

# models *of resistance*

*October 25-26, 2005*

*Menam Riverside Hotel, Bangkok, Thailand*

# Introduction

Rwanda. 9/11. Sri Lanka. East Timor. Bosnia. What images do these words automatically evoke in our heads? Conflict. Terrorism. War. Victims. Pain. Suffering. While pain and suffering are inevitable aspects of all conflict and violence, why do media representations focus only on these aspects? Why do we rarely see images of struggle and resistance? Why is the media emphasis on teary-eyed victims recounting narratives of ‘pain and suffering’, rather than on survivors of political violence demanding accountability and justice?

In a first of its kind initiative, individuals who have been affected by armed conflict, war, political and/or fundamentalist violence in different parts of the world came together to:

- Share and explore models of survivor-led advocacy
- Analyze media representations of these phenomena
- Analyze the responses of mainstream human rights communities and other advocates in such situations
- Show the incredible resistance and creativity that exists among survivors

*“Think about all of us – survivors – and the incredible resistance and creativity that exists. What you don’t see vs. the images you do see. Both are parts of us.”*

Terry McGovern

9/11 FAMILIES FOR TRUTH & HUMAN RIGHTS,  
WOMEN’S HEALTH & HUMAN RIGHTS INITIATIVE,  
COLUMBIA UNIVERSITY  
*USA CONVENOR, MODELS OF RESISTANCE*

The overall goal of the meeting, *Models of Resistance*, was to examine the strategic significance of victim-led models of resistance. The two-day meeting was organized by the Women’s Health and Human Rights Initiative, Columbia University, New York, in collaboration with four organizations: Creating Resources for Empowerment in Action (CREA), India; Women Living Under Muslim Laws (WLUML), Asia coordinating office, Pakistan; Association for Women’s Rights in Development (AWID), Canada; INFORM, Sri Lanka.

The 25 participants at this historic meeting included survivors of armed conflict in Sri Lanka, genocide in Rwanda, the 9/11 attacks in New York City; women’s rights advocates; donors; lawyers; and academics. Some came to share their struggles and sharpen their strategies, others came to listen and learn. All were interested in understanding and developing forms of advocacy across different issues – in which there is a central role for people directly affected by an issue.

# The Narrative of ‘Pain and Suffering’: What’s the Point?

The meeting began with a 6-minute montage of mainstream media images drawn from wars and armed conflict around the world. Image after image showed teary-eyed individuals, devoid of any identity other than ‘victim’, speaking of the pain and suffering they had endured in one situation after another. “There is no context, no substance,” said Terry McGovern, convenor, *Models of Resistance*. “Just them telling us of the violence. What’s the purpose?”

It is not only mainstream media that represents war and armed conflict in this way. Many human rights reports and testimonials that document such situations follow much the same narrative, with victims speaking only of the violence they have endured, of their pain and suffering. Few representations show victims demanding justice, or document resistance and survival.

Are images of pain and suffering strategically useful anymore for human rights and women’s rights advocates? Is there an advantage to showing identity-less victims expressing pain? When does this feed into the media concept of ‘suffering as entertainment’? Do we need to do things differently now? These questions were the trigger point for *Models of Resistance*.

“We all know these images of suffering. These images are often laced with racism, sexism, arrogance. Are these images documentation – or are they mere entertainment?”

Terry McGovern

9/11 FAMILIES FOR TRUTH & HUMAN RIGHTS,  
WOMEN’S HEALTH & HUMAN RIGHTS INITIATIVE,  
COLUMBIA UNIVERSITY  
USA CONVENOR, *MODELS OF RESISTANCE*

## section 1

# *Survivors and Advocates Speak: Rwanda, 9/11, Sri Lanka, Gujarat*

The bulk of the first day was spent listening to women who have gone beyond their pain and suffering, used their ‘victimhood’ to create change and have emerged as activists and leaders in the process.

# *I. Survivors from Rwanda*

The Rwanda panel consisted of:

CONSOLEE MUKANYILIGIRA

l'Association des Veuves du Genocide Agahazo (AVEGA)

ANNICK KAYITESI

Advocate for children affected by genocide

## context

*“When we think of justice,  
we need to think of legal  
justice vs. civil justice.  
Even when you achieve legal  
justice, you don’t always  
achieve justice in society.”*

Farida Shaheed

SHIRKAT GAAH WOMEN’S RESOURCE CENTER,  
PAKISTAN  
FACILITATOR, RWANDA PANEL

From April to July 1994, more than 1 million people were killed in the Rwandan genocide. At least 250,000 women were raped during the genocide, and a large number then executed. It is estimated that 70% of the women who survived are infected with HIV.

