who was convicted of selling a girl into prostitution, was due to be released soon, not on legal grounds but on the basis of her ethereal beauty. But people like Ms. Tse hope to plant the seeds of a working justice system. "We started off talking about the standard police interview," she said. "Nothing out of the ordinary. Just three basic steps: introduce everybody in the room by name and rank, tell the prisoner why he is there, read him his rights." This may seem overly simple, she said, but it may be having some effect. "It's a lot harder to beat people," she said, "once you've told them they have the right not to be tortured."

### **A Brief History of Legal Aid of Cambodia - LAC**

#### **Goals and Strategies**

to inform prisoners of their rights

to offer high quality legal services in criminal and civil cases to indigent individuals at no financial charge.

to make legal services available throughout Cambodia with a focus on rural communities where over 70% of the population reside

to promote and facilitate the establishment of a legal system which guarantees equal access to legal representation for all persons regardless of their economic or social condition.

to increase public understanding of and respect for the law, the legal process, and the role of the legal profession.

to work constructively with judges, prosecutors, the Ministry of Justice, the Cambodian Bar Association, police and prison officials.

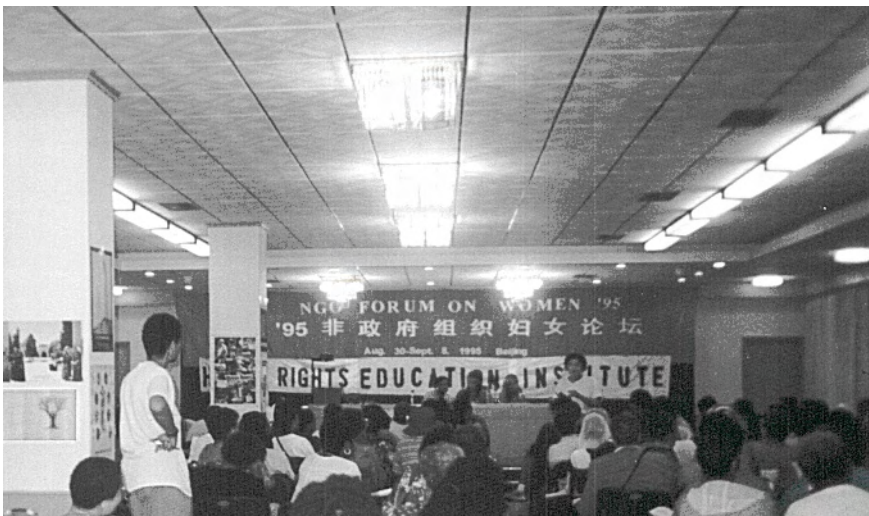
## LACS LEGAL BEGINNINGS

*In 1994, international non-governmental organizations began to train legal defenders to represent the poor and imprisoned. These trained defenders provided the first public defenders service in over two decades.*

*In December 1995, LAC opened its offices to provide professional legal services for the poor -- in both civil and criminal matters through its main office in the capital Phnom Penh, and eight permanent provincial offices.*

*In 1996, over 690 criminal and civil cases were handled by LAC staff. LAC also maintains a mobile unit that travel to and service outlying provincial courts when necessary. In 1987 over 1177 cases were successfully handled. In 1998, well over 1500 cases were handled by LAC lawyers and staff.*

*In January 1997, with a grant from the United Nations Development Program, LAC established the country's first Juvenile Unit focusing on juvenile issues and children in conflict with the law. LAC has also identified women, labor, and land issues as a top priority.*



## POLICY

### a) *Winning Comprehensive Human Rights through Long-Term Policy Making: Kerala, India*

By Mado Spiegler<sup>6</sup>

#### *The Kerala Exception*

***“WHY SHOULD ANY STATE EMBARK UPON SUCH A MISSION?”***

*That answer lies in a profound reconfiguration of the relationship of social movements in Kerala to political parties and the state marked by a dramatic shift from traditional state-oriented distributive struggles to a mode of movement politics deeply embedded in civil society. This shift is inflected with both an important rupture as well as key continuities that link these two political moments in Kerala’s developmental trajectory. The rupture emerges from the fact that the redistributive project was predicated on building a centralized, commandist and top-heavy state apparatus, linked to a highly disciplined political party and its mass organizations through quasi-corporatist structures. These structures more or less bypassed civil society, and equated lower class power with party control of the state. In contrast, the decentralization project seeks not only to devolve bureaucratic and political power, but also to re-embed the state in civil society by promoting participatory democracy.*

Reinventing Public Power in the Age of Globalization:  
Decentralization and the Transformation of Movement Politics in Kerala  
Patrick Heller

During the late 1970’s and 1980’s the Indian State of Kerala became widely seen as a model state by both policy-makers interested in social development and population control, and by Western left-wingers interested in alternatives to the capitalist models of growth-based development and market-driven democracy. Even skeptics acknowledge the success of Kerala’s century-long process for redistribution of

wealth and the expansion of public services that would benefit most people rather than a small elite and its high performance on the most important indicators of social development: adult literacy, infant mortality, birth rate and life expectancy, as well as female literacy/education, health and general well-being, distributed relatively equally across the spectrum of urban-rural, male-female, and high caste-low caste.

Labor laws and social security protections were widely implemented, covering pensions, gratuities, provident and other retirement funds, medical, educational and housing assistance, a reflection on high levels of labor organization, including among agricultural and headload workers as well as former untouchables.

Whereas in the 1940's Kerala had still suffered from widespread food shortages, a very efficient public food distribution system now provided basic nutritional support through a system of food ration cards generous enough to make a substantial difference, for instance, in the acceptance of an older or disabled person in a household. In the 1970's, more than 50,000 low cost houses were built for rural workers, and extensive land reforms had included the distribution of small house- and home garden plots.

Literacy rates in 1985 hovered around 83% as a whole, ultimately to rise to 91% in 1998. These rates were achieved by a system guaranteeing a public school in every village and a network of private and semi-private schools supported by local communities and caste organizations. By contrast with most Indian states, Kerala's public strategy of mass education prioritized primary over secondary education, presumably contributing to the very high rates of newspaper and magazine readership, high rates of electoral participation and a large number of non-governmental organizations, self-help and -improvement societies, all contributing to active civil engagement.

**Observers were unfailingly impressed by the dignity,  
the sense of self-worth and entitlement and  
the general well-being to be found  
in the population as a whole**

### *The origins of the Kerala model*

Authors generally agree about the origins of this remarkable success, which include long-term historical constellations, as well as more recent political decision-making, following the electoral victory in 1957 of a Communist government. Past historical factors would include ;

- ▶the region's role as a central node of many ancient trade routes, making Kerala an integral and thriving part of the global economy by the end of the 18th century.

- ▶Kerala also benefited from the effects of matrilineal inheritance systems and relative female empowerment among several of the castes, most notably (but not exclusively) the Nayar, upper-middle level cast whose duties in the caste hierarchy had included supervisory functions which naturally led them to occupy lower and middle levels of the modern administrative class.

Although analysts disagree about the precise weighting of this factor, Kerala's achievements were undoubtedly influenced by this pre-existing pattern of female empowerment, accounting for high male-female ratio and life expectancy, equal access to immunization and medical treatment, higher average age at marriage and at the birth of the first child, relatively high levels of female education and in the 20th century, higher levels of employment in the organized sector.

### **From caste-based social activism to class organizations**

Kerala experienced a rupture of traditional ties of kinship, caste, and locality more intense than anywhere else in India, and coinciding with one of the most radicalizing periods of world history: the Russian and Chinese revolutions, the class struggles in Europe, and the independence movement in India and other Western colonies. Many factors during this period helped to create areas of social mobility and pried open the oppressive caste structure, encouraging public action by caste-based organizations.

People of the second rank and lower castes emerged as pioneers of the anti-caste reform. Thus, when coconut fiber became a main export, it raised the fortunes of the Izhava caste whose members traditionally worked the coconut groves and were considered untouchable. They became part of India's socio-religious history of the early 20th century as the authors and beneficiaries of the *Vaikom satyagraha* or Temple Entry movement in which Gandhi played an important if controversial role. Thus was started a dynamics of activism that made the Izhava early catalysts of a democratization of society through which many hitherto silenced groups in the population could articulate their demands and legitimize their needs.

### ***Agrarian movements***

Throughout this period, Kerala was also the site of intense, and occasionally violent, agrarian movements confronting a most archaic and reactionary system of agrarian relations, marked by an endless and burdensome layering of absent owners, tenants, sub-tenants, sub-sub-tenants and landless laborers. Simmering tensions exploded in 1921 in a series of events known as the Mappila Rebellion, one of the most intense uprisings in Indian colonial history. The revolt was simultaneously a **communal** revolt of Muslim tenants against their Hindu overlords; a **class** revolt by unusually exploited tenants fighting a wave of evictions by landlords, whose traditional power was being reinforced by colonial modernization of property rights; and a **political** revolt against severe repression by a colonial state. Rural misery was exacerbated in the 1930s by the great Depression, magnified by Kerala's extensive integration into international markets.



### *Literacy as the catalyst*

None of Kerala's achievements would have been possible without the early development of mass literacy among men and women. School teachers and students were important as local leaders and activists. The great peasant leader, A.K. Gopalan, for example, began his professional life as a village teacher. While 19<sup>th</sup> century schools were caste-based and thus socially exclusive, they constituted an extensive and

remarkably resilient network, maintained and supported by the local communities themselves, providing an opening for economically rising castes and communities. The use of Malayalam and Tamil was never questioned, a factor that is partly responsible for high levels of literacy. When the 15-year-old Rani of Travancore proclaimed free universal education an objective of her public policy, she made it the pivot of a program of social, educational and economic reform. Schools were opened by the government with instruction in Malayalam. The first public library was opened. The state sponsored a program of translations. Even though the monarchy and upper-caste elites remained an autocratic ruling group, these princely initiatives created an environment supportive of universal primary education.

*"It is the combination in one person of the office bearer of the Village Congress Committee, the leader of the Teachers' Union, and the organizer of the Kisan Sangham. [peasant association] that made the anti-imperialist movement strike deep roots in the countryside."*

**Communist Party elder  
E.M.S. Namboodiripad**

### *THE PRINCIPLE WAS ESTABLISHED THAT UNIVERSAL LITERACY WAS DESIRABLE*

However, true mass literacy could not be achieved until obstacles of caste, gender and class were overcome, and the goal became inextricably linked to the social reform movements traversing the society. These were originally and remained caste-based and it took the London Missionary Society schools and the Scottish Protestant schools to assert the right of the untouchables to education, the first organized groups to do so. The 1920's and 30's saw a major expansion in enrollment, educational investments and affirmative action in the form of scholarships, fee concessions and unrestricted access to primary school.

The growth of the Communist Party was a further contribution, as popular education in all its aspects was considered a central tool of Communist political education, and included:

*a vibrant theater movement*

*a live press*

*writers' cooperatives*

*schoolteachers as social activists and organizers*

*the launching of the popular science movement*

**It is impossible to talk of education without mentioning the importance of the Gandhian experience, to the extent that Gandhi's very concept of *satyagraha* hinges around a foundation of political and personal education.**

### ***The 1990's: the need for renewal***

With all its achievements, by the 1990s the Kerala Model was in trouble.

❑ Stagnation in agricultural production until the late 1980's coincided with a decline in the area planted in rice. This led to increasing

vulnerability to outside sources for a major food crop already substantially dependent on outside markets.

❑ Traditional industries such as coir, cashew, and handloom are threatened by the escalation of prices for raw materials and competition from cheaper labor sources in other areas.

❑ Industrial growth since the mid-1970's has been sluggish in general and even negative in some years.

❑ Unemployment - already high enough to be the major blight on the Kerala Model - has remained at about three times the Indian average

As a result, and compounded by international pressures against a socialistic state, Kerala has experienced a series of fiscal crises, such as the increased cost of rice, environmental degradation caused by the loss of forest cover, slow or negligible industrial development, and an economy dependent on oil markets, that threaten to undermine the very social redistribution programs that underpin the Kerala Model: education, school lunches, subsidized food prices for the poor, access to medical care, agricultural labor pensions.

## THERE IS INCREASING DISCONTENT WITH MEGA-TECHNOLOGICAL CHOICES THAT HAD ONCE BEEN CONSIDERED THE EPITOMY OF PROGRESS

### *Education to the rescue*

Kerala Sastra Sahithya Parishat (KSSP), the peoples' science movement, intervened. Founded in the late 1950's by a group of left-wing activists and science writers, the KSSP was originally a specialized organization with a focus on the popularization of science in Malayalam. In 1987, the All India People's Science Network was born and People's Science Movements, inspired by KSSP, sprung up all over India. (see page...Continuous Education: *Literacy and People's Science for National Integration, Self-reliance and Regeneratio*)

### *The drive for Total Literacy*

Despite Kerala's success, there still were close to 20% illiterates, and those heavily concentrated in tribal areas and migrant Tamil Nadu farm laborers' camps. There now came a new push to tackle the problem, helped by the fact that India's new left wing Government was providing moral support as well as funding.

The campaign was to last one year, and would be conducted by a Literacy Society composed of members of administrations, different mass organizations, NGOs and concerned citizens. The target group were illiterates 6-60 years old; the goal, to eliminate illiteracy through a single sustained campaign and to do so by using

The goal was for a campaign to bring out the hidden capacities among the downtrodden; to allow them to make full use of the formal and informal rights that are supposedly theirs; to empower backwards communities and forgotten illiterates, but also to awaken in the more favored groups a spirit of sharing and solidarity; and in the process, to help renew the democratic project itself.

unpaid volunteers as instructors. 50,000 volunteers were trained for a literacy survey of all households in every district, making careful efforts to identify every single illiterate person, as well as groups where illiteracy was particularly high. The actual teaching was done by 18,000 volunteers deputized from their regular jobs for the duration of the campaign. They were to hold small classes on the students' home ground, teaching day or night, at the convenience of their students. The goal was to enable a person to read easily about 30 words per minute of a text within the person's experience. Primer lessons were designed, dealing with food, work, the dignity of labor, disease prevention, drinking water, oral rehydration therapy, India's freedom struggle and other relevant topics.

On 19 April 1991, the campaign completed, Aysha Chelaithodan, a 55 year old neo-literate Muslim woman from Malappuram district, lit a lamp at a public ceremony at Kozhikode to mark the successful end of the first phase of TLC in Kerala.

*"I pray that the lamp that has been lit will carry the light of literacy to all corners of the world. May it drive away the darkness of evil and ignorance."*

### ***The next stage: resource mapping and land literacy***

The plan was to apply the energies from the literacy campaign to a major overhaul of the country's political process. The medium was to be a statewide inventory of natural and human resources in preparation for participatory, decentralized development planning, the assumption being that the newly literate would think of the environment as *their life*, and feel empowered by their recently acquired skill to use their most fundamental civil and democratic rights in help plan their own future.

The plan hinged around the concept of land literacy - a systematization of all information about land, water, forests, resources, with scientists serving as project leaders, and volunteers from various wards carrying out the inventories in close contact with the farmers themselves. Each panchayat would find volunteer team leaders among retired persons, teachers, unemployed students etc. These committed persons would then become the foundation for locally based and integrated state planning as against centralized and compartmentalized practices.

### ***The People's Campaign for the Ninth Plan.***

Literacy did not, of itself, give rise to the anticipated further processes of democratization. The ideas of participatory development, of accountable, "transparent" government, are simmering in Kerala's civil society as part of larger structural changes taking place all over India. Communities are taking a variety of creative approaches to development.

- *Community financed and/or built housing for the poor*
- *"love funds" to finance medical care and other emergency needs of the poorest residents*
- *public works planned and constructed with large volunteer inputs*
- *anti corruption magazines in which all project expenditures will be explained to citizens*

- *worker-owned software companies*
- *worker-owned bidi factories planning their reconversion in the face of changing markets*
- *plans to install computer and television-capable monitor in every panchayat to make possible local database management and local satellite reception of education programs in science, math, and English*
- *e-mail capabilities for village offices to communicate with central state offices*
- *CD-ROMs to help village teachers prepare discussion questions around state-based educational programs*

In the fall of 1996, three million people, 10% of the state's population, took part in *grama sabhas*, or local assemblies, to air complaints and identify the major problems in their villages and urban neighborhoods. In a festive atmosphere, thousands of people met for weeks to hammer out local plans for which a portion of federal and state funds would be allocated. Trained retired people, such as doctors, lawyers, teachers, retired bank officers, accountants and engineers in their communities formed associations of experts to help formulate the country's Ninth Plan, for nothing more than bus fare and lunch. Later, working meetings held in a wide variety of public places produced a consensus on the lists of problems and project ideas to be distilled by various task forces and shaped into specific proposals. In 1997, elected *panchayat* boards selected the projects to be implemented, again through a consensus process. Out of more than 100,000 local proposals, about half were finalized and integrated into wider plans, eventually leading to a nationwide planning congress with delegates from each *panchayat*.

## THE DEBATE CONTINUES

### **Will the Kerala model survive? Can it adapt itself to the current economic and financial environment?**

There remain questions about Kerala's experience and its future prospects in the global economy. Some of them are very tough: the disturbing increase of dowry burnings, the bothersome reality of relative discrimination of Dalits and tribal groups, the problem of a country whose young men are increasingly sucked away by migrant work in other parts of the world. Yet the commitment to participatory democracy remains, and ultimately, it would seem that the potential role of Human Rights Education in Kerala would be to break through these fracture lines.

## ***b) Language Policy in South Africa: Language as a Human Right***

By Nigel Crawhall<sup>7</sup>

Governments make decisions about language policy based on the paradigm or framework they are using. Underlying any paradigm is the final outcome that the governments expect. The norm around the world could be described in one short phrase: **Languages are a problem.**

In this presentation we will be looking at the history of language policy in South Africa, and the impact this has had on the situation in which we now find ourselves.

### ***Language and racism***

Since the arrival of European settlers, the South African state has constantly been involved in creating hierarchies of languages and identities. During the colonial period, missionaries had a strong influence on promoting particular varieties of languages into the standard forms that remain dominant today. Those groups whose varieties were not standardized or promoted by the missionaries became marginalized as literacy and schooling became more important.

The apartheid ideology was strongly rooted in European, and particularly the German Nazi ideology about language, culture and identity. The theory of apartheid said that every person was part of a nation (*nasie* or *yolk*) with its own language (*taal*) and its own territory (*tuisland*). This theory was applied in order to separate the 'races' and create the homeland system. However, this system was not applied with integrity or accuracy.

**First:** Afrikaans was not originally the language of the Dutch settlers, but rather of the Khoekhoe and Malay slaves at the Cape who learned Dutch and made a new creole called 'kitchen' or Koe Dutch.

**Second:** Any homeland for Europeans was obviously in Europe not in Africa. Despite all these contradictions the apartheid government went ahead to create Bantustans, each of which had its own language base. Where people did not fit into the system they were not accommodated and they were suppressed. So all groups who did not speak the dominant language or variety were under pressure to assimilate into a particular 'nation.' Reality was made to fit the theory.

This was particularly the case with Khoe and San people. For example, the Khoe people did not have an obvious homeland but rather an expanded territory in which they moved around with their livestock. The apartheid state did not want to classify indigenous peoples and, importantly, the government wanted large tracts of land in Namaqualand, Bushmanland and Gordonia for diamond mining and settlers. The apartheid government also wanted to promote a colored middle class to create a buffer between the black majority and the white minority.

**Their real intention was to strip black people of their resources and to claim them for the whites**

So to kill two birds with one stone, all Khoe and San people were reclassified under apartheid, mostly as colored (though some became Xhosa, Swazi or Tswana). They were forced to learn Afrikaans and their own identity was suppressed. This was not in keeping with apartheid's official policy of distinct and separate nations, which means there was another purpose, a hidden agenda, to the apartheid government's actions.

#### *The Constitution Recognizes Eleven Official Languages*

When apartheid began to collapse, the different political parties needed to negotiate a new language policy and a constitutional language clause. Initially the African National Congress (ANC) entered negotiations with the idea that English would be the only official language on a national level (with the possibility of the African languages playing a more important role on a regional level). Later they realized this might be unpopular and was in conflict with the Freedom Charter, so they changed their position to say there should be no official languages.

Meanwhile, the Afrikaner nationalists wanted to protect their language rights and privileges. The two parties could not agree and the ANC switched its position to say 'all' South African languages would become official.

**There were no language experts involved in making this decision only politicians**

The eleven official languages chosen were those that were already acknowledged and in use by the homeland governments and the Republic. So the official languages were not an accurate reflection of South Africa's linguistic diversity, but rather a reflection of the apartheid system. The second round of constitutional improvements built on this foundation and introduced language rights for Khoe, San and Deaf (Sign language users) South Africans. This represents a broadening of the vision of language rights from the old regime.

Amichand Rajbansi of the Minority Front argued that Indian languages, such as Gujarati and Hindi, should be included. Members of the NP then said that European heritage languages, such as Portuguese and German, should be included. So this meant that all the languages mentioned were those already being used in the apartheid school system. Other major languages were ignored, including all African immigrant languages, as well as Phuthi and the Khoe and San languages. This happened despite the fact that there are more people in South Africa who speak Shona or Nyanja than certain Indian or European languages.

Largely as a result of European colonization, most governments in the 20th century held the view that using more than one language was a problem - multilingualism was inconvenient and expensive. This paradigm of multilingualism as a problem encourages the state to suppress differences and to give resources only to one language - that spoken by those who are already dominant in the political system. In some cases, this policy is enforced through violence and aggression, as happened in countries like Turkey, Morocco or Guatemala. The end result

of this approach is assimilation, which means that people have to give up their identity and do as the government tells them.

### *Languages as a right*

During the 20th. century, a new norm evolved as part of a growing focus on universal human rights: Languages are a right. Research showed clearly that children who were discriminated against on the basis of language would do badly in school. As early as 1953, UNESCO declared that all children should be educated in their mother tongue. Language and cultural movements throughout the western world pushed for language rights, for example the French in Canada, the Flemish in Belgium, the Catalans in Spain, and even the Soviet Union.

South Africa, at present, generally sees languages as a right. There are attempts to put multilingualism to work. The challenge will be whether non-dominant groups, such as the 5000 Nama-speaking people, will be successfully able to ensure their rights through judicial processes.



A RIGHT IS ONLY OF VALUE IF THERE ARE ACCESSIBLE LEGAL AVENUES TO ENFORCE IT. THE RIGHTS PARADIGM MAY TEND TO PROTECT THE POWERFUL RATHER THAN THE VULNERABLE IF THERE ARE NO ACTIVE MEASURES TO ENFORCE EQUALITY.

A new paradigm that is emerging can be described as:

## Languages are a Resource

- What is the value of a particular language?
- What value does it add to the lives of the specific community, and to society as a whole? For example, the Nama language carries much information on the Namaqualand environment, including the different animals and plants, that would help nature conservationists to look after an important part of South Africa's natural heritage. Knowledge in Nama of traditional plant medicines could be used to make medicines that would benefit the health of all South Africans.

## A GOVERNMENT'S PARADIGM HAS SERIOUS CONSEQUENCES

- *If languages are seen as a problem, then the government will put pressure on certain language groups to give up their own languages (and ideas) for the sake of >national development'. This means that speakers of marginalized languages may become assimilated into larger language groups.*
- *If languages are seen as a right, then the enactment of the rights depends on the goodwill of the government, or its enforceability in the courts. Rights do not necessarily benefit the poor if they themselves do not have the financial means to exercise them. This could still lead to minority groups becoming assimilated into other groups.*
- *If languages are seen as a resource, then the government will value and feel enriched by the contributions of different languages and ideas to national development. This could lead to a society where every language group is respected and encouraged to interact on an equal basis with speakers of other languages.*

## RESOURCES

### *Media as a Mobilizing Force - the Case of Tanzania Media Women's Association (TAMWA)*

By Fatma Alloo

The seeds for the forming of TAMWA as an association occurred in 1979 when some of us had just finished journalism school and were placed in various mass media institutions in Dar es Salaam. During this time, as we worked with some of the veteran journalists, there emerged a growing awareness among us women journalists that we worked in isolation. This was also reflected in the way in which women's issues were covered - or not covered - in the mainstream press.

In Tanzania, radio is the most effective medium, so we formed ourselves into an informal group to produce radio programs. The first issue we picked was *schoolgirl pregnancies*. We produced and broadcast a total of five programs on that issue with an in-depth analysis of our social context. The programs were very popular both in Kiswahili and English and people wrote in to Radio Tanzania with a lot of enthusiasm, especially schoolgirls offering ideas and solutions. We were encouraged to continue and decided to do a feedback program broadcasting the views of schoolgirls. As a result, we managed to mobilize the National Women's Organization to call a national meeting and the issue

*This never went on air because most of the mass media heads were men who refused to see this as an issue. Since they had decision-making power, we began to become aware of our limitations.*

eventually was debated in parliament and laws were enacted to protect the schoolgirls.

This encouraged and inspired us to produce another set of programs on violence against women, beginning with domestic violence.

When it was not broadcast, many of us were demoralized and discouraged and the event

taught us that we did not have a forum of our own.

Years passed and we went our different ways. But in 1986, after going through our individual trials and tribulations as women, we regrouped and decided to officially launch an association. While waiting for registration, we did a highly successful show on International Women's Day in 1987 to depict our lives using different forms of conventional and popular media. We made an impact in the community and especially with the heads of mass media institutions who, until then, had not understood our purpose. We were registered by November, 1987.

### ***Formal Inception***

We had started a newsletter called *TITBITS* which we produced for ourselves and which covered a wide range of issues. It became our forum through which we could express ourselves and respond to an inner need. Eleven issues of *TITBITS* were produced, i.e. monthly, and through this work, various talents were identified that were useful in our later work.

In January 1988, we did a seminar on *The Portrayal of Women in the Media in Tanzania*. We chose this topic because we needed to understand our situation first in the broader context of our community. We also looked into how our language perpetuates the negative portrayal of women. The seminar was attended by about 60 women's groups who passed a recommendation that we needed a forum in the form of our own magazine. TAMWA met this challenge and in March 1988, just one month later, we launched our magazine, *SAUTI YA SITI - Voice of Women* - which was named after Tanzania's first woman communicator, Siti Binti Saad, who was born in Zanzibar in the 19th Century and, in spite of cultural barriers, excelled in her talent and propagated justice in society.

### ***Mobilization***

We soon realized that we needed to do more to raise the level of understanding on our situation as women and educating ourselves on our rights. In May, 1988, we organized a DAY OF ACTION on MATERNAL MORTALITY and MORBIDITY. A story had broken in the news that this issue was the number one claim on women's lives. We asked two questions:

→Why is it that so many of us continue to die at child birth when we have performed our roles as reproducers from time immemorial?

→How long will we continue to be denied that right in terms of appropriate medical care facilities and human rights?

The day was highly successful in mobilizing the community over this issue. Participants began to raise these issues at their work places and in their organizations. The process of awareness building had begun. We decided to make this an annual event.

As we grew, it became evident to us that as a mobilizing tool, health issues were very effective and attracted men as well as women. We began to include men in our programs for we felt that they needed education to liberate themselves from patriarchal values.

The 1992 DAY OF ACTION on **youth** was attended by parents, school teachers, AIDS experts, doctors, social workers, representatives of NGOs and hundreds of secondary school boys. The youths suggested that one way of fighting the AIDS epidemic in the country was to strengthen sex education and AIDS information. TAM WA then took on the task of AIDS information outreach work.

### *Violence against Women*

In 1993, a story broke in the news. Levina, a University graduate, had committed suicide after fighting sexual harassment for six months on the campus of the University of Dar es Salaam. The issue shocked the nation and there was a spontaneous demonstration by women at the University. Many men joined. TAMWA decided to launch a campaign on the issue of violence against women. Women who supported this campaign noted that we could not make them aware of various issues but give them nowhere to go where they could be discussed. This led us to start a Crisis Center for women, which is now a fully-fledged institution with various human rights organizations affiliated with it.

As the years passed, a deep-seated awareness set in our society of the situation of women. TAMWA members also began to understand that to impact society it is not only necessary to use the media as a tool, but also that it is absolutely necessary for us to be rooted in our social and development issues in society. Today, TAMWA is part and parcel of Tanzania's broader women's movement.

Last year two landmark laws were passed in a male-dominated parliament

## **LIFE IMPRISONMENT FOR RAPE**

## **THE RIGHT OF WOMEN TO OWN LAND**

Both required concerted effort and networking with other human rights groups and women's groups to create a force for change through constitutional reforms.

The only lesson I can draw is that pain - particularly women's pain - can unleash a force in society which can change the face of a nation. As women, we must realize this and use our experiences in positive ways.

## ***THE TIME FOR LAMENTATION IS OVER***

## RELATIONSHIPS

### *From Solidarity and Liberation Theology to Human Rights Education in Argentina and Uruguay*<sup>8</sup>

*Poor people are seldom passive; on the contrary, they mostly try to act to improve the present situation of their families and the future of their children. To do so they engage in all sorts of activities, some of which are collective.*

Thus Anne-Marie Jeppesen in her examination of organizational practices among the poor and she goes on to quote a peronist organizer from Argentina, Victor de Gennaro:

*There was no social rebellion during the hyper-inflation in 1989. Many people could not understand this. How was it possible, several people asked, that faced with hyperinflation and such a terrible situation, which made people suffer, there was no widespread social rebellion? Well, what these people did not see was the extensive social network which had already been developed, a network of social solidarity in the slum areas, which allowed people to help each other and to handle the problems during the hyperinflation. In places where the situation is very serious, in those places there was a certain degree of organization, ranging from common kitchen gardens, collective purchasing, to solidarity through church organizations, etc. And you see, not many people from the outside know about this kind of organization, and they don't know either that in these organizations, there is often a majority of peronists (unionists) who see a response in this popular organization to this completely uncivilized capitalistic system.*

As Jeppesen points out, this tells us that survival is assured through organization but also - and this is very important - that the organization is self-made. It is about active subjects who, based on their knowledge of their own situation, create the organizations which - in their opinion - are necessary to solve their problems. Furthermore they do so by means of already existing networks, bonds between various types of organizations and the use of previous organizational experiences from other contexts, i.e. the existence of a continuity in people's lives in spite of economic crisis and poverty.

Among the organizations that sprang out of what is here described as a well-prepared ground, there were many identified with Liberation Theology. Increased activism in the church and the rebuilding of community came together with the formation of thousands of *comunidades eclesiales de base* (Christian base communities). These small groups of neighbors gather to study the scriptures in the light of their own experiences. Their revolutionary potential lies in the fact that the poor themselves interpret and then apply the gospel message.

When read from the viewpoint of the poor, the gospel message that Jesus came "to proclaim good news to the poor, release the captives and give their sight back to the blind, and liberate those who are oppressed (Luke 4:18)" is a rich source of inspiration. In it, they find not only consolation but also a new boldness. "In the *favelas* in Sao Paulo, when the police come to throw the people out, the people have met them with the Bible in their hands. They quote Genesis and say "The contract that we signed with God is that the earth is for all of us. You can read it here, and this contract is higher than any human contract."

In 1997, the ninth meeting of Brazilian Catholic base communities brought together upward of 2,000 delegates from 240 of Brazil's 255 dioceses. Also participating were 65 delegates from other Latin American countries, and 56 of Brazil's 278 active bishops, dozens of representatives of Protestant Churches, and representatives from 33 indigenous peoples. To the extent that Liberation theology is in fact a theological movement, its roots are to be found in the prophetic tradition of evangelists and missionaries from the earliest colonial days in Latin America -- churchmen who questioned the type of presence adopted by the church and the way indigenous peoples, blacks, *mestizos* were treated. The names of Bartolomé de Las Casas, Antonio de Montesinos, Antonio Vieira, Brother Caneca can stand for a host of others.

In Latin America proper, the populist governments of the 1950s and 1960s -- especially those of Perón in Argentina, Vargas in Brazil, and Cárdenas in Mexico -- had inspired nationalistic consciousness and significant industrial development in the shape of import substitution. While this benefited the middle classes and urban

*Liberation theology proper was born from the cross-fertilization between that current, Latin American populism, and a wider development in the European churches after the Second World War, grappling with the lessons of two centuries of advancing capitalism.*

proletariat, large sectors of the peasantry were marginalized and increasingly alienated in the impoverished countryside and urban shantytowns. The persistence of strong popular movements seeking profound changes in the socio-economic structure of their countries provoked the rise of military dictatorships, which sought to safeguard law and order through combinations of paternalistic or clientele handouts, sometimes extreme political repression and police control. In the background was the Cuban revolution as an alternative path to the end of dependency, the chief cause of underdevelopment. Pockets of non-violent resistance, as well as armed uprisings, appeared in many countries, using the rhetoric of socialist revolution. There was a great stirring for change among the popular sections of society, a truly pre-revolutionary atmosphere.

A wind of renewal had been blowing through the Catholic Church, inspired by in the social teachings of successive Papal Encyclicals. The social mission of the Church was emphasized.

- *Lay persons committed themselves to charitable work among the poor*
- *Priests and nuns obtained permission to go and live in the shantytowns as witnesses to the poorest of the poor*
- *Charismatic bishops and priests encouraged the calls for progress and national modernization*
- *Church organizations promoted understanding of and improvements in the living conditions of the people: movements such as Young Christian Students, Young Christian Workers, Young Christian Agriculturists, the Movement for Basic Education, set up popular and educational radio stations, and created the first base communities.*

All nations are engaged in a vast process of interdependent but profoundly unequal development, organized in such a way that the benefits flow to the already developed countries of the center while the costs are meted out to the historically backward and underdeveloped countries of the periphery. The poverty of Third World countries was the price to be paid so the First World could enjoy the fruits of overabundance. The relationship of dependence of the periphery on the center had to be replaced by a process of breaking away and liberation.

In theological terms, the mission of the church was described as creating the conditions for active brotherhood and love among human beings. Sin was defined as a social, historical fact, the absence of brotherhood and love. Conversely, those who are oppressed can and do sin by acquiescing to their bondage. To go along passively with oppression rather than resisting and attempting to overthrow it - by violent means if necessary - is sin. Salvation means bringing about a new earthly social order where there will be equality for all.

The material foundations of Liberation Theology were firmed up when popular movements and Christian groups came together in the struggle for deep-seated social and political reform, whose ultimate aim was complete and integral liberation. A "settling in" process was effectively achieved through the deliberate mingling of theologians and other intellectuals with popular circles and activities.

### *Theologians Turned Pastors And Activists*

More and more theologians (theorists) became pastors (practitioners), militant agents of inspiration for the life of the church and of society. It became usual to see theologians taking part in involved epistemological discussions in learned congresses, then leaving to go back to their bases among the people to become involved in matters of catechizes, trade union politics, community organization, food kitchens, and solidarity organizations. Liberation theology spread by virtue of the inner dynamism with which it codified Christian faith as it applied to the pastoral needs of the poor. The support of prophetic bishops helped give it weight and credibility. The pedagogical work of Paolo Freire, although it had a somewhat independent origin, became an integral and vital part of the methodology of Liberation theology.