The genocide was rooted in the ethnic conflict between the Hutus and the Tutsis, and was triggered off by the assassination of the Hutu President of Rwanda in April 1994. Within hours, the Hutu Presidential Guard began slaughtering Tutsis and moderate Hutus, with the youth military arm mobilizing followers by radio to join in the killings.

The UN Special Rapporteur for Rwanda subsequently concluded that Rwandan authorities had committed genocide and that the Hutu administration, security personnel and militia were guilty of violations of international humanitarian law. In response, the UN Security Council established the International Criminal Tribunal for Rwanda in November 1994 in Arusha, Tanzania.

# Justice Has Not Happened

## CONSOLEE MUKANYILIGIRA

l'Association des Veuves du Genocide Agahazo (AVEGA)

AVEGA started its work when 50 widows of the Rwandan genocide got together in 1995 in the capital of Kigali. “In the beginning, those 50 women gathered together just to cry, to speak about lost ones, family, houses,” said Consolee Mukanyiligira. “After crying, they started to work together and became spokeswomen for all those widows.” Today, AVEGA has 25,000 members – all widows who have survived the genocide – in Rwanda’s 12 provinces.

AVEGA aims to give justice to its members and reintegrate them into society as full citizens. Its programs consist of:

- The *psychosocial medical program*, which provides social assistance to women affected by the genocide.
- The *development program for widows and orphans*, which provides initial funding for income-generation initiatives.
- The *advocacy information and justice program*, which defends and promotes the fundamental rights of widows and survivors.



- The *institutional reforms program*, which creates a supportive environment for its members.

Additionally, one of AVEGA's major tasks is to facilitate compensation to the survivors of the Rwandan massacre, who lost houses, property, jobs, everything. However, this has not been made a national priority. "This is the responsibility of the whole world, the United Nations – to put together a fund to rehabilitate victims," said Mukanyiligira. "Especially since the international community sat and watched and did nothing while this took place."

AVEGA is fighting to secure legal justice for survivors of the Rwandan genocide. There are three legal systems that survivors can turn to:

- The Rwandan national courts, where genocide trials are being held under a specific constitutional law adopted in 1996. About 7,000 individuals had been tried under this law through 2002.
- The UN-mandated International Criminal Tribunal for Rwanda that is held in Arusha, Tanzania to try crimes against humanity committed in 1994. Thus far, the tribunal has indicted 83 people and delivered 19 judgments involving 25 people.
- The *'gacaca'* system, literally meaning 'justice on the grass'. This old customary legal practice of community policing conducted by elders was revived in June 2002, when it became clear that the number of suspects was overwhelming. It has conducted trials for thousands of individuals at community and district levels.

"Because it was genocide, it has to be seen as a crime against humanity and responded to by humanity as a whole."

Consolee Mukanyiligira  
AVEGA  
SPEAKER, RWANDA PANEL

## section 1

AVEGA receives over 4000 requests for legal assistance each year, and helps those who are unable to represent themselves. It provides lawyers, facilitates paperwork and procedures, and follows up cases.

“The justice system in Arusha is not working,” said Mukanyiligira. “Victims are not getting the justice they desire.” Although people had faith in the UN-mandated tribunal when it was set up in 1997, that faith has now eroded.

The system is slow, with very few cases taken up each year even though a full infrastructure exists. Only 19 judgments have been handed out, and new cases are not being accepted since the tribunal is supposed to wind up in 2008. And it is easier for the perpetrators of crimes to get legal assistance than the victims.

The survivors’ association has complained that the tribunal has people working on it, who directly or indirectly had a hand in the genocide. “How can this result in justice?” asked Mukanyiligira. “How can you have faith in a tribunal where women who were raped are being ridiculed by lawyers and investigators?”