In the 1980's elected civilian governments succeeded military dictatorships with some reduction of official violence and increased political debate. But there has been no significant improvement in the lives of the poor majorities. Indeed, the growing burden of the foreign debt and the international financial order have continued to erode the margins within which the countries' economies function.

## **NON VIOLENT RESISTANCE AND THE PEDAGOGY OF HUMAN RIGHTS IN URUGUAY**

From 1973 to 1985, Uruguay endured one of the most repressive dictatorships in Latin America. Numerous organizations mobilized against military rule during the final years of the dictatorship. These included women's groups, families of political prisoners and the "disappeared", housing advocates, unions, cultural organizations and political parties.

Uruguay was once known as the "Switzerland of South America." renowned for having enjoyed a century of great political stability, a flourishing economy and generous social system, a large middle class and influential labor movements. New immigrants who were refugees from political and religious authoritarianism had made Uruguay into a highly secularized society.

In the late 1960's, the collapse of Uruguay's economy that had rested upon the export of beef and wool led to large scale social unrest, economic stagnation and political instability, growing social mobilization, widespread multi-sectorial strikes, and beginning in the 1960's the first urban guerrilla movement in the country's history.



Uruguay's institutions proved incapable of confronting the accumulated crises, and a pattern of military intervention led to complete take-over in 1973. Under the guise of fighting the guerrilla movement, *the armed forces declared virtual war on the population*, and by the mid-1970s the country had the highest ratio of political prisoners in the world. Military repression in one form or another (arrest, detention, or torture) affected directly one in every fifty Uruguayans. Out of three million people, 200,000 fled into exile. At least 150 people disappeared, including pregnant women and children. Among the most penetrating tools of the regime was its systematic categorization of all citizens. Fear reigned everywhere, thousands were unemployed, newspapers were closed, journalists arrested, tortured and exiled, and any gathering of more than two persons considered a potentially illegal assembly requiring special permission.

In November 1980, despite 7 years of this repression, and despite official threats that voting No would mean supporting terrorists, 53% voted *No* in a plebiscite about a draft constitution designed to maintain military authority into the foreseeable future. The size of the protest was a stunning revelation to many people, but did nothing to hold back the junta's crackdown on all political activity.

In 1981, a small Christian base group formed Service Paz Y Justicias (SERPAJ) - the first Human Rights group in the country. Its founder, a Jesuit priest called Luis Perez Aguirre, was the founder of an orphan community committed to active non-violence through the combination of manual work with technical and intellectual activities, and rejecting an artificial hierarchy in favor of a judicious use of all talents. It was formed as a challenge to the military, and grew from a small group of activists to become a national human rights movement and a powerful symbol of Uruguay's demands for an end to violence and a return to democracy.

Martha Delgado, another of the founders of SERPAJ, describes her experiences as a middle-class young woman, feeling a disquieting desire linked to her Christian faith to opt for a more radical commitment to the Uruguayan majority. With a friend, she began to do volunteer literacy work in one of the poor neighborhoods of Montevideo. It changed her perspective on the world.

We began to discover other people doing the same...young people, Christians, trying to propose an alternative of participation and commitment to a country paralyzed, where any kind of popular movement was under-mined...they were first talking about the idea of SERPAJ... we began to talk about it with others we could trust asking them what they thought. To our surprise, the general reaction was one of fear: that SERPAJ could never survive, that we would all be thrown into jail. We had thought that there would be many who would want to participate, but no... so the group started with about fifteen laymen and priests, and very few women, three of us.

SERPAJ's strategy relied on a refusal to play by the dictatorship's rules of the game. If the government was trying to hide information, SERPAJ would proclaim the truth, and do so as publicly as possible, through bulletins, religious commemorations, and limited press coverage. The group also took full advantage of ties with international human rights agencies.

## S E R P A J

- *addressed the rights of workers*
- *of the socially marginal*
- *of the illiterate*
- *of political prisoners*
- *helped revitalize the labor unions that had been weakened or destroyed worked with families who had been thrown out of their homes*
- *gathered lawyers, psychologists, and social workers to serve individuals and groups in need of housing and health care*
- *worked with prisoners, preparing packages of food, organizing family visits, organizing silent banners on behalf of prisoners, printing updates about conditions.*

Spontaneous and organized protests, meanwhile, were challenging the junta. A whole repertoire of 'symbolic protest behavior' was developed between ordinary citizens: songs, plays, soup kitchens, hands raised in the peace sign, symbolic hand-clapping, cryptic gestures, puns and unfinished words.

In 1983, for the first time in ten years, the press published allegations of torture and abuse, which had been perpetrated against a group of young people. The public was outraged, but the military government retorted by prohibiting all public political activity or the publication of any political news. A mass protest ended in a wave of arrests. SERPAJ organized a two-week fast, intended to invite Uruguayans to refine their response to a national crisis and followed by a National Day for reflection on the day of the country's independence.

What have I done for my country?

What can I do now?

What can I do for my fellow citizens?

Uruguay's highly secular society had no precedent for a fast with such religious overtones and it was hard to see how the call would be publicized in the face of universal censorship. But the fast began with Perez Aguirre, another priest, Jorge Osorio, and a Methodist pastor, Ademar Olivera. Within 24 hours, union and political leaders, religious and lay people, students, members of organizations, young and old gathered in front of the SERPAJ offices to show their support. The most important and lasting effect of the fast was an unprecedented coordination of support among all groups. Police arrested supporters by the truck and busload. Others came in to replace them.

The fast ended two weeks later, followed by an evening of meditation, to finish with a thunderous banging of pots and pans. The success was reversing the paralysis, and a massive movement began to end the dictatorship. In response, SERPAJ was declared illegal, its offices ransacked, but behind the scene the small group of SERPAJ had assisted in the formation of a Uruguayan Human Rights Commission, including prominent leaders from the whole political spectrum. Marches and pot-banging took place every month, then 6 months later two general strikes were staged.

Together with the families of human rights victims, SERPAJ had become the symbol of the challenge to military rule. The organization was invited to join an opposition negotiating table. SERPAJ demanded that opposition leaders commit themselves to *a platform for a democratic transition*. Several months of negotiation ended with the first democratic election in eleven years. The aftermath was full of uncertainty. Foreign debt, unemployment, inflation, deteriorated social services were momentarily forgotten when the leaders who had committed themselves to bring to justice the violators of human rights backed away from the decision, by placing the investigation in the hands of a military prosecutor.

SERPAJ now devotes its efforts to the history of the dictatorship's abuses of human rights. It also has undertaken a major educational campaign grounded in the UNDHR. Its assumption: that all oppressive regimes, all dictatorships (and even liberal democracies with a few skeletons in their closets) bank on forgetfulness. SERPAJ is working to fill the gap by creating teaching materials and workshops. Perez Aguirre and Mosca's work on the subject have served as the foundation for the human rights curriculum developed in Uruguay high schools. SERPAJ now holds Human Rights workshops in hospitals, schools, youth clubs, union headquarters, neighborhood centers, shopping centers, focusing on:

**participation    democracy    justice    peace.**

## ACCOUNTABILITY

### *a) Claiming the Right to Housing in Bhabrekar Nagar, India*

By Minar Pimple<sup>9</sup>

#### *A brief history*

The slum community, situated to the north of Mumbai and close to Malwani creek, which later came to be known as Bhabrekar Nagar, saw its earliest settlers in the early 1970s. They came from several regions of India and the number of residents slowly grew. In 1989, residents managed to get basic amenities like piped water, electricity and telephone connections. People claimed to have bought houses to the tune of Rs 80,000. There were even two schools in the community, being run by the municipal corporation and a private trust. It was a bustling community engaged mainly in petty vending, driving auto rickshaws, stitching, masonry and waste recycling. The residents also worked as carpenters, fitters, welders, electricians, domestic helpers and laborers at the industrial estates close by.

#### *Unprecedented Terror*

During the rainy season, between June 13 and June 19, 1997, Bhabrekar Nagar was demolished by local authorities. The demolition was carried out with a swift brutality that is unprecedented even when Mumbai's long history of encounters between slums and law enforcement agencies is taken into account. A total of 12,842 families who had been living in the community for over twenty years was displaced and over 65,000 people were rendered homeless. Besides resulting in the outright violation of their housing rights, it also meant immense individual, institutional, societal and community loss.

Large areas of the settlement were waterlogged and the sanitation conditions were inhuman. Among those who suffered the most were women and children. Many husbands had deserted their wives, leaving them to fend for themselves. With no shelter, some women gave birth in the open space risking not only their own lives but those of the newborns as well. The struggle for survival was intense.

The children were traumatized by what they saw: their homes violently torn down by bulldozers. Also, being the most vulnerable section of society, many succumbed to illness and disease. The schools they went to had also been razed to the ground and they weren't sure now whether they would be sent to school at all.

### ***Betrayal***

According to the traumatized residents and witnesses, it all happened so fast that they had no time to collect and save their belongings, including important documents like the ration card, which for many served as an identity card. Houses with all their possessions were razed to the ground. The residents were caught completely off guard, lulled into a sense of false security mainly because basic amenities like water and electricity had been obtained with proper approval from the authorities. Who could have imagined that those same authorities would launch the demolitions?

The area affected was approximately 40 hectares, of which 30 hectares belonged to the Collector, Mumbai Sub-Urban District, and 10 hectares belonged to Maharashtra Housing and Area Development Authority (MHADA). In fact it was the *sharp increase in real estate values* for commercial purposes that explained the demolition of Bhabrekar Nagar.

### ***Setting the stage for interventions***

The Sena BJP government's ambitious Slum Redevelopment Scheme promised housing to all slum residents with proofs of residence before 1.1.1995. Many of the residents had been there for a long time, as indicated by the permanent construction and well-planned nature of the settlement with its own infrastructure.

- *It was easy to see that the ruling government had actually contradicted the basic spirit of its own policy on slum redevelopment.*
- *At the same time it was also clear that, though it was the state government's machinery which carried out the demolition, the entire well-planned and pre-meditated exercise was actually a political act.*
- *At a wider level, the demolition violated India's commitments at Habitat II and the United Nations Resolution on forced Evictions to which it was a signatory.*

### ***Youth for Unity and Voluntary Action (YUVA) Gets Involved***

Two community organizers went to survey the damage and, based on these first impressions of the large-scale devastation, YUVA decided to intervene. This was in line with their commitment to working with marginalized sections of society against the overall framework of human rights.

### ***STEP ONE: The search for facts begins***

In the immediate aftermath of the demolition there seemed to be no respect for establishing the facts of the case. Rumors and doctored information were being voiced by all the players. If a clear picture of the transgressions committed had to emerge, there was a need to systematically put together the facts of the case.

The media, too, after its initial splashes, had begun to report in a piecemeal fashion. The first task then was to set up information centers or *Mahiti kendras*. Here basic information was provided to residents concerning government laws pertaining to this case. For instance, many residents did not even know that they needed to show proofs of residence. They were told to come back with voting lists, ration cards, school admission forms etc. YUVA worked with existing NGOs who already had a presence in the community. Stree Shakti which ran a *balwadi* there was involved in the empowerment of women in slum communities and The Experimental Theater Foundation was using theater as a medium to discuss social issues.

All these resources were simultaneously deployed to carry out a simple census of all people in the community. This included:

- the number and nature of proofs of residence
- an assessment and mapping of the community, verifying the boundaries of the place as well as the demographic profiles of the inhabitants
- the extent of damage
- the extent of injury and resources for medical energy
- the political leaders and their stand on the issue

Since Section 144 of the IPC had been enforced in the area (barring more than 5 people the right to assembly) YUVA workers were threatened by the police. Working furtively, they managed to extract facts from one person or family at a time. While at the micro level these were collected from the people without any red tape or the usual bureaucratic hurdles, we were sharing and verifying this information with the *tehsildar* as well as with the bureaucracy. All these inputs were streamlined to put together an information base that would be crucial in the ensuing interventions.

### ***STEP TWO: Scaling Up***

The next logical question was to address the issue of rehabilitation of those who had been dispossessed. At the same time there was a growing realization that allowing this to be a local case only and expecting local agencies and public support to work towards a possible rehabilitation would not do. A strategic scale up in the intensity of support was required to build more pressure on the state and garner the requisite public support.

Thus, armed with the basic facts pertaining to the case, YUVA approached the Habitat International Coalition to conduct a fact-finding mission in the community and prepare a public report. The panel for the Fact-Finding Mission was chaired by a retired Supreme Court judge and active human rights activist, Justice Krishna Iyer.

Other panelists included architect Kirtee Shah, President Habitat International Coalition, and Doctor Mer Bapat, Senior Planner and Researcher. The composition of this panel was a clear signal of the seriousness with which this task was undertaken. Vital information was shared with the Mission. A public hearing or *Jan Sunvai* followed in a school in the middle of a neighboring community so that people had access it.

**The Habitat  
International Coalition**

*An alliance of 350 NGOs and community-based organizations, networks and social movements from 80 countries across the world that struggle to promote the human right to housing and to lobby against homelessness and forced evictions.*

**One hundred and ten depositions were made by more than a thousand people who gathered to share their experiences.**

**STEP THREE:** *The success of the advocacy drive*

The Fact-Finding Mission revealed that a thriving community from different regions and socio-economic backgrounds, living harmoniously in pursuit of their vocations, was uprooted and destroyed with no apparent provocation or reason.

Justice Iyer recommended to the Human Rights Commission that a closer look into the case was required.

- *Two representatives from the National Human Rights Commission (NHRC) visited the site and interacted extensively with the people as well as local level workers and conducted an independent enquiry.*
- *Chief minister Manohar Joshi and the Collector insisted that rehabilitation of those who were displaced was imperative, especially for those residents who were in line with the state's own requirements (proof of residence dated 1.1.1995)*
- *NGOs ought to work with the Collector's office on the issue*

Following these findings of the Fact Finding Mission in August 1997 the Human Rights Commission ruled that the Government must resettle the families found eligible by the existing and preordained norms. The government duly allocated a marshy, unlevelled resettlement site measuring 3.5 hectares bordering a creek and without any infrastructural provisions. It was located four kilometers from the original site and was christened New Bhabhrekhar Nagar by the community.

***STEP FOUR: Joining hands with like-minded people***

While the initial phase saw impressive gains being made at the advocacy level, the issue was simultaneously being disseminated across the city by mobilizing people's groups. About 50 volunteers from organizations like the Footpathwasi Rahiwasi Sangh and the Manav Mukti Morcha were part of the survey and other activities on the ground, and actively sought the support of like-minded organizations like the Nivarra Hakka Samiti. The Tod Mod Virodhi Forum was formed and about 25 to 30 meetings were held across the city which culminated in a long march when more than 30,000 people went to Mantarlaya. A memorandum of demands on the Bhabhrekhar Nagar issue was submitted. Efforts like this helped obtain ground level support and also served to keep the issue alive in the collective memory of responsive people across the city and its myriad networks.

***STEP FIVE: Pitching the facts to the politicians***

Politicians in the opposition and the ruling parties were targeted in order to make the demolition a topic for discussion at the monsoon session of the state assembly.

*A detailed photo exhibition was held at KC College with several meetings previously held with leaders urging them to attend.*

*In the case of opposition leaders there was a detailed analysis of the issue along with directions for relevant questions.*

*For the ruling party the questions concerned the inherent contradiction of having a policy for housing for the poor and the recent brutal eviction.*

*A meeting with the key opposition leaders was also held on the topic.*

As a result, the issue of Bhabhrekhar Nagar became the opening topic for discussion at the assembly.



- On the first day:** *the ruling party refused to discuss the issue so the house was closed by the president and sabhapati*
- On the second day:** *the opposition staged a walk out*
- On the third day:** *the government conceded to a resettlement which it agreed to route through YUVA*

As a result, the Collector and YUVA worked together to prepare a list of those eligible for resettlement through possession of proofs as well as the identification of land for resettlement.

### ***STEP SIX: The resettlement process***

A comprehensive resettlement and rehabilitation process was begun by addressing all levels of people: the community; the Government; public authorities; NGO's; the media; and independent individuals eager to help. It began with mobilizing the community against evictions and the formation of people's organizations and people's institutions, one of which was the Bhabhrekhar Nagar Sangarsh Samiti (BNNS). An elected committee of 15 members of the community, it aimed

- *to foster collective action rather than individual values*
- *to build discipline and the creation of mature self monitoring groups*
- *to address overall development goals*

### ***STEP SEVEN: The Alternative***

The New Bhabhrekhar Nagar model is a comprehensive Settlement re-generation process, where the community infrastructure, both physical and social have been provided through community need assessment, incremental planning, social action and composite settlement planning approaches. The model also experiments with institutional arrangements for multi-stakeholder partnerships.

### ***Infrastructure and proposed interventions***

Interaction and negotiation with the Maharashtra Housing and Area Development Authority (MHADA) and Municipal Corporation of Greater Mumbai (MCGM) resulted in the sanctioning of water for the community. Though the actual provision was caught up in the bureaucratic processes and delays, the water pipelines were finally put in accordance with the needs of the community in December 1998. The water supply was through nine stand-posts, each having two taps.

The duration of water supply was for four hours daily with two hours each in the morning and evening. To ensure equitable distribution and proper use of water, the community was organized into eighteen water user groups, with each group having around thirty families

as its members. The water groups paid a contribution amount of Rs. 130 on an average per family for the operational and maintenance costs of the stand post. A total of Rs. 30,000 was collected from the water groups.

In the sphere of provision of sanitation facilities, following negotiations with MHADA three toilet blocks were constructed in the settlement that became functional in July 1999. The toilet blocks are based on aqua privy system and have a total of thirty-two seats with an equal number of seats for men and women.

The fact that the government has provided basic infrastructure has been a milestone of the community struggle. However, YUVA was not satisfied with mere provision of community level facilities and the logical next step was to ensure provision of basic facilities like water supply, sanitation, sewerage and drainage at the individual household level. The philosophy of our interventions was based on earlier experiences that the built and physical environment undergoes tremendous improvement, when infrastructure is provided at the household level. There was also a need to exhibit a case supporting that sustainable solutions could exist, if planned and executed with community participation. Further, the New Bhabhrekhar Nagar community was more than willing to be a part of this innovative experiment.

Based on our core values of equity and social justice, we believe that the solution to infrastructure centric urban renewal lies in providing the same technological solutions to all citizens in the city. It is imperative that slums become integral parts of the city infrastructure network.

To this end, we are providing infrastructure facilities in New Bhabhrekhar Nagar, which will be based on the principles of the city systems.

Every household will be provided access to water, drainage lines, storm water drains, electricity and solid waste management facilities. These facilities will be central to the cluster and pre-laid and then becomes the responsibility of every household to access it in the house. The key elements of the "infrastructural work" in New Bhabhrekhar Nagar are :

- Re-clustering
- Water
- Sewerage
- Storm water drainage
- Roads
- Solid waste management
- Topography management
- Landscaping

## *Re-clustering and infrastructure provision*

YUVA took up the task of re-clustering the settlement to reorganize the houses within the site to create open and community spaces and to provide the infrastructure processes. In this process YUVA was supported by Himanshu Parikh, who has been instrumental for the slum networking experiments in Indore, Baroda and Ahmedabad. Emphasis was placed on community participation for taking the decision for re-clustering. Towards this end an exposure visit to Ahmedabad and Baroda was arranged for ten residents of Bhabhrekhar Nagar who in turn apprised the rest of the community about their experiences. A series of meetings were held with the community to explain to them the concepts of re-clustering and slum networking and to address their doubts and issues about re-clustering in the minds of people.

### RECLUSTERING

**Objective :**

*To create a small and inclusive community structure through planning innovation in offering every household, family as well as community spaces.*

**Innovation :**

*Small clusters of 20-30 houses which will create a defined neighbourhood and co-operative society, provide open space and a courtyard, and serve as a nodal point for infrastructure service to that cluster.*

### COMMITTED FINANCES AVAILABLE ON THE PROJECT

**MHADA**

On site	Rs. 5.74 million
Off site	Rs. 4.15 million
<i>Community contribution</i>	Rs. 2000-2500 per Family

**UNDP/TIFAC**

Infrastructure fund	Rs. 1.24 million
Consultancy	Rs. 0.65 million
YUVA expenditure	Rs. 21.0 lakh

### INFRASTRUCTURE

The plans for re-clustering have been submitted to MHADA and have been approved in principle. On 14 January, 2000 the project achieved another major landmark when YUVA was appointed as the implementing agency for the project. YUVA is responsible for undertaking the construction of infrastructure networks and ensuring their integration with the city networks.

### ***Step Eight: Financing the transformation***

The government after allocating the land also provided funds for infrastructure development to the tune of 9.8million Rupees (about US\$ 2.23 million) this would be routed through MHADA. Of the total allocated amount a sum of Rs. 3.12 million has already been spent for the construction of community toilets and provision of water supply through standposts.

The innovative approach of providing individual level facilities and developing it as an innovative model for integration of slums infrastructure into the city is being demonstrated. This project is part of MATURE program (Mission for Application of Technology to Urban Renewal and Engineering ) a Government of India and UNDP sub - program, *Technology Information, Forecasting and Assessment Council (TIFAC)*, their implementing agency provided us the financial support for the project .

It is estimated that the cost of provision of infrastructure facilities (as defined above) at the level of the household would work out Rs. 10,000 (about US\$ 225).

### ***Step Nine: Dereservation of land***

The land provided by the government was falling under No Development Zone (NDZ) in the Development Plan, providing infrastructure and other amenities in NDZ is not permitted which led to liaising with the government for the conversion of No Development Zone to Development Zone . Finally in March 2002 the land was cleared from no development to Development Zone.

### ***Step Ten: Implementation***

The implementation of the first phase of the infrastructure work itself was a challenge, the work on the first Phase was successfully completed by January 2002 for the first 76 families.

### ***Step Eleven : Hurdles For Development***

When the plans for the development was submitted to the authorities it revealed one more fact that the land was not only in the no development Zone but in it was also hit by the Coastal Zone Regulations which are under Central Government jurisdiction, this led to liaising with the Government of India. Recently the State urban development Department and the State Coastal Zonal Authority have cleared from the state and requested the Central Coastal Zonal Authority to look into the matter for the necessary relaxations.

## WHAT WE HAVE LEARNED

### *The power of positive advocacy and lobbying*

The move to involve the Habitat coalition and the National Human Rights Commission and constitute a fact-finding mission with noted personalities like Justice Iyer gave the community's efforts immense credibility. This played a part in gaining support from state administration, policy makers and other government officials.

### *The power of a reliable information base*

A credible information bank has been at the center of our success. A well-concerted information drive was also launched, targeted at specific groups such as politicians, the media and people's organizations. In this way the issues were alive in the course of public and popular discourse at all times.

### *The power of the people*

High stakeholder participation allowed the entire community to feel motivated enough to engage with the basic problems and to negotiate with the authorities. The achievement in getting through to officials and being granted basic facilities was seen as a milestone in the community struggle.

### *The power of understanding the social, economic and political situation*

This has allowed us to formulate suitable responses at all times. For example, it was our knowledge of the government's slum redevelopment policies and its details that made us challenge the demolition as a complete contradiction of its own policy.

### *The power of using multiple strategies*

We reached out to representatives of the state government, opposition parties, lawyers, human rights activists and people's organizations. Protest marches, photo exhibitions, question/answer sessions and targeted reports were used to present our case effectively at all times.

### *The Challenge Of Changing Roles*

The shift from principal advocator for rehabilitation to principal planner and implementer of resettlement was a major challenge for us. While we had thirteen years of advocacy experience behind us at the time of this intervention (1997), we had barely three years of exposure to the field of housing and infrastructure development. Our involvement in this sector called for critical changes in our organizational approach and resources. We also had to make the shift from being the challenge to the system while in the advocacy role, to having to 'learn the rules of the system', without compromising our core values including the centrality of peoples interests, in our implementor roles.

***b) The work of the Informal Sector Service Center (INSEC) with Kamaiya Bonded Agricultural Laborers in Nepal*** <sup>10</sup>

Slavery was officially abolished in Nepal in 1924. The constitution and laws restrict the exploitative practices of slavery, trafficking, serfdom or forced labor in any form. However, the reality is just the opposite. A bonded labor system known as *Kamaiya* prevails in western Nepal. These Kamaiyas are subjected to degrees of exploitation and deprivation of liberty. A study conducted by INSEC in 1992 shows that 93% of Kamaiyas are from Tharu community, a naive indigenous community. The majority of them are homeless (73%) and illiterate (96%). Many of them inherit bondage from generation to generation. The number of Kamaiyas was estimated to be in the tune of 100,000 from 25,000 families.

Since 1990, INSEC has been involved in various efforts to improve the lives and lessen the sufferings of Kamaiyas. INSEC also drafted legislation for their emancipation from the bonded labor inherent within the Kamaiya system.

*The principal need is to make the Kamaiya themselves aware of their rights and of their disadvantaged situation. This inculcates in them a **sense of freedom** and encourages them to work for salvation.*

*The children of Kamaiyas who may not have any other option than to support their Kamaiya parents, should be educated on their rights and helped to **escape the vicious cycle** of bondage and poverty.*

## Literacy and Awareness Program for Kamaiyas

Since 1993, INSEC has been running literacy and awareness classes in five districts of western Nepal (Dang, Banke, Bardiya, Kailaliand, Kanchanpur) where Kamaiyas are concentrated. The program targets illiterate Kamaiyas, especially the most vulnerable - women.

### OBJECTIVES

- 1) *To form human rights awareness groups for Kamaiyas to run education and literacy classes.*
- 2) *To conduct gatherings, discussions, and training sessions in order to achieve the main objectives.*
- 3) *To impart special training to Kamaiya leaders who can be catalysts in bringing change to their community.*

#### ***Method***

A separate coordinator was assigned to take the responsibility of program implementation. With the help of local network, INSEC identified teachers and suitable locations, and formed awareness groups. The district coordinators and teachers were given training on methods of delivering literacy and human rights education. The majority of the staff involved in the Kamaiya program were from the Tharu community and had personal knowledge and experience of the Kamaiya system.

Each class normally consisted of 20 to 25 Kamaiyas. Both class-room and extra-curricular activities were adopted according to interest and circumstances. Each Awareness group focused on Literacy for the first half year and Human Rights Awareness for the second half year, thus completing a full one-year course. When a course was over, another batch of Kamaiyas was enrolled in the same place or a new one, depending on the availability of the recipients. Educational materials such as books, posters and manuals were developed and supplied to each group member free of charge.

<p style="text-align: center;"><b>Unless the Kamaiya themselves demand their rights to freedom the system will not change</b></p>
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### ***Bonded Labor Liberation Forum***

Though it is extensively discussed and criticized, the Kamaiya system still survives. There are arguments that abolition of the system would reveal and create more problems rather than solving the identified ones. This argument has ultimately served as a shield under which gross exploitation continues. INSEC's strategy has therefore been to build up a movement for the emancipation of Kamaiyas which involves people from all walks of life, working to challenge the system and find a solution.

INSEC facilitated the assembly of Kamaiya Emancipation Campaigners in Nepalgunj between 24 and 26 January 1996. Some 400 Kamaiyas from 5 Kamaiya prone districts and supporters of Kamaiya Liberation from Nepal and India participated.

Kamaiya Mukti Manch (National Kamaiya Liberation Forum) was with a nine member executive committee which has mandated to work for Kamaiya Liberation.

It also became affiliated to the General Federation of Nepalese Trade Unions (GEFONT), the leader of the national labor movement in Nepal.

Now bonded laborers have organized through the forum and are integrated into the national labor movement. INSEC supports the movement by organizing seminars and trainings and evolving a co-ordinated approach by different NGOs to emancipate the Kamaiyas.

## **THE CURRICULUM**

- *Develop functional literacy among the marginalized populations*
- *Disseminate information on the concept, evolution and practices of human rights*
- *Explore universally recognized human rights instruments and those enshrined in the constitution of the kingdom of Nepal*
- *Examine Human Rights and INSEC's Human Rights Movements*
- *Discuss and develop methods of prevention of human rights violations*
- *Develop legal literacy and awareness*



## HOW IT'S DONE

Local NGOs bear the major responsibility of mobilizing the people for the cause of human rights. The district networks of INSEC undertake the following:

- *We act as co-sponsors of educational programs launched by central and regional offices*
- *We run classes on human rights education and literacy*
- *We organize debates, competitions, and talk programs in schools*
- *We bring together activists, people's representatives, lawyers, journalists, teachers, law enforcing authorities in a forum to develop awareness and or solicit commitment on human rights issues*
- *We celebrate important occasions like Human Rights Day, Constitution Day, Martyrs' Memorial Day*
- *We carry out programs focusing on women's rights*
- *We report on situations in jails and police detention centers*
- *We observe elections, strikes or rallies and produce factual reports*
- *We organize audio-visual shows, display pamphlets and posters and distribute booklets related to human rights*
- *We study socio-economic issues as well as social evils and bring out suggestions and recommendations for improvement*
- *We conduct rallies and lobby local and central authorities and people's representatives to reach out to the people in need and explain campaign issues to them*
- *We run public libraries to disseminate human rights materials*

## PARTICIPATION

### *a) Women Coca Growers Fight for Social Validity in Bolivia*

By Susana Chiarotti<sup>11</sup>

In recent years, Bolivia has become notorious for the reports presented by different local and international organizations on the cultivation of coca and the production of cocaine. One of the main centers that has attracted major attention is the region of El Chapare that comprises the three counties of the department of Cochabamba (Carrasco, Tiraque and El Chapare) and is located in the subtropical area. About 143.000 people live here, located on 32,986 farms known as *chacos*. Of these, close to 25,000 cultivate coca next to a variety of products like citric fruit, bananas and pineapples. Although most of the peasants cultivate coca, it is not the main crop, yet it is the only one that guarantees them a minimum subsistence, in spite of the permanent fluctuations in price.

The eradication policies imposed by the US government and the pressures it exerts on the government of Bolivia have created situations of permanent conflict in which human rights are constantly violated. The incursions in the area of the Special Forces of the Fight Against Drug Traffic (FELC), in many cases under the command of North Americans, have indiscriminately

**THE WOMEN THEMSELVES MUST BECOME  
THE AGENTS OF TRANSFORMATION**

captured peasants, stealing their goods and destroying their housing, often injuring or killing them. The official reports call these incidents "confrontations between police forces and drug dealers' bands." But the only weapons used were those of the police. The "registration" of vehicles on the highways consists of inspections of their loads, but under the pretext of interrogating them, women passengers are often violated by police members. When released they are threatened of being accused of drug dealing should they report their rape. These facts have impelled the women coca producers of the area to organize and to participate actively in the fights of their partners and at the same time, to become qualified in the knowledge of their rights, of the laws that protect them, and of the institutions from which they can demand justice.

## MARIA'S STORY

*The residents of the area, we suffer constant abuses of the UMOPARes, they tell us that we are pichicateros, (drug-dealers) but the truth is that the real drug dealers are free and they circulate without being bothered by anybody, although everybody knows them and how they live for from one day to the next they appear with houses, cars luxurious and many things more. Most of us that live in the area are rural poor that came here because in our communities the earth no longer is productive and since we are many, it is not enough for all.*

*They say that we are only devoted to plant coca, but that is lie for that one separated field is coca and the rest is yucca, banana, oranges, mandarins and other products that we take to the market and it is also good for our feeding. We have many children and if we want them to study we should sacrifice, working for the whole family. Our products sometimes rot for lack of transport for when it rains a lot it is very difficult to take out the products to the market, because the rough paths are ruined quick, so much that we cannot go to sell our things. For that reason the coca is a back up for it is easy to transport and although they pay us little, we always have from it a small fee with which we can survive until the situation improves.*

*Our situation is not understood by the authorities and permanently they pursue us, they make all kinds of abuses against the peasants that live in the area. The women don't have security when we travel to the cities, several of my partners or their daughters they made them get off the fleet and they raped them, they cannot complain to anybody for that they threaten them to say that they found drug in their bundles. Several young ones are single mothers as product of these rapes.*

*The abuses that we suffer have made men and women to be organized. Lately it has won bigger importance the organization of the women because the men are pursued like fleas and we women are organized to liberate them and ask guarantees for all. The women are organized in the RURAL FEDERATION OF WOMEN OF THE TROPIC that was founded in the First Congress of September 8, 1995 in Cochabamba. In our organization the women can exchange our ideas since men didn't take us into account.*

*Before having our main organization we participated in the March For Life and National Sovereignty. It was the answer of the whole population to the murder of the peasant Felipe Perez Ortiz that happened on August 18, 1994 at 1 p.m. in the afternoon.*

*Five vehicles of UMOPAR entered the area looking for drugs. They stopped Ortiz and from the state his body was in it is seen that they hit him strongly before killing him with a shot inside his mouth. They hang a plastic bag in their truck with his feet hang down and dripping blood. Tired of these abuses, the women decide to begin a march to the city of La Paz. It was not easy, we all wanted to go, but we didn't have anybody to leave our children with. Besides, some husbands didn't want to allow women to go. On 18th of December we begin the march, in spite of the government's threats of stopping us. We went by valleys, mountains and the puna of the highland for 31 days. On the road we received the support of peasants of the different communities that knew that our fight not only was for us, but for all. We suffer wind, rain, snowfall in the mountains and the heat of the sun. We walk more than 500 kilometers. On January 17, we arrive to the city of La Paz, where people of the town received us with tears and samples of solidarity. In La Paz we dialogue with the first ladies, the President's wives and the Vice-president, the leaders speak and we told them what happened us, and that the human rights only exist in papers.*

*However, after the first ladies answered to us we convinced that they could not decide anything, since they are not authorities and they are not able to have concrete solutions. After a month of walking, with the destroyed feet and completely weakened, the marchistas had to enter in a hunger strike to get the government to commit to setting free our detained partners, to respect the human rights and to punish the authors of the violations. Also to not applying the mandatory eradication of the coca plantations.*

*The hunger strike was enlarged from La Paz to Cochabamba, where the police intervened, they hit the women and they captured them, without caring about the presence of small children. They wanted us to get scared, but they didn't achieve that. We continue in the strike until on February 3 the government accepted part of our petitions and it signed an agreement to not applying the mandatory eradication of the coca, to compensate us for each hectare of eradicated coca, to process the culprits of the murders, to create an Office of Human Rights in the el Chapare Plate and other things.*

*On 21 of February of last year, in Eterazama, a group of 22 directing women of 18 unions of the region, we began the formation of Legal Promoters that organized the Oficina Jundica de la Mujer in coordination with the leaders of the Federation of Producers of el Chapare. Two days a week we took classes. As not all of us live in the area, to arrive on time was very difficult, some had to walk up to six hours, to pass the mighty rivers to swim or to go up to trucks loaded with fruit or trunks that charge us as if it was a comfortable car. To leave our house, those with husband had to request them, some got angry, they believed*