AVEGA has been boycotting the UN-mandated tribunal since 2002 for many reasons. Those involved in the tribunal do not represent the interests of survivors. Women plaintiffs are treated badly. There is no representation of civil society. “We have temporarily halted cooperation with

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Consolee Mukanyiligira

AVEGA

SPEAKER, RWANDA PANEL

the tribunal,” said Mukanyiligira. “If the tribunal were to change the way it functions and treats women, then we would cooperate.”

Instead, many survivors are placing their faith in the community-based *gacaca* process, which the government recognizes as a legitimate method of securing justice. The *gacaca* aims to speed up the accountability process by bringing people together to learn not to forget, ensuring that truth is spoken and heard, banishing all impunity, and reconciling people in the community. “Through *gacacas*, we are trying to bury our dead,” said Mukanyiligira.

However, some survivors fear that this process will bring killers back into communities and whitewash crimes in the larger interests of community reconciliation. The confession procedure is a cornerstone of the *gacaca* process: if a person confesses, pleads guilty and asks for forgiveness, his or her prison sentence is reduced by up to half. Many genocide survivors perceive the confession procedure as amounting to a *de facto* amnesty for the perpetrators and are questioning the credibility of the *gacaca* process.

In order to reconstruct their lives with dignity, survivors need not only compensation and other forms of rehabilitation, but also an acknowledgement from the State that their rights were violated. “We are still demanding justice,” said Mukanyiligira. “Whatever else may have happened, justice has not happened.”

# *They Just Want to Stay Alive*

ANNICK KAYITESI

Advocate for children affected by genocide

Annick Kayitesi was 15 years old when the Rwandan genocide took place. Her father had died when she was younger; her mother was killed during the Tutsi massacre of 1994. Annick took refuge in an orphanage, from where she was transferred to France a year later. She now works with orphans in Rwanda.

The situation of orphans, particularly those who are heads of households at a very young age, is a serious one. In many places, children could not go back home because their houses were destroyed, and their family's killers still remained there. In some places, groups of two to three children have started their own family. There are villages made up only of orphaned children, where housing is so bad that the roof is caving in on their heads. Many children are dying of starvation in the absence of economic assistance.

Many more girls survived than boys and are now orphans. Many were raped, are infected with HIV, and now being sexually exploited by other men. Prostitution is the only form of survival for many girls. In one neighborhood of 350 orphans in the Rwandan capital of Kigali, one girl gives birth every month.

Many of those who survived the genocide and have struggled for so many years are dying – for different reasons. Because they have HIV, because there is no shelter, no food, no compensation. “Killers and violators are getting treatment if they have HIV,” said Kayitesi. “But not the victims.” The government is finally negotiating with pharmaceutical companies to reduce the prices of HIV-related drugs. But even if people receive HIV medication, they often can’t take these since they don’t have the food needed to sustain these drugs.

Kayitesi works with two organizations that are trying to find jobs for children. Where children are the heads of households, it is very hard to take them far away for fear that the younger children may commit suicide. “The main concern for many orphans is just to have food at least once a day,” said Annick. “They are not even thinking about justice or compensation. They just want to stay alive.”

*“In 1995, when I came to France, the whole world was focused on Rwanda.*

*Everybody was watching Rwanda, people being killed. I was surprised. I thought no one knew...no one had done anything.”*

**Annick Kayitesi**

ADVOCATE FOR CHILDREN AFFECTED BY GENOCIDE  
*SPEAKER, RWANDA PANEL*

## *II. Survivors from the United States: 9/11*

The 9/11 panel consisted of:

MONICA GABRIELLE

Family Steering Commission for the 9/11 Independent Commission

TERRY MCGOVERN

Families for Human Rights, Women's Health and Human Rights Initiative

## context

*For us, the image was the reality...a raw horror that could be shaped in many different ways. But what happened? How was the raw power of this image used to shape politics – and not always in the ways we wanted?”*

Lynn Freedman

LAW & POLICY PROJECT, COLUMBIA UNIV, USA  
FACILITATOR, 9/11 PANEL

At 8.46 a.m. on September 11, 2001, the whole world watched in horror as an airliner carrying 10,000 gallons of jet fuel plowed into the North Tower of New York's World Trade Center. At 9.03, another airliner hit the South Tower. It didn't seem real. It felt like watching a scene from a movie.