*that we were going to learn bad things that later we no longer would pay attention to them, but when returning we showed them our notes, they understood that what we learnt would serve all. The other problem was leaving the children, especially for those that are single, for the very small ones they had no other remedy than to take them what caused more fatigue and tired the children.*

*The whole time that we were in classes the area was very ugly. The policemen constantly passed and inspected the place where we took the classes, some entered to look at what we did and at some points the helicopters of the Special Force of the Fight Against Drug Traffic and the North American DEA flew over the roof causing a lot of fear among the assistants and the children that already know that when that happens there is always dead or wounded. The last two weeks of classes were the hardest because all the producers of coca of the area were mobilized with our organized self-defense committees and the police was also reinforced with people that arrived of Cochabamba. Confrontations took place in which several peasants died and many were wounded, killed, and taken prisoners.*

*In those days, those that took classes had to make many things at the same time, to leave the things of the house ready, to attend our assemblies up to three times in the day and to participate in our courses. Most of the assistants left cooked food for our children, to be in time they had to get up at five in the morning, but it was worthwhile for we learned:*

- ⇒ *that nobody, not even our husbands, is entitled to beat us*
- ⇒ *that offices we have to enter to complain cannot stop us without order of the Judge*
- ⇒ *we know to take steps for birth certificates and other papers*
- ⇒ *we also understood our rights to choose the authorities or being chosen as authorities of our union, our community or of the whole country*

*After concluding the course, I was stopped and driven to the barracks of Chimoré. First I got scared, but later I remembered what I learned. The police knew that they were not right, that it was an abuse, and when they wanted to make me confess I said:*

***"I don't go to speak anything if it is not with the district attorney and my lawyer. I want my lawyer to come."***

Those of us who receive the training  
no longer allow ourselves to be abused

*They got angry a lot and they told me that they would teach me to respect the authorities. As I showed them that I was not afraid they didn't hit me, but they took me to Cochabamba. In that city the District Attorney asked me about how I knew those things and I recounted to him that he had attacked my human rights in my community. In a few days they had to set me free because they didn't find anything against me. There is still a lot to do. This year we asked that other courses are given in the area for more women so they can be qualified*

*I believe that this way,  
little by little,  
we will advance.*

## ***b) The Health Awareness Project in Guatemala***

By Regis De Muylde<sup>12</sup>

Our first concern in both the rural areas and in the cities was to identify who were the poorest people, to

get to know them, not only in order to find out how a given project could reach them but, more importantly, to

*We must not confuse participation by very poor people with genuine partnership with them. Launching a project and getting people involved, is not the same thing as considering people as partners, that is, people taking part in the project from the design stage right through to its evaluation.*

discover how such a project could bring in the dispossessed as partners. Both in the capital and in the countryside we sought to develop a project geared to health awareness. We encountered people living in the direst poverty, where children were living in a state of extreme destitution. They were completely locked into and isolated by poverty.

*When we speak of awareness, our aim is to enable people to become aware of their environment, of the world directly around them, and more broadly to acquire the means of understanding the situation in which they are living and the world in which they find themselves - in other words, empowering them to regain possession of their roots. Such a process of understanding leads to acquiring and developing one's own means of expression.*

### **ALL THEIR ENERGIES WERE ABSORBED BY THE DAY-TO-DAY STRUGGLE FOR SURVIVAL**

#### **Guatemala City and its Poorest Neighborhoods**

##### ***Background***

According to certain estimates, over a quarter of the country's population lives in and on the fringe of the capital, although these estimates are considerably higher than the official figures. What is certain is the speed at which the city has grown during the past two decades. The rural exodus occurred in several waves which contributed considerably to its growth, and helped to create marginalized areas both in and around the capital.

In late 1987, two volunteers came upon the community living around the public refuse tip, which is located in the heart of the city. When the tip was first created, several decades ago, it was located on the city's edge, but since then the city has continued to spread and this area has been absorbed into it. It is an enormous gully, which has gradually filled up with the rubbish constantly being dumped into it. Families, lone individuals and children have settled around this dump. They sift through the refuse, retrieving plastic, glass and cardboard, which they then sell. It is their sole means of survival.

### *Our early days on the site*

We began our work on this site in 1988. The area was then extremely hard hit by poverty, and the two French volunteers felt that they could not go there on their own. They made a number of contacts, in particular with a health care center, while waiting for an opportunity to meet Guatemalans to whom they could put forward their scheme and who would agree to enter the area with them: they were anxious to visit it in the company of locals.

The area had been the target of massive media attention, and documentaries had been made there by Latin-American companies - an experience much resented by those actually living on the tip, who felt they were being treated like animals in a zoo. This was one of the reasons for the decision to visit the area in the company of Guatemalans.

*PICTURE A LARGE GULLY, SERVING AS A PUBLIC RUBBISH DUMP SURROUNDED BY FIVE SMALL SHANTY TOWNS EACH INHABITED BY HUNDREDS OF SQUATTERS AROUND WHICH A CONSTANTLY SHIFTING POPULATION LIVES IN MAKESHIFT CARDBOARD-BOX SHELTERS*

### *STEP ONE: Mobile Libraries*

Little by little, mobile libraries were introduced into each of the five shanty towns. Our first concern was to get to know these families. For that purpose, we sought out the youngsters, many of them drifters who had lost all contact with their families. We managed to make contact with them only after several months, in some cases almost a whole year. These youngsters can neither read nor write, but the dynamic developed around these books is not a reading dynamic. They are abundantly illustrated so as to open new windows both through the pictures and through the stories that the children can be told. Such books convey a dynamic of their own, one that is quite different from the 'reading habit.'



## **STEP TWO: Cultural activities**

The scheme comprised a library and studio-workshops, and is today known as the "Art for All" project. For several weeks, a resident artist is in charge of the studio-cum-workshop, organizing courses in painting, pottery, drama and other areas. This was achieved only after the library had been in operation for several years.

### **JOSÉ LUIS'S STORY**

*José Luis was a young man living on his own on the edge of the refuse tip. I had first met him in 1990. He was then working, in the sense that he would climb down to the bottom of the gully to scavenge for anything that could be salvaged and sold. He had a sister who was living there with two children. She and her brother often had to sleep in cardboard boxes; at other times she was taken in by people living in the shacks around the dump.*

*One of the first times we met this youngster, we had just arrived on the site with our boxes of drawing and coloring books. He kept his distance, refusing a book I offered him. He was ill at ease, because the youngsters he saw with us were mostly nine-to-fifteen-year olds, while he was over 20, and he thought this was an activity for children. We continued to meet him, to talk things over, and one day he came and took a book.*

*On several occasions, José Luis had health problems, and was injury and accident prone, and we fought hard to ensure that he received proper treatment. We also noticed that he was extremely attentive to everything that concerned his little niece. Great efforts had been devoted to enabling her to learn how to color books, as children of her age do. In the circumstances in which she was living, she had never had access to such things, had indeed never held a pencil in her hand. José Luis followed the progress she was making very closely; he encouraged her and brought her to look at books with us.*

*We continued to maintain contact with this young man. His health grew worse; like many of the children and youngsters living on this site, he was on drugs. One day he broke his leg; we had to fight to make sure he took care of himself. His leg was put in a plaster cast - imagine what that means when one is living in such conditions in the midst of rubbish.*

*He was convinced he could no longer climb down to the bottom of the tip and would be dependent upon the others. After a week, he took the cast off himself, not wishing to go on sponging on other people.*

*Then there was a cholera epidemic, and early in 1993 he was brought down by the disease. He was hospitalized in a specialist center, where he recovered; however, he left hospital in a very poor condition. He went back to the tip where he received a certain amount of help; but he was in such a bad state that he died some weeks later.*

*After Jose Luis's death, I wondered what it was that had enabled a relationship of trust to develop between him and me. For all those years we had stood together, fighting his fights, wrestling with his problems, and even if we had no means of rescuing him from the poverty in which he lived, we were battling alongside him, and it was this long-term commitment that somehow, somewhere, built up the sense of trust between us. I am also sure that the seriousness with which he helped and encouraged his niece, and the fact that we ourselves took the part he played in the awareness scheme so seriously - were a key factor. Because he felt himself to be recognized, taken seriously, as an individual in his own right, he performed his role as the girl's uncle to the full and was recognized as such.*

### ***The purpose of cultural projects***

#### ***The Question***

Poverty in the area is extreme. The people living here eat what they are able to scavenge from the dump; the problems of health and hygiene which this creates may readily be imagined.

- Was this really the place to run a cultural project?
- Would it not have been better to launch emergency operations targeted on health care, housing and even food supplies?

#### ***Some Answers***

A cultural project, even under such dire circumstances, fosters citizen involvement. On our arrival, we frequently found that the place where we set out the books had been swept clean.

**This is how a creative space opens up an area of freedom between people separated by an age-old void**

The extreme destitution in which these dump-dwellers live demonstrates the extent to which poverty can dehumanize people. They are so badly affected that they are no longer recognized as human beings. BUT - the experiences with Jose Luis and the young-old painter and many others not related here made it possible to rediscover the human relationship, one that is still possible between individuals separated by so much.

.....

On a sheet of paper stuck to the concrete wall, a young man and a child are beginning to paint in the sketch we had drawn: a bridge, a lorry, a quetzal (a bird symbolizing freedom for the Maya peoples). Now they nudge me aside so as to have more elbow-room for painting. Another man shambles up. He's all bloated, his skin is red, he leans on a stick. He's an old man, but his face gives him away - he's an old man who is barely twenty years old. As he totters up, he notices the pots of paint arranged on a stone, he doesn't say a word, he greets no one and no one greets him. Slowly, painfully, he stoops and dips a swollen finger into the paint. He stares at his brightly colored finger, bursts out laughing. Several times he daubs paint on the wall, as if tracing signs, completely engrossed, and all the while he keeps chuckling to himself.

What is it that still relates me to that man? What path can I take to bring me to him again? I see again his scarred, chapped finger, all dripping with green paint, and that expression which I took for laughter, a look of joy. In that no-man's-land on the edge of destitution, in the shadow of death, where people have become so useless as to become one with the refuse among which they live, something connected me with that man. For one brief moment, just long enough for me to stop, to think, to look ahead, just long enough no longer to know where I myself was going. I came to need that man as much as, if not more than he - as I believed - needed me.

.....

**Cultural action can be the starting point of the fight against poverty.**

**Cultural projects, and the day-to-day commitment they entail, allow us to instill in people an awareness that there is more to life than mere survival.**

**This is crucial to any war on want**

## CONTINUOUS EDUCATION

### *a) From Buraku Liberation To Human Rights Through Dowa Education in Japan*

By Mado Spiegler <sup>13</sup>

#### *Background*

The Buraku people are the largest, although not the only discriminated population in Japan. The Buraku Liberation Movement, originally founded under the name of Suiheisha or Levelers' Association, has the longest history of all minority movements and the Buraku issue is the first human rights problem to have been the object of special legislation designed to solve social, economic and educational problems related to discrimination towards minority groups.

For all practical purposes, the Buraku were a caste, excluded from participation in prescribed occupations, and excluded by rigid social stratification from full participation in national life. Their status was due mainly to their performing polluting tasks: the slaughter of animals, leather work, the execution of criminals.

While indistinguishable by outward appearance, language, religion or cultural traditions, the Buraku are perceived as a different race. Some called them the invisible race. In reality, residency has increasingly become the main way to define who is or isn't a Buraku. As one historian put it, "They are Burakumin because they are believed to be Burakumin as a result of being born and living in a designated Buraku area, having come to live there and being considered by non-Burakumin as a separate breed of humanity."

Neither the modernization of the culture between the two World Wars, nor the democratization of post World War II, eliminated social discrimination in matters of marriage, employment and residency prospects. As in any other caste society, high achievement is no protection against ostracism, whether crude or subtle.

#### *Japan's Educational System*

Meiji Japan's remarkable performance in the area of modern education reflected a deep political commitment similar to that of France or Germany in the 19th centuries and was driven by the same logic of combining compulsory education, the military draft and

administrative centralization as instruments for the consolidation of the State whose goal it was to become an 'educational superpower'. As a result, from 43% men and 10% women literate at the end of the Edo period, the figures jumped to above 80% average literacy rates in 1895, followed by 90% in 1902 and 97% in 1907, with 6 years of compulsory education in 1907, and a solid school system covering the full spread of general and professional education from elementary to university level.

- a rigorous system of selection by examination
- employment policies based on educational achievement
- professional status closely tied to educational achievements
- a curriculum standardized by the government
- 

This system encouraged the notion of educational achievement as the key to upward social mobility, and popularized a 'national character' oriented to scholarly achievements.

### **But not for the Buraku**

Against such a background, their inability to step onto the speeding carousel stood out in stark contrast. Before the Meiji era, outcast people had not been allowed to develop literacy skills and, like slaves in the southern United States, they were subjected to legal punishment for so much as learning alphabets, except for rare individuals who were officially granted permission to learn. During the Meiji era, the educational system was in theory universal but local communities' responsibility for building and staffing schools out of their own resources meant that in practice, poor communities could not have schools. Some Buraku communities remained without schools well into the 20th century for lack of the wherewithal to build them.

Both school enrollment and attendance rate were far below the norm among the children from Buraku communities, because Buraku children were vital contributors in the poor family's livelihood. It was very hard for the parents to pay for the textbooks and school meals, as well as other necessary materials but most educators were still inclined to perceive absenteeism as the result of Buraku parents' lack of commitment to their children's future, or as an indication of congenital weaknesses.

In most schools, no serious efforts were made to remedy the situation, and discriminatory behavior by teachers was still taken for granted by Buraku students and their families.

The gradual shift to state support after 1885 created budgetary pressures on the state, which school administrators attempted to resolve by combining students from several neighborhoods into existing facilities. The resultant opposition of non Buraku to the prospect of their children attending the same schools as Buraku was met either by building two schools in the same area, or by schools segregating children in separate classrooms or separate seating within the room. In those Buraku neighborhoods lucky enough to have a school, migration from the countryside increased crowding into schools already poorly equipped and staffed.

The results created a predictable double bind for the Buraku population. On one hand, demands for education and protests against school segregation became a top priority of the newly founded Levelers' Association. But segregation by prejudiced schoolmates and their families, as well as by teachers with low expectations, solidified an increasingly deep-rooted distrust of school among the Buraku students, whose effects are still felt today. Whereas in other segments of Japanese society absenteeism rates were steadily declining, they remained depressingly high among the Buraku right through World War II, keeping them more outcast than ever in a competitive, examination-driven society.

## **Dowa Education in Japan**

The term Dowa, coined by the Japanese government during the Second World War, consists of two characters:

**Doh = same**

**Wa = harmony**

Dowa education was started in an attempt to foster harmonious, non-discriminatory relationships among soldiers. The message was given in the name of the Emperor, indicating: "All soldiers are the same, the Emperor's offspring, and should live in harmony." As a concept, Dowa was referred to integrationist administrative policies and services related to Buraku issues. Eventually, the Buraku took over the word Dowa, and gave it a new identity as one pillar of a broad-based human rights initiative in Japan.

- *For government institutions, Dowa education means educational policies to cope with existing discrimination against Burakumin.*
- *For the Buraku movement, Dowa education means a set of educational strategies for democratizing the whole society to attain true equality of opportunity for all oppressed populations.*

Dowa education can be dowa education as human rights or dwa education about human rights. the former deals with issues of school enrollment, school achievement and opportunities in general, while the latter is concerned with school curriculum and teaching efforts to change prejudiced views, to enhance human rights awareness, and as personal and social transformation . The objective are:

After World War II , some teachers identified features in Buraku communities and other minorities that countered the course of Japanese modernization. For example, the Buraku spirit of cooperation contrasted with the government high economic growth policy that promoted self-centered ideas. Having through these experiences become involved with Dowa education, teachers found in the enactment of the Law for Special Measures for Dowa Projects a strong base from which to launch human rights education, of which Dowa education would be a part.

### ***STEP ONE***

The first problem to be faced by Dowa Education was Buraku children's low self-esteem and school-attendance. Home visits became routine practice, aimed at gaining the Burakumin's trust in schooling, as well as providing teachers with necessary background information to allow for more effective instruction. Many teachers reported lack of money to buy school supplies. Their lobbying, together with the fledgling parents' associations, eventually led to directives for free textbooks in 1961. Schools established remedial teacher's positions. Scholarships for high school and college were established.

### ***STEP TWO***

Japanese schools' traditionally punitive ways of dealing with misconduct or academic failure aggravated Buraku students' distrust of teachers and school and increased their sense of alienation.

In reaction, a movement developed among teachers whose goal - to understand the sense of alienation of minority students and students in difficulty - is now widely recognized as a core element of Dowa philosophy and practice. It spawned a number of approaches aimed at building up students' self-esteem, with constant readjustment in view of the actual effects of particular methods. Whether students learn, and what they learn, is as

- 1) attaining parity in level of achievement and in the rate of enrollment in secondary schools and higher education institutions**
- 2) developing critical literacy and sound learning capacities for Buraku children**
- 3) promoting community involvement in setting up school agenda.**

important as what the teacher teaches or intends to teach.

### ***STEP THREE***

Separating students according to level of progress was considered but initially frowned upon. Dowa educators have attached greater importance to collective harmony than to individual success. Thus any action that appeared to split the class would be avoided. But over time, classes have occasionally been split, with extreme care being taken not to hurt the lower-achieving children, and not to destroy the classroom's harmony and identity. Most recently, a few schools have emphasized 'individualization'. Using school resources to the full, teachers strive to prepare the most appropriate learning settings for each child, centering on individual study-programs in combination with ongoing collective classroom activities.

### ***STEP FOUR***

Each incoming student can create an individual learning time-table for the second and third year, after drawing up his or her own tentative life plan. This means that students can make their own curriculum based on their own dispositions by choosing from approximately one hundred and fifty subjects.



## **STEP FIVE**

Another aspect of the education is the need to break through the prejudices non-Buraku children bring to their Buraku classmates, as well as through the prejudiced view of themselves and their place in the classroom that some Buraku children may have.

### **Group Process**

Teaching about discrimination, even about actual cases, is not enough of a stimulus for students to reflect seriously on what they learn or to relate themselves to it. In the final analysis if learners do lack the sensitivity to grasp the deeper nature of the issue, the teacher's knowledge or interpretation will not empower them.

**FIRST:** Situate the process by taking into consideration the life of the children outside the school. Children are agents of their lives, and bring their home and community lives to school. Those children who cause trouble in school tend to be in trouble at home. Teachers are better able to work on the children if they know more about their lives. Similarly, if children know about each other's lives, their relationship can be developed in a mutually supportive manner.

**SECOND:** Place *teihen no ko* - children at the bottom - in the center of the class. These are children who belong to a discriminated group, or children who have serious problems in their lives, their friendships, their academic performance, etc. They are vulnerable and tend to suffer from a disproportionate weight of society's contradictions in the absence of sufficient support systems.

**THIRD:** Ask children to write about their daily lives and their observations in *the seikatsu noto* or diary notebook and bring it to school. The teachers write down their response in the diary. As teachers return caring and thoughtful comments back, children who at first only wrote about rather superficial observations begin to focus on their deeper concerns and real life problems. Dividing classes in small support-groups in which students are responsible for each other's process further supports the work.

**FOURTH:** Invite children to write about their life - *Tsuzurikata* - paying great attention to the experience and sharing of their feelings. Skillful writing is encouraged, not just for a good grade, but to fully share the experience with a reader. Prejudice causes bias in one's perception of even those who do their best to survive. Some Buraku children feel: "Why was I born to these parents?" and are

Their life may feel meaningless; the school environment may intimidate them. By placing them at the center of the group process, children are encouraged to recognize the problems of the bottom children as their own and are thus motivated to grow together with the bottom child.

unable to accept them or their love. *Tsuzurikata* trains the writer to look at his or her life objectively and critically, and enables him or her to surmount prejudiced views and to reflect behavior critically. As this process is repeated, the writer learns to control his/her behavior more rationally.

### ***STEP SIX***

Many teachers felt that competition based on scholastic achievement was a major source of discrimination and therefore held negative feelings about scholastic ability itself. This led to the notion of *Kaiho no gakuryoku*, meaning the ability of children to know what discrimination is, to point out the problem, and to fight social inequality. In some cases, activist teachers are strongly opposed to any kind of school practices aimed at improving scholastic ability, based on a serious questioning of the uncritical acceptance of achievement orientation.

### ***STEP SEVEN***

Affirmative action, which some schools have adopted as a means to raise minority status and make the school environment multi-cultural, is seen with ambivalence, because it contradicts concerns about the fairness of entrance selection. On the other hand, to the extent that anonymity has generally been considered a tool against prejudice, the Dowa movement has fought against discriminatory hiring practices by setting up application forms without columns for birthplace, parentage or any other information that might lead to discriminatory practices.

### ***STEP EIGHT***

Dowa education always involved a communal element. This was further accentuated in the latter half of the 1950's when families faced with the unmanageable expenses of a supposedly free schooling provided for by the Constitution organized to demand free books and supplies. Out of these protests, the parents began to organize themselves. Focused at first on requesting better school conditions, they gradually enlarged their focus to their own child-rearing practices, to family life as it impinged on the children's education, and to mutual help.

### ***STEP NINE***

Illiteracy among Burakumin has been disproportionately high. For many of the elderly, basic education was interrupted due to the multiplying effects of discrimination in the

schools and poverty at home and in the community. These illiterate adults have been trying to regain literacy in their community classes and 1996, there were about 600 such classes in Buraku communities. Using Paulo Freire's notion of critical literacy, the Buraku literacy movement emphasized the need for learners *to read the world by reading the word*. Learners reflected with other learners on their past life experiences, finding out why they couldn't go to school and how they were discriminated against and suffered because of their illiteracy. These reflections and memories were expressed in writing, based on the skills they began to acquire. By becoming literate, the learners also developed the will and the power to express their wishes and expectations, often hidden from them. One cultural activity, called Ogari - to speak out - is a collective stage performance of Buraku experience based on the stories written and/or told by literacy learners. Parodies and dramas are created and jointly produced in an atmosphere of warm and caring human relations.

A variety of programs are now provided widely at community centers, schools and workplaces in the forms of symposia, lectures and small-group discussions, TV and radio programs, printed materials, signboards and advertising of anti-discrimination slogans.

In practice, learning deeply from the reality of discrimination means for learners to acquire knowledge about Buraku issues, for teachers to preach tolerance and values of justice and equality; but also, for both teachers and learners

- to reflect on their own personal values
- *to understand through their own experience how these values may feed, even unintentionally, into discriminatory practices*
- *to recognize his/her own relation to discrimination and to transform him/herself.*

On a larger scale, this has translated into a growing concern for global Dowa education, since the movement has, over the past 15 years, become truly pluralistic, culminating in the foundation in 1988 of IMDAR - the International Movement Against all forms of Discrimination and Racism. The Buraku are actively dialoguing with other educators and NGOs committed to intercultural education, gender-equality, human rights of the disabled, and development education designed to cultivate among children and adults an awareness of global inequalities.

## ***b) Literacy And People's Science For National Integration, Self-Reliance And Regeneration*** <sup>14</sup>

### ***Background***

The expectation at the time of independence, over 50 years ago, that political freedom and representative democracy would assuage the conditions of the people of India has obviously not turned out to be true, since people continue to battle with poverty, exploitation and ignorance. This calls for renewed and vigorous efforts towards a participative and democratic social order that can bring about social change based on justice, equality and cooperation. It has been demonstrated, again and again, that a massive change in social order is facilitated through efforts in mass literacy. With over 50% of the country's population still illiterate, integrating processes that fight political, social and economic marginalization of people with mass literacy can provide the necessary vigor and capability for rapid change.

Early attempts to spread literacy met with a rather passive response. In 1989, the Kerala Shastra Sahitya Parishad (KSSP), one of the pioneering People's Science Movements (PSMs), undertook a massive literacy campaign in the district of Emakulam. KSSP made use of *kalajathas* - multimedia multi-cultural caravans - reaching out to every nook and cranny of the district to create a favorable environment for the literacy program. The district administration and the KSSP organization, along with various other voluntary mass organizations worked hand in hand. Hundreds of thousands of young men and women came out to become voluntary literacy teachers. The campaign approach of Emakulam proved to be a major success and in 1989 the National Literacy Movement decided to replicate the Ernakulam experiment nationwide in a broad-based experiment for propagating literacy, using the All India People's Science Network (AIPSN).

### **INTERNATIONAL LITERACY YEAR, 1990**

#### **The Work of Bharat Gyan Vigyan Jatha**

- creating a demand for literacy amongst the people
- building up people's organizations to implement ensuing district campaigns

The *kalajatha* was a powerful medium that packed its messages in popular cultural idioms and forms, while linking literacy with many basic livelihood problems, not excluding political aspects of exploitation, oppression and discrimination against women. The basic principles of the Ernakulam model were:

- *mobilization using local cultural forms*
- *motivating voluntary teachers to take up the actual task of teaching*
- *formation of people's structures from the district to the village levels to implement and monitor the programs.*

District administrators were expected to be active facilitators in the process. The movement became an unprecedented national mobilization, especially of the women and the rural youth, in 40,000 villages in 1,250 districts of the country. Literacy ambassadors were appointed in districts, and state coordinating units set up. The University Grants Commission (UGC) offered literacy fellowships to willing college and university teachers as part of its Faculty Improvement program.

**BGVS articulated literacy as  
a strategy  
for mobilization leading to empowerment  
which was intended to be transferable to other issues**

*When women of one small village launched a blockade against arrack liquor, it motivated the others, leading ultimately, after a prolonged struggle, to prohibition, not only in their district (Nellore), but in the entire state of Andhra Pradesh.*

*Young women volunteers played a central role in the literacy movement, which was effectively channeled into other women's empowerment areas. In Pudukottai (Tamil Nadu state), it took the form of enhanced female mobility through mass "bicycle marches" by women. Later it took the form of the creation of cooperatives by women quarry laborers. At the most general level, the literacy campaigns contributed to the women's movement's conscious attempt to fight gender stereotypes and construct a positive image of women.*

*The People's Savings Movement, started as the Podupulakshmi scheme in Nellore (Andhra Pradesh state), then in Kanya Kumari (Tamil Nadu state) and further spilled across district borders, to spread across the country. Thus the literacy drive metamorphosed into a program to generate women's employment.*

*THE BASIC PEOPLE'S MOVEMENT CHARACTER OF THE  
CAMPAIGNS, INSISTING ON A CREATIVE, LOCALLY ADAPTED  
STRATEGY AND CONSTANTLY RENEWING ITSELF EVEN WHILE  
KEEPING CLEAR OBJECTIVES, HAS BEEN AN INGREDIENT FOR  
SUCCESS*

During the nationwide Samata campaign, eight women's kalajathas were organized. Starting from eight centers of the country around March 8, 1993 they traveled for a month, covering more than 20 states, with two to three performances every day. On April 8-9, 1993, this Gyan Vigyan Jatha of women for education, equality and peace converged in Madhya Pradesh for a final rally and a national convention.

### **Initiating change from within**

From its successive campaigns on Total Literacy to Post Literacy and Continuing Education, BGVS went on to a program of science popularization and related developmental activities. From the outset, the Science Jatha (BJGVJ- Bharat Jan Gyan Vigyan Jatha) aimed at interacting with the nation's pace-setting institutions in the hope of learning from them and in turn sharing with them what was learnt through Jatha work. Eventually, a meaningful relationship evolved with some official organizations. The Councils of Science & Technology in Assam (ASTECS) and Himachal Pradesh (HPSC for Science, Technology and the Environment) became partners in the work and inspired social action groups.

## **JATHA PROJECTS STRENGTHEN COMMUNAL HARMONY AND NATIONAL SOLIDARITY**

- The SOCs of Bihar, Orissa and West Bengal took joint initiative in the field of elementary science education.
- The SOCs of Manipur, Nagaland, Assam and Himachal Pradesh organized work on the utilization of natural resources in a sustainable model.
- The Maharashtra SOC organized State-level workshops on the Universalization of Elementary Education (a Satara DOC initiative) and Watershed Planning (a Ratnagiri DOC initiative).

- The Bihar SOC selected three regional issues for special attention: problems of flood-prone zones; problems of drought-prone zones; and hill tribes development in south.
- Given its rich experience in food preservation and related activities, the West Bengal SOC organized a training program for the eastern and north-eastern States.
- The DOCs of Latur and Osmanabad Districts in Maharashtra organized relief and survey work in the wake of an earthquake.
- The BJGVJ workers of Vijayawada DOC (Andhra Pradesh) organized a workshop on Women and Health Systems - Towards an Indigenous Approach.
- The Saran DOC organized a workshop on food and fodder resources for neighboring Districts in Bihar and Uttar Pradesh.

### *Unexpected Problems*

In some local outposts, over-dependence on official agencies and their bureaucratic work styles tended to cripple the BJGVJ efforts to seek people's participation. There is confusion regarding the nature of the relationship that should exist between official machinery and a social movement. On the one hand we have those who carefully evaluate the social character of the Government development programs and judiciously link up with these to facilitate people's initiatives. On the other hand, we have those who prefer to jump on the bandwagon of Government schemes, especially if they are internationally funded and regulated.

### *The Real Challenges*

The Jatha activists must find new ways of relating to official agencies such that a participative and transparent work culture would permeate the future task of reorganizing the various BJGVJ bodies. The People's Science Jathas were faced with the need to build up working relationships with other pre-existing social movements, voluntary organizations and processes, and to establish meaningful links with like-minded streams of change and development.

### **LEARNING**

The majority of the Jatha workers acted on the presumption that they were the repositories of knowledge and wisdom and that their primary task was to merely deliver these to the passive masses. The awareness was lacking that the people's science activists had to learn at least as much, if not even more than the people themselves. Only those who know how to learn well also know how to teach well. This two-way learning process is a pre-requisite for meaningful social

### **UNLEARNING**

Unlearning obsolete ways of doing things, casting away obscurantist habits of thinking and changing ineffective styles of communication, are probably far more difficult propositions than learning afresh. Being aware of this and of the need to wage a relentless struggle against pre-determined mind-sets is more than half the battle won.

## MASS ACTION FOR NATIONAL REGENERATION MANAR: FEELING THE PULSE

*How do we move from the phase of a well-formulated Jatha program to the phase of a rather ill-defined, region-specific and plural MANAR process and still maintain a sense of common purpose?*

*What mechanisms shall promote parallelism, networking and multiple autonomy and make us conscious at the same time, of complementarity in each other's work?*

Many activists had secretly expected clearly formulated action programs, backed by step-wise instructions, guidelines, modules and scheduling. There was pressure for ensuring uniformity. It is here that we had to resist all temptations. Various consultation groups and regional conferences were organized throughout the country. Innumerable letters, reports and project proposals were exchanged, which led in September 1993 to the MANAR Preparation Phase.

### **THE MANAR PREPARATION PHASE**

We would undertake all those activities which may help to catalyze this process, introducing necessary skills and concepts, documenting and analyzing experiences and laying the foundation for a self-perpetuating MANAR. While all this is happening, it is quite perceivable that many tiny or large well-formulated projects may be initiated. However, we must always be aware that MANAR perceives projects somewhat differently from what has been the norm in Government or probably even in a large part of the voluntary sector.

- *project must emerge out of people's own initiative and reflect their perception of developmental needs and life styles .*
- *the cultural and physical resources of the people are expected to influence not just the content but also the organizational structure and the nature of their participation. We would prefer to wait and put in more energy and ingenuity in building up an appropriate social base, rather than rush into a project that might turn out to be something alien or transplanted from without.*
- *If a project is not rooted in people's genius, it is likely to begin to wither away the moment a BJGVJ activist or team withdraws from the scene. If this happens, it would only mean that we have learnt nothing from the developmental experience of the several decades since independence*



- *the activists themselves have pointed to the role of a dynamic relationship between re-construction and struggle in social transformation*

The following activities would be initiated and operated either in tandem or with considerable overlap. It is neither possible nor desirable to schedule them in any strict sense since these are expected to be taken up as per the felt need of the area or the capacity of the concerned team.

**District Conventions**, with both **Pre-Convention Gearing-up** and **Post-Convention Follow-up Components**, aimed at identifying local resources and potential participants, formulating tasks and priorities and generating people's science in villages and other localities.

**Geo-cultural Perspective Groups**, to focus attention on macro-issues, priorities and options available for social or developmental action in various geo-cultural zones of India.

**Institutional Fora** for catalyzing transformation from within various institutions from the village level upwards to the State or national level.

## **Platforms for Experimentation - Goals and Ideals**

A ***Science Corner*** (Vigyan Kona) in every Primary School

A ***Science Club*** (Vigyan Club) in every Middle School

A ***People's Science Campus*** (Jan Vigyan Parisar) in every High School which will work out ideas on the interface of science and society, including the application of science to development.

A ***People's Science for National Reconstruction Group*** in every College and University. This is envisaged as a forum which will first document information on the physical and cultural resources of a region, prepare inventories, chalk out work plans and also identify people who are willing to participate in developmental action. The focus of the forum shall be on interaction with the academic and research functions of the College | University with the objective of relating these with the social realities of the region. Eventually, this should lead to a fundamental transformation of the structure and content of curriculum, courses, examinations and research programs.

***From Research to People's Science*** (Shodh seJan Vigyan) is envisaged as a forum in our research laboratories or field sub-stations that would review the research perspective in which the laboratory needed to re-work its priorities and formulate the direction of research afresh.

***Development Through People's Science*** (Jan Vigyan seVikas) would be a forum of official and non-official development agencies, including the local industrial and agricultural organizations. This forum may review not only the policy frame and its implementation, but also look into the question of creative solutions to people's problems through participation of development-related institutions.

*People's Science for Industries, People's Science for Health and People's Science for Agriculture* are viewed as fora at various levels ranging from individual industries, health centers, hospitals and agricultural extension agencies to pace-setting or policy-making bodies at the State or the national level, such as the Chambers of Commerce and Industry, Indian Medical Association, Agricultural Prices Commission, the Planning Commission, Parliamentary Committees, the National Technology Missions, and so on.

*People's Science and Culture* and *People's Science and Media* could be effective fora for transforming the dominant perspective in which cultural bodies and media operate, often in alienation from the oppressed sections of the society.