That same morning, a third airliner slammed into the western face of the Pentagon, and a fourth airliner crashed into a field in southern Pennsylvania. More than 2600 people died at the World Trade Center; 125 died at the Pentagon; 256 died on the four planes.

It is widely accepted that 19 young Arabs acting at the behest of Al Qaeda, an Islamist extremist group headquartered in Afghanistan, orchestrated the whole plan. Although the 9/11 Commission noted that the enemy is not 'Islam' but a 'perversion of Islam', the Bush administration led a war on Afghanistan in October 2001. It subsequently invaded Iraq in 2003 on the pretext of saving the world from weapons of mass destruction that could fuel terrorism, but that have not yet been found in Iraq. American troops are still based in Iraq.

## *We Just Needed Answers*

MONICA GABRIELLE

Family Steering Committee for the 9/11 Independent Commission

Monica Gabrielle had no experience of advocacy until her husband died in the 9/11 attack on the Twin Towers, but went on to become one of the most effective advocates around 9/11. Along with many other families, she was instrumental in forcing the US government to establish the 9/11 Independent Commission, whose report was published in 2004.

Anger and grief initially propelled Gabrielle to become an advocate for herself and for others similarly affected. “When I pictured how my husband died, a rage enveloped me,” she said. “I felt I had to speak for him...set a model for my daughter. I wanted to create a living legacy for him. I knew a memorial wouldn’t cut it for me. Nor would crawling into a hole.”

As she reached out to other individuals affected by 9/11 in search of common ground, she found that they were asking the same set of questions. They were all looking for answers, but as novices, the first step was to educate themselves, learn how to negotiate the process and the media. “We shared our pain and suffering with the media,” said Gabrielle, “Every disgusting detail.” While the survivors needed the media to garner support for their cause, the media needed their ‘pain and suffering’. “It was mutual manipulation.”



Representing one's own issue in mainstream media brought with it many challenges. Because they had seen it unfold on television, everyone in the US felt they owned the 9/11 story. "They felt they had a right to shape how we should respond as victims," said Gabrielle. When 9/11 survivors shifted away from the expected media narrative of tears and suffering, they were met with negative feedback and hate mail from the public.

*"The media shapes politics. Hero worship is another factor. You are considered anti-American and denigrating heroes if you raise questions. The media hindered the fight for accountability."*

**Monica Gabrielle**

FAMILY STEERING COMMITTEE FOR THE 9/11  
INDEPENDENT COMMISSION  
SPEAKER, 9/11 PANEL

The survivor-advocates faced another critical challenge in a context where those who did not support the US government's policies and actions following 9/11 were seen as unpatriotic. "We had to walk a fine line between asking serious questions, pushing for answers, and not coming off as unpatriotic," said Gabrielle. "Public support would quickly have diminished once they found we were going after the Administration." One of the factors that aided the survivors was their inexperience, the fact that they were not trained professionals, but had a human, honest, sincere quality." The other was their ignorance. "Protocol never meant anything to us," said Gabrielle. "If we wanted a meeting, we would get it."

The group, which had to go the long slow haul to getting media and political support, started out meeting low-level officials in local government in its search for accountability. Eventually, it went on to meet officials in the FBI and the White House. The stance was not one of awe – but anger. "We were not pleased to be in their company," said Gabrielle, "but saw it as an opportunity to attack them." Much of this was done without any funding or other support. "The fact that we took on the government was something we didn't realize as were doing it. We just needed answers as to why our mothers, our husbands, etc. went to work and didn't come home."

# *We Have a Right to Be Part of the Process*

## TERRY MCGOVERN

9/11 Families for Truth and Human Rights  
Women's Health and Human Rights Initiative

Terry McGovern, a lawyer who founded and directed the HIV Law Project in New York City, was well known for her innovative advocacy around women and HIV. She moved from being the representative of the affected to becoming an affected individual during the 9/11 attack.

The 9/11 media coverage left McGovern without an identity. As an advocate with many media contacts, she was used to dealing with the media – on behalf of others. “I was a full person earlier,” she said. “Then the same media people descended on me and I was turned into a victim. I lost my identity completely. I became an image.”

As an advocate, McGovern was used to having her voice and her views represented in mainstream media. But here, she found her role had changed completely. “Cameras were constantly pushed into my face, and anything substantive that I said was cut out,” she said. “Despite my privilege and despite my training as an advocate, there was nothing I could do to stop the train.”