- How do we evolve a structure that would provide ample scope for multiple autonomy and parallel, yet mutually supportive, creative processes?
- What would be the design of social organization in which people do not feel constrained and yet have the possibility of fertilizing each other's ideas, complementing each other's strengths, kindling each other's dreams and above all, working towards a common goal?
- What kind of Government funding and in what proportion is desirable and what are the limits beyond which the Government support may even begin to constrain and distort genuine participation by people? The question of funding is intricately intertwined with other questions.
- What is an appropriate organizational structure that would allow democratic participation in decision-making and encourage broad-based involvement of all sections of society?
- How do we strengthen the process of unlearning obscurantist, heirarchical and compartmentalized modes of thinking and acting? What creative measures can we adopt for promoting scientific temper, harmonious social behavior and inter-disciplinary functioning?
- What are the parameters that define sustainable development? How is this issue related with the critical need of exploring an alternative life style that is rooted in indigenous socio-cultural conditions and, at the same time, allows India to be modern on its own, rather than on borrowed, terms?
- What role can BJGVJ have in initiating transformation from the prevailing consumerist, disparity-causing and unsustainable paradigm of development to one which is humane, non-violent and environment-friendly? That is, towards a truly Swadeshi alternative in Gandhian terms?

## UNDERSTANDING MANAR

It reflects the common perception of a community regarding its priority of development and also how prepared it is to exercise the available options.

The community perception is translated into developmental action through the collective will of its members, with the people's science activist playing a critical catalytic and supportive role.

The developmental action is rooted in the local or regional context- geographic, socio-economic, political and cultural - and is conscious of the need for a sustainable relationship with the natural resources.

A genuine two-way learning process, with the activist learning at least as much as the community, continuously informs and enriches the developmental action.

A scientific approach in analyzing the direction of development as well as in undertaking mid-course corrections permeates the entire exercise.

The underlying thrust is to build up people's alternatives in development which would eventually begin to feed into the formulation of nation's policies.

While acting, the community strives to ensure democratic functioning, equity and justice, and also a sense of open-endedness.

The programmatic design shows a commitment to restructure society such that the process of marginalizing women, *dalits* and tribals is steadily reversed.

A systematic attempt to integrate the location-specific developmental action with the macro-perspective of a geo-cultural region provides the continuing basis for re-modeling of the original design from time to time.

Paralleling and networking with other similar processes such as people's movements, voluntary groups, governmental programs or individual initiatives, is a central concern .

**The real miracle is neither to walk on water nor on thin air, but to walk on earth.**

Thich Nhat Hanh  
Vietnamese Buddhist Monk

### c) *The Status of Human Rights Education in Sub-Saharan Africa*

By Pramila Patten<sup>15</sup>

#### *Background*

For decades, concerned individuals, including lawyers, journalists, trade unionists and members of religious organizations, have monitored and reported upon human rights violations, often in the most hazardous of circumstances. However, what is new for many African countries is the emergence in recent years of open and self-professed human rights organizations. Especially since the late 1980s, these voluntary associations of citizens have taken on the task of monitoring abuse of human rights, educating the people about their rights under national and international law, and making recommendations to governments about how to improve their protection of human rights.

Democratic changes have swept across Africa, particularly since the end of the Cold War, and there has been a consequent increase in space for the institutions of civil and popular society - not only human rights organizations, but also political organizations, trade unions, women's organizations, law societies and others. However, this process of democratization is only one pattern. At the other extreme are countries such as Rwanda and Liberia, where nascent human rights organizations are unable to function in situations of total political breakdown and civil war.

In countries such as Kenya and Senegal, where civil society has a stronger history, economic doctrine impedes African rights groups from addressing the impact of structural adjustment policies from the perspective of social and economic rights. It is not that human rights groups should align themselves with a single alternative view, but rather that they should take as their starting point the human impact of any policy. Thus a vital aspect of their work has to be monitoring the impact of economic policies on the economic and social wellbeing of the population. The human rights movement risks becoming marginalized if it is unable to address issues of such primordial importance.

#### **DISTINGUISHING BETWEEN VIOLENCE AND HUMAN RIGHTS VIOLATIONS**

Many African countries are plagued by *political violence*, which creates enormous difficulties for the work of human rights organizations. In an increasing number of cases this violence is *instigated by government agencies* and carried out by surrogate bodies. In part, the intention is to evade detection by human rights monitors, both local and national.

By presenting violence as somehow traditional and resulting from *deep-seated ethnic rivalries*, African governments succeed both in pandering to the common Western caricature of **the dark continent** and in evading responsibility for their own actions.

The very characterization of such abuses as violence rather than human rights violations serves to conceal their real nature and carries the implication that all bear an equal responsibility for its resolution. Thus, in South Africa “the violence” was largely instigated by the government-supported Inkatha movement against supporters of the then-illegal African National Congress. It was inaccurately represented as stemming from “tribal” rivalry between the Zulus of Inkatha and other ethnic groups. In reality, as the recent elections showed, many Zulus support the ANC and the violence is largely political in nature. In Kenya, the government sponsored members of the Kalenjin ethnic group to attack settled Rift Valley communities which were expected to vote for the opposition in the country’s first multi-party elections in 1992. Many voters were disenfranchised by being driven from their homes and sixteen government candidates were returned to parliament unopposed. Yet this repression is usually referred to as “tribal clashes.” The clearest example of the potential outcome of these tactics can be seen in Rwanda, where a government which was obliged to accept a transition from one-party to multi-party rule employed party militias to harass and repress the opposition. In that case, government tactics were well documented by human rights groups, yet the international community ignored the issue until “violence” spilled over into genocide.

This use of “privatized” or surrogate repression poses particular problems for human rights groups, not least the need to ensure that the international community clearly understands *the complicity of governments in instigating violence*. This will require greater cooperation among human rights groups in order to share an understanding of these new repressive methods. Groups will also need to develop and refine their investigative techniques in order to ensure that these abuses are fully documented.

## **CHARACTERISTICS AND PROBLEMS OF HUMAN RIGHTS NGOS**

- An “African human rights movement” is more wishful thinking than reality. The lack of contact and exchange of experience and materials among groups in different African countries is clearly recognized by human rights activists themselves, but is nevertheless difficult to overcome.
- Organizations often fail to consult with each other and coordinate their activities, let alone coordinate with other sectors of society with interests and activities in common, such as the media or the legal profession. A particularly acute example of this lack of contact and coordination lies in the split between Francophone and Anglophone human rights groups. It is sad and dispiriting that colonial political rivalries, perpetuated by post-independence governments, should continue to find a reflection in the human rights movement.

- In this, as in several other areas, the women's groups have made a stronger effort than most to overcome the linguistic division. Even where regional human rights bodies exist-- such as the Union Inter-africaine des Droits de l'Homme (Inter-African Union for Human Rights), based in Burkina Faso--they tend to be hampered by political and personal rivalries, as well as organizational weaknesses.
- Few of the organizations either monitor or evaluate the effectiveness of their operations in order to integrate these lessons into the next stage of their operation and development.
- A vast number of groups define their main function as "human rights education" - a rubric under which a wide variety of activities take place. Unfortunately, the methodology and the content of many such programs are ill-defined and inappropriately targeted. A clear need exists for human rights organizations to better conceptualize and execute such educational programs, not only to ensure their relevance to the community addressed, but in order to carry them out in a sustainable fashion.
- The work of most human rights groups in Africa has tended to focus predominantly, if not exclusively, on rights in the civil and political area - freedom of expression and association, political participation, the right to be free from arbitrary detention and torture. This emphasis is perhaps due in part to the significant involvement in human rights initiatives of lawyers, journalists and other professionals whose interests and activities tend to be substantially affected by infringements of these types of rights. It is essential to the future effectiveness of human rights organizations in Africa that they broaden their work to include economic and social rights. At the same time, groups that have sought to do this have often been seriously constrained by the lack of involvement of individuals - social workers, statisticians, medical professionals, economists - who have the expertise that an organization needs to be able to monitor and report effectively on these rights. In addition, many groups have the perception that donors are less interested in supporting work on economic and social rights.
- In many countries, there is a tendency towards duplication and overlap among groups and a significant lack of coordination in their activities.
- Most groups are based in towns - and above all in the capital city - in a continent where the population remains overwhelmingly rural. The capital cities have their own dynamics and are often not representative of the human rights issues which most people face in the rural areas or even in provincial towns. Church groups have generally been more effective in this regard - probably because they have a ready-made national network, and other human rights organizations could usefully modify this experience to suit their own aims.
- Human rights groups are not immune to the ethnic, racial and class divisions, which affect

the societies in which they operate. This is most striking in the human rights organizations in southern Africa, which inevitably reflect the division of labor imposed by the racist states of South Africa and Rhodesia.

- Elsewhere, human rights groups may be perceived as reflecting ethnic biases, especially in a situation where violent ethnic conflict is a major human rights issue. Monitoring such situations can be particularly difficult if a human rights worker belongs to one or the other of the ethnic groups involved in the conflict; his or her impartiality is likely to be called into question. In other situations human rights groups may also reflect the concerns of the dominant (and particularly urbanized) groups in society rather than marginal groups such as pastoralists, hunter-gatherers and other minorities.
- There is a lack of internal processes to include program level staff, such as staff attorneys, researchers or journalists, in decision-making. Many of the organizations visited were “one man shows”. Sometimes, this may be due to funding constraints, but even in the organizations with a large staff, the head of the organization dominates, often making decisions with no consultation with anyone at all.
- There is a noticeable dearth of women in professional positions in African human rights organizations, except for those specifically dedicated to women’s issues. The organizations need to think about genuine ways in which they can bring women into leadership roles in the movement.

## **TRAINING NEEDS OF AFRICAN HUMAN RIGHTS NGOS**

### **Fact-finding, investigating and monitoring**

The investigation and reporting of abuses is seldom identified as a training need and is not a popular area for funding. A large number of groups could benefit from training in investigating abuses of economic and social rights. Some groups require sophisticated training in forensic techniques, while others need basic training in establishing and checking facts.

### **Monitoring**

This category includes monitoring demonstrations, elections, trials and media reporting.

### **International and regional standards and mechanisms**

The potential uses of international human rights standards and mechanisms in the work of an organization depends on the susceptibility of the government to international pressure and the status of international law in the domestic legal system. Of particular importance would be training in the application of international standards on economic and social rights. In many countries, however, there is such a lack of understanding about the potential uses of international standards

and mechanisms that groups are not even aware of the value that training could have. In many of the francophone countries, for example, it is constitutionally permitted to apply international law in the local courts, but it is rarely done. In Nigeria, however, where the African Charter applies as local law, the human rights groups have succeeded in educating themselves and the court system as to its uses.

In South Africa there is now some consideration of the potential use of the United Nations instruments and procedures but none of the African Charter on Human and Peoples' Rights. In general, the women's groups across Africa have tended to be more sophisticated about the uses of international mechanisms.

### **Legal Aid**

Although a large number of organizations in Sub-Saharan Africa provide legal advice and assistance, the demand far exceeds existing capacity, particularly in rural areas where there is a dearth of lawyers willing and able to provide free legal assistance. In this context the use various organizations make of paralegals - non-lawyers trained to provide a wide range of advice and assistance on legal issues - becomes a key to the ability of organizations to respond to the demand they face from the population. Training needs in this area include such questions as how to structure and operate an organization using volunteer lawyers, how to ensure that legal assistance is available to rural populations, and how to train individuals to provide effective paralegal services.

### **Campaigning and lobbying**

Lobbying or the use of public campaigns depends on the particular conditions in the country and its human rights groups. Press releases, billboards and government lobbying which might be useful in a country with a relatively strong government or an engaged population would be useless in a country, such as Zaire, where there is neither. Thus strategic planning is crucial, with a particular need to identify how information can be most effectively used. Once this is done, training in specific campaigning techniques could be useful.

### **Documentation**

Documentation, in one form or another, is a need for all groups, whether it is to document the group's own investigations or to create a resource center serving the community. In some countries one group has emerged which is able to act as a documentation center for the human rights movement as a whole. Training would have to consider both documentation techniques and the uses of documentation.

### **Popular education**

This is perhaps the area in which African human rights groups have most experience and expertise, since almost all are engaged in human rights education at one level or another. Nevertheless, the continuing need for popular education in human rights is overwhelming.



Sharing of information among African human rights groups regarding strategies and techniques, as well as actual training materials, would be most useful.

Excellence in a specific area of work does not automatically translate into excellence in teaching others how to do that work, and this is no less true in human rights than in other fields. At the same time there are currently very few programs in Africa, or elsewhere for that matter, that in any substantial way train experienced human rights workers how to translate their experience into teaching materials and training programs for others.

## SOME TRAINING METHODS FOR AFRICAN NGO'S

### Internships or professional

#### attachments

Organizations who had hosted interns expressed mixed opinions about internships, questioning the usefulness of interns to their ongoing work. At the same time these same organizations usually expressed interest and willingness to be involved in exchanges with colleague organizations that refer students from universities in the U.S. or Western Europe. These typically spend two to three months in the host country. The organizations' reservations often seemed to focus on:

- the lack of preparedness of a number of the interns
- the lack of serious attention by a number of the interns to the work to be done
- the inability of interns, in such a short period of time, to make any significant contribution to the ongoing work of the organization.

#### Exposures or study tours

These are short-term visits to an organization or organizations of a few days up to a couple of weeks. They rarely enable any in-depth skill development to occur. On-site training occurs when an individual with experience in a specific area or areas of human rights work provides training to the staff, volunteers or members of an organization at the organization's locale. This can often be the most cost-effective means of enhancing the skills of a number of staff within one organization.

If the full training potential of experienced human rights organizations or individual activists in sub-Saharan Africa is to be realized, programs focused on the pedagogy of skills training will need to be established to assist experienced activists to develop their capacity to train others. It would be most logical and cost-effective that such programs would be developed in Africa itself.

## EFFECTIVENESS

### *Report on the Effectiveness and Strategic Planning of Cambodian Human Rights Grantees*

By Stephen P. Marks

#### *Introduction*

The effectiveness of human rights education (HRE) cannot be assessed in the same way as formal education through such indicators as enrollment figures and test scores. Because it is holistic, participatory, community-based and related to social and economic change, HRE is effective to the extent that it is relevant to the learners' lives and their relationships with family, coworkers and the community. Whether and to what extent organizations engaged in HRE effect change at these levels depends on the prevailing political and economic climate, their institutional capacities and methods and their pedagogical assumptions.

This article considers these three aspects of effectiveness of human rights education by examining the problems facing human rights organizations in Cambodia that apply HRE in one form or another. It draws on an assessment of these organizations carried out by the author for the Asia Foundation when he was human rights advisor for Cambodia in 1998, updated with some more recent observations in 2003. It should be noted that the opinions expressed in this article are those of the author and do not necessarily reflect the view of The Asia Foundation or the United State Agency for International Development, which funded the assessment.

Some of the concerns regarding the effectiveness of HRE in the Cambodian setting will have parallels in other countries where a vibrant civil society is struggling to implement human rights under similar conditions of persistent human rights abuse, widespread poverty, corruption and illiteracy, negative impacts of globalization, combined with tremendous human potential, formal commitments by government to democracy and human rights, enhanced expectations of civil society and considerable support from the international community for efforts to enhance democracy and human rights.

The method used was to engage in extensive dialogue with the interested groups and their supporters and funders to learn what constraints they were facing and how they were responding. The summary of the findings of this assessment regarding the background is provided in Part One below. Part Two deals with some of the constraints on the effectiveness of the NGOs engaged in HRE. Part Three suggests some ideas for rethinking the pedagogy of HRE and examines an action proposal aimed at encouraging such rethinking. Many of these ideas developed at the time have been implemented and, by 2003, Cambodia found itself once again struggle to re-establish political stability following

a national election characterized by intimidation and violence; the presence of the Cambodian Office of the High Commissioner for Human Rights (COHCHR) was once again under pressure; and local NGOs and their international partners were again in a process of a rethinking their priorities and methods for furthering human rights and democracy. Funding for human rights awareness and HRE more generally had become a lower priority for the US Agency for International Development in favor of more aggressive use of monitoring, investigation and litigation, thus necessitating increased support from other sources if the momentum for HRE is to be maintained. Such shifts in funding priorities are not uncommon and the prospects for HRE in all countries is a function of strategic thinking by NGOs, the evolving political climate and shifting priorities of international partners. In this sense, Cambodia is typical of how effectiveness for HRE can be addressed.

### ***Part One: The Prevailing Climate***

Cambodia, which has had a tormented history of repression, civil war, genocide and international intervention, has been on a difficult road to democracy for the past decade. It has the potential of becoming a prosperous Asian democracy, capable of providing for the welfare of its 12.5 million people, four-fifth of whom live from subsistence farming, and contributing to the stability of the region. On the positive side, Cambodia enjoys a growth rate of over 6%. It has a constitution that is generally protective of human rights and civil society NGOs continue to flourish. Stability and growth are positive features but the people will not benefit from them unless and until human rights are protected under the rule of law.

Cambodia is struggling through a democratic transition, which began in September 1991 with the entry into force of the Agreements on the Comprehensive Settlement of the Cambodia Conflict (Paris Agreements). A democratic transition consists in the replacement of an authoritarian regime by an alternative form of government with three essential democratic elements: competitive elections, a constitution or basic law establishing a legal basis for a democratic regime, and the basic elements of participation by the population in political and civic life.

Cambodia has ratified the seven principal human rights treaties and the Cambodian Office of the High Commission for Human Rights (COHCHR) has worked laboriously with the Royal Government on the preparation of reports under the first six of these treaties, but few people in the government understand the obligations the government has accepted nor have they the inclination or power to bring legislation and practice into conformity with them. Yet they all raise urgent problems for human rights that cannot be solved at the level of political elites by adopting laws and writing reports. They require the active engagement of civil society, which HRE is singularly designed to stimulate toward that end.

Democratic consolidation requires much more than free and fair elections. Political scientists generally agree that a transition to democracy is not complete until and unless:

- the population no longer fears the agents of the state as exercising arbitrary and authoritarian forms of power
- leaders separate their public and private spheres of activity
- public authority is held accountable and subject to control by independent professional or judicial supervision acting in the public interest
- human rights are protected under the rule of law and an independent judiciary
- 

#### **Possible tightening of restrictions on NGO funding and freedom of**

**action:** The extraordinary freedom and influence enjoyed by the Cambodian human rights NGOs is due in large part to the government's dependence on foreign aid and awareness that donors and international organizations are not likely to provide infrastructural and institutional support to government sectors if their freedom to support civil society organizations is limited and if human rights groups, whom these donors and organizations have helped train and know well, come under repressive measures.

#### **Probable reduction in the amount of financial support foreign donors will**

**be able to provide to them:** The Cambodian offices of bilateral and intergovernmental agencies tend to favor continued and increased support for human rights NGOs for the immediate future. However, decisions made in foreign ministries, by national parliaments and foundation senior management and boards of directors determine the quantity of resources made available to those field offices. Australian, Canadian, European and Japanese national agencies and inter-governmental organizations, which have been the strongest supporters of these NGOs in the past, along with the US, are under constraints to consider that the stability hoped for from the 1998 and 2003 elections will allow them to reduce the priority they have placed in the past on Cambodian civil society. The "war" against terrorism also puts pressure on them to consider other priorities in other Asian countries. Although political support for Cambodian civil society has been great among the donor community, their priorities for certain issues, such as HIV/AIDS and trafficking, may limit the opportunities to support HRE work according to locally established priorities.

#### **Possible departure of the Cambodia Office of the United Nations High**

**Commission for Human Rights (COHCHR):** The COHCHR has provided considerable financial support to the human rights NGOs, as well as technical support, training and a degree of protection. However, periodically the Royal Government threatens not to renew the UN Memorandum of Understanding authorizing COHCHR to operate in the country. If that should happen, the HRE work of local NGOs will lose a natural ally and source of support. The more general importance of this vulnerable situation for HRE is that UN agencies, such as the OHCHR, UNDP and UNESCO, have a mandate to support HRE and local NGOs but also have to accommodate their principal clients in the country, namely the government. Ideally the interest of the government and NGOs should coincide in HRE but where that is not the case UN support for independent HRE efforts is vulnerable.

## ***Part Two: Challenges to the Effectiveness of Local NGOs Engaged in HRE***

HRE cannot succeed unless and until it becomes part of the educational setting of the Cambodian people, which means not only in the formal education system but primarily through non-formal and informal educational settings. The informal educational environment depends on the capacity of local NGOs, primarily those with an explicit HRE mandate, to function effectively. Four impediments to that effective functioning are currently being addressed by the local NGOs and their international partners.

### ***Internal Governance***

The traditional pattern of creation and management of NGOs in Cambodia tends to be dependent on one or two persons (usually having gained relevant experience in the border camps or in exile abroad) who come up with a solid idea, convince one or more donors to support the creation of an institution and hire staff to carry out tasks and serve at the will of the founder. As staff increases, departments and provincial offices may be created with coordinators to head them. The typical structure of the groups deployed in provincial capitals is an office with one coordinator, one or two investigators, one educator and one administrator. Many lack computers and cars and there is a considerable gap in the capacity of these groups to have an impact on the human rights situation locally. It is rare that the organization's structure, programs and decision-making reflect the elementary principles of sound management. The principles that are generally neglected are:

1. Decision-making authority on general policy and hiring of the executive director should be the responsibility of a board with a vision for the organization but whose members have no financial or political interest in the products of the organization's work.
2. Real authority should be delegated to department and provincial heads so they can learn to exercise leadership responsibly over programs, leaving execution and planning of general policy and fund raising to top management.
3. Current leadership should nurture a second generation of senior staff capable of deputizing for the historical director and eventually capable, should the board or other independent selection process so decide, to take over top leadership.
4. Senior management and the board should agree upon a clear definition of the organization's mission with integrated goals, objectives, and actions according to a realistic timetable.
5. The board should establish a financial management system with transparency in decision-making and utilization of financial resources so that staff and donors know exactly who is responsible and what is being spent for what purpose and with what impact. Even when financial control is established to meet donor requirements, several cases of improper

accounting and misuse of funds has led donors to cut off support and jeopardized the very existence of at least one major NGO specializing in HRE.

*Meeting these conditions is beyond the capacity of most Cambodian NGOs (and poses problems for NGOs in all countries). There are really four sets of problems, which require skill that are only acquired over time.*

**Institutional oversight:** It is rare that a board of directors exists and when it does it is usually a list of prominent names rather than a decision making body. There is a long socialization process to familiarize the board with its oversight responsibilities and, with a few exceptions, this has not yet happened.

**Delegation of responsibility to program managers:** Staff tend to see themselves in a rigid hierarchy under a charismatic leader and have little experience with participating in decision-making or thinking creatively about the future and have little inclination to do so.

**Preparation for succession:** A related problem is the failure to upgrade skills of the next generation of staff to take over leadership from the current one, two or three persons who guide the organization. The dilemma is that upgrading of skills of Khmer staff who have not had experience abroad is slow and expensive and it is not surprising that very few people besides the leaders have had such opportunities.

**Strategic planning:** Strategic planning is a weakness of NGOs even in the most developed countries and, in Cambodia, the most enlightened and dynamic leaders are so busy with the day-to-day running of the organizations that they have not got the time to engage in such thinking.

## **CAPACITY-BUILDING IN DATA ANALYSIS AND COMMUNICATION**

The problem for all monitoring groups is inadequacy of skills in collecting, analyzing, presenting, communicating and following up on data concerning violations of human rights. Collecting and transmitting to the government or the UN events data is a highly successful role NGOs have acquired the capacity to perform. However, the long-term effectiveness of the organizations doing this type of work, particularly if the COHCHR is closed down, requires that they know how to analyze the data themselves, draw trends and present them convincingly, including in ways that meet evidentiary standards, and design and implement their own strategy for obtaining results, rather than relying on others to do so.

## *Broadening The Thematic Focus Of Grantee Programs*

The training of agents of the state, particularly the police, the military police, and civil servants, comes closer to the narrow meaning of training in the sense that the content is usually the application of human rights standards, contained either in international human rights instruments, in the Cambodian constitution or in the Transitional Provisions on the

Judiciary and Criminal Law and Procedure (UNTAC Law). The trainees learn the rules by which their behavior should be governed.

In the early 1990s, virtually every person detained or imprisoned in Cambodia had not been charged or tried in accordance with the most elementary principles of due process. Torture was systematic, summary executions common, and prison conditions were deplorable. Political violence raised doubts about the possibility for the United Nations Transitional Authority in Cambodia (UNTAC) to hold the elections required by the Paris Agreements under conditions of neutrality. The investigation unit of the Human Rights Component within UNTAC devoted most of its energies to these violations. Human rights NGOs at the time were reluctant to engage in human rights monitoring but with the protection of the UN, began learning techniques of human rights investigation from the UN, the Task Force Detainees of the Philippines and the International Human Rights Law Group. There was a natural inclination to follow the pattern set by the UN and always focus on the same four types of violations: summary execution, torture, arbitrary detention and prison conditions. While these need continued investigation, the magnitude of these problems has been considerably reduced. Torture is frequent but no longer systematic. Most detained persons are charged within 48 hours and tried within six months. After a decade, the NGOs have begun a process of considering a more effective division of labor in their investigations and a wider range of human rights issues.

*However, such training will not effectively impart skill unless the methods do more than enhance knowledge. They have to communicate values and attitudes and induce modification of patterns of behavior.*

The problem here is the lack of depth of pedagogical insight, without which HRE is hit-or-miss and a results-oriented human rights training and education effort is unlikely. My premise is that NGOs engaged in HRE cannot be expected to have an impact in this area unless and until their educational activities are based on an understanding of how people learn and what results derive from different approaches to education. Too much *briefing* is repeated under the guise of *training* or *education* without rigorous standards for measurable skills acquisition through effective training or alteration of consciousness through education in the deepest

sense of the term.

The most extraordinary feature of HRE in Cambodia is the extent to which state institutions at the provincial and district levels rely on and welcome NGO training.

However, after a decade of human rights teaching and training covering impressive numbers of Cambodians in different social roles, it must be acknowledged that the peasants in villages, constituting 85% of the population, do not necessarily benefit from the strengthening of the role of the state, even if the police, judges, prosecutors, military, and civil servants receive human rights training. HRE has to be adapted to the needs of this largely illiterate segment of the population, beyond mass media dissemination. With a view to improving the effectiveness of human rights NGOs in Cambodia, twelve action proposals were formulated.

They are listed here in order to give readers an idea of how the author's assessment of the HRE situation in Cambodia was conducted. In each case, the problem to be addressed was briefly outlined, followed by suggestions for responding to the problem, the stages of implementation in addressing the problem, a list of possible cooperative partners, the estimated costs, and who would be in charge of follow-up. Extracts from one example of an action proposal related to HRE will follow.

#### ***A. ACTION PROPOSALS RELATING TO INTERNAL GOVERNANCE***

AP1: Planned Human Resource Development

#### **B. ACTION PROPOSALS RELATING TO THE THEMATIC FOCUS OF GRANTEE PROGRAMS**

AP2: Strategies for linking human rights and social justice concerns

AP3: Public health and human rights policy impact assessments

AP4: Human Rights Advocacy relating to Small Weapons

AP5: Human Rights Action Program on De-mining and Land Use

AP6: Creating human rights communities

#### **C. ACTION PROPOSALS RELATING TO THE EFFECTIVENESS OF HUMAN RIGHTS EDUCATION**

AP7: Human rights education project: a holistic approach to learning

AP8: NGO implementation of the UN Decade for Human Rights Education

#### **D. ACTION PROPOSALS RELATING TO THE EFFECTIVENESS OF HUMAN RIGHTS MONITORING**

AP9: Training in Human Rights Data Analysis and Security

AP10: Effective access to and use of UN human rights procedures

AP11: Task Force on the Creation of a National Commission on Human Rights

AP11: Cambodian Campaign for Justice and the Rule of Law

AP12: Critical review of pending legislation

These proposals cover a broad range of issues, reflecting the concerns and priorities of the local human rights groups consulted. The specific interventions relating to HRE were proposed as follows:



## AP7: Human rights education project: a holistic approach to learning

The activities of human rights education (HRE) in Cambodia can be summarized in three types or modes of learning:

- “Briefing” in which a person supposedly possessing knowledge attempts to communicate information to learners through lectures and distribution of documents, often followed by a question and answer period. Some NGOs acknowledge the nature of this form of communication by calling it “dissemination;” others conduct what they call “training” or “education,” even lasting several weeks, but its impact is of the nature of a briefing. The best that can be hoped for from the learners is a certain awareness of the issues. This form of learning has definite value but it is limited.
- “Training,” in which skills are imparted by a trainer to trainees in such a way that they become capable of performing certain tasks that they could not perform before the training. The trainer often applies interactive and participatory teaching methods, such as a simulation or role playing. This mode is applied especially to HRE directed towards police, gendarmes, prisons officials, teachers, and civil servants, including judges and prosecutors.
- “Education,” used here as a process of acquiring new ways of thinking about and understanding the world. In the jargon of educational theory it is cognitive, attitudinal and behavioral. From the human rights perspective, such learning should contribute to understanding and acting on the basis of a holistic approach to human rights.

The human rights NGOs in Cambodia all do briefings, and many do training, but almost none does education. The vague awareness that comes from briefing is valuable but must not be confused with “usable knowledge.” Training is valuable as “useable knowledge” when the learner, for example, a police officer, actually learns how to bring an accused before a judge, or a medical officer learns how to examine a rape victim, and *then practices what has been learned*. The evaluation of the impact of such training is usually limited to exit quizzes about how many rules the trainees have been able to recall but not about whether their behavior as law enforcement or medical officers has changed. The challenge here is to ensure that the good training that is conducted results in improved human rights practice by the target audience.

A special case is training of teachers. Much of the good training is in classroom comportment of teachers, such as showing respect for pupils, imparting in them a spirit of respect for and willingness to help their comrades, and encourage curiosity and group problem solving. These skills are improvements over traditional hierarchical relations between teachers and pupils and rote learning of subjects and are conducive to productive discussion of human rights in the classroom.

However, such “human rights teaching methodology” should not be confused with HRE as described above. The holistic approach to HRE is where the most progress can be made in Cambodia. Another way of describing it is a “reconstructionist.” Betty Reardon writes:

“Teachers who undertake human rights education usually do so with the general purpose of developing the capacity to engage in social change. For such purpose, a reconstructionist approach demonstrates how human rights movements emerge, gain social support, and produce both attitudinal and legal-structural changes in society. When such an approach is presented in a conceptual, values-based framework, it can be used to complement the historical or international standards approaches. It can also stand on its own as an avenue for demonstrating to learners the possibilities for using knowledge of human rights to directly affect the works in which they live.”

More specifically in human rights terms, this mode of HRE engages the learners in analyzing the structures and processes that result in victimization through human rights violations, especially their own victimization, and encourages them to work together on strategies to overcome those obstacles to the realization of their rights. Human rights concepts and protection mechanisms are brought into the learning process by the “facilitator” (a more accurate term than “teacher”) only after the learners have reached, on their own, a level of analysis in which those concepts and mechanisms are relevant to and useful for their strategies of change. The human rights concepts and mechanisms are thus never presented as abstractions which the audience is expected to learn, but rather elements of a process they “own” in their transformation from “objects” to “subjects” of history, to borrow the terminology used in the “pedagogy of the oppressed.”

In the non-formal educational environment, HRE is aimed at “empowerment,” which Richard Claude defines as “a process through which people and/or communities increase their control or mastery of their lives and the decisions that affect their lives. Non-formal human rights education for empowerment does not treat students simply as receptacles to be filled with useful ideas and information, as if knowledge is an object to be received rather than a continuous process in inquiry and critical reflection.”

There is experience with HRE adapted to the realities of people’s lives and curricular methods and materials geared toward “reconstructionist” or “empowerment” education as described above. Examples for primary and secondary schools are found in Betty Reardon’s *Educating for Human Dignity* and for non-formal education in Richard Claude’s *Bells of Freedom*. The international NGO, People’s Decade of Human Rights Education has promoted this approach worldwide.

Activities proposed here will introduce the human rights grantees to the distinctions between briefing, training and education and will encourage them to re-examine their approaches to the target audiences they address. The process of overhauling basic instructional materials and especially of radically altering the pedagogical goals of courses is a slow one and is likely to be resisted by senior staff, who are afraid of complicating relations with donors, and by educational staff, who are set in their ways.

## **The two principal changes contemplated for NGOs shifting from a human rights teaching methodology to reconstructionist human rights learning are:**

a) to review the objectives and methods of "training" and redefine the curriculum and instructional methods as well as evaluation techniques to reach those objectives; and

b) to reflect on and test HRE adapted to the lives of the learners, especially at the so-called grass-roots level.

The process can only work if the NGOs develop their own commitment to more effective task-oriented training and to HRE that is responsive to the realities of peoples' lives. To do this it is essential that they work out learning exercises with groups of learners, similar to what was done with Action Professionals Association for the People, Addis Ababa, Ethiopia. A human rights educator would work with a group of villagers, monks, police officers, students, or even a mixed group as a pilot group to develop the methodology.

The group would decide on the kinds of materials and methods to use. This process can take two weeks of constant brainstorming. The important element is to involve people who represent the constituency of learners.

The proposed states of implementation for this project are as follows:

1. Conduct a workshop with the principal NGOs that have expressed an interest in exposing their education staff to a wider range of pedagogical approaches than they currently engage in.
2. Approach the other NGOs that engage in HRE to explore whether there is any interest. It might be necessary to alert them to the limited impact of their educational efforts without challenging the value of the tremendous effort they have put into education.
3. Adapt and translate one or more chapters of the leading HRE manuals (such as those by Reardon and Claude) and support NGOs in pilot testing them, preferably when Richard Claude can be present to observe and guide.
4. Consider proposals for revamped educational programs of NGOs based on the principles above.

### ***Final Remarks***

Since emerging from decades of civil war, occupation and repressive leadership, Cambodian society is struggling to establish a stability and peace based on Buddhist principles and human rights. Cambodians in exile during the 70s and 80s and many who stayed in Cambodia throughout those years of deprivation, have created a remarkable set of human rights organizations, many of which place HRE at the top of their agenda. Given the constraints under which they operate, they have been remarkably effective. The observations presented in this report reflect efforts taken in 1998 by the Asia Foundation to work with their human rights grantees to improve their effectiveness. The Asia Foundation and other donors have been continuing this effort and many insights have emerged.

The election of 2003 was the third time since emerging from civil war that Cambodia made a major stride in democratic transition, with all the problems of intimidation, violence, inefficiency that were present in 1993 and 1998 but also with incremental improvements.

The strategic approach to effective HRE proposed here was in three stages, First was to survey the prevailing political and economic climate in order to map the constraints on and opportunities for HRE that is responsive to the contextualized needs of the society. The second step is a critical review of the institutional capacities of the organization best positioned to facilitate effective HRE. The third is to look critically at the currently applied pedagogical assumptions with a view toward the application of “reconstructionist” and “empowerment” dimensions of HRE. Once these strategic steps have been taken, an effective HRE program can be put in place. This process has advanced in Cambodia but human rights NGOs and their partners continue to face the same issues of effectiveness in terms both of their institutional capacity and as agents for HRE. This experience may be of value in other countries, especially those emerging from conflict, as they see HRE as a means of translating participatory democracy from formal political commitment to actual experience of the people.