*“I was an advocate with many media contacts. I was a full person earlier. Then the same media people descended on me and I was turned into a victim. I lost my identity completely. I became an image.”*

### Terry McGovern

9/11 FAMILIES FOR TRUTH & HUMAN RIGHTS,  
WOMEN'S HEALTH & HUMAN RIGHTS INITIATIVE,  
COLUMBIA UNIVERSITY  
USA CONVENOR, MODELS OF RESISTANCE

*“We have a right to say to human rights groups: If you are going to write about us, if you are going to use us, then we have to be part of the process.”*

### Terry McGovern

9/11 FAMILIES FOR TRUTH & HUMAN RIGHTS,  
WOMEN'S HEALTH & HUMAN RIGHTS INITIATIVE,  
COLUMBIA UNIVERSITY  
*USA CONVENDOR, MODELS OF RESISTANCE*

Responding to the feeling of being silenced, McGovern made her own video recording of the testimonies of 9/11 survivors from their own perspectives. Framing the survivors as full human beings, the video documents their questions, their concerns, and their search for justice and accountability. “I felt so silenced that I felt we had to make our own record,” said McGovern.

The polarization around 9/11 had left many survivors without political allies. While the right blamed Islamic terrorism, the left said ‘we deserved it’. “There was no realization that we were sandwiched between two fundamentalists, between two essentialist forces,” said McGovern.

In 2002, several affected families demanded an independent commission to probe 9/11 and testified at the commission that was subsequently set up. In its report, the commission indicted the Administration for not heeding warning signals, which could have pre-empted the attack. “We didn’t change what we had hoped to change,” said McGovern. “But at least they had to answer our questions.”

McGovern believes that those affected should become their own advocates. There are too many instances of the affected being used to showcase an issue through their pain and suffering without being involved in policy or in a substantive way. That pain and suffering is used not just to meet media ends, but also policy objectives – like war. “We have a right to say to human rights groups: If you are going to write about us, if you are going to use us, then we have to be part of the process.”

### *III. Survivors from Sri Lanka*

The Sri Lanka panel consisted of:

SARATHA DEVI

Butterfly Peace Garden

VISAKA DHARMADASA

Association of War Affected Women

JAYANTHI DANDENIYA

Right to Life

MENAHA KANDASAMY

Institute of Social Development

## context

*“There are many lesser-known systemic and parallel conflicts in Sri Lanka. People living in war zones have restrictions on their mobility and no personal security. There are custodial rapes, military rapes, disappearances, abductions, children being kidnapped; their political, social and civil rights are often violated.”*

**Faizun Zackariya**

WOMEN LIVING UNDER MUSLIM LAW  
FACILITATOR, SRI LANKA PANEL

Sri Lanka is a divided nation, a country of many conflicts. The tension that had simmered between the majority ‘Sinhala state’ and the minority Tamil community in Sri Lanka exploded in the 1980s into a full-scale ethnic war that is still not over. Successive governments failed to address the genuine political grievances of Tamils related to language rights, public sector employment opportunities, and land settlement. The result was a pattern of violent Sinhala-Tamil clashes, into which the Muslim community also became embroiled, resulting in a recurring cycle of hostility-violence-ceasefire.

In 1983, after a series of pre-meditated attacks had taken thousands of Tamil lives and destroyed property, the conflict became militarized and the Liberation Tigers of Tamil Eelam (LTTE) started demanding a separate state for Tamils. As the social, political, and civil rights of minority communities were increasingly curtailed, the country moved towards a State-sponsored ‘reign of terror’. A series of legislations helped the armed forces to act in a climate of impunity. The LTTE also unleashed violence on government forces as well as Tamils who opposed them.

Increasing violence, death and torture of Tamil, Sinhala and Muslim men and women all over the country marks the reign of terror, which began in 1989. It is officially estimated that 30,000 people ‘disappeared’ from 1989 to 1992; unofficially, the estimate is of 60,000 missing persons. The spectre of violence still continues parallel to the discrimination and denial of rights.

# The War Is Inside the Children

## SARATHA DEVI

Butterfly Peace Garden

Saratha Devi works in Batticaloa in eastern Sri Lanka, an area where violence is so much a part of the social fabric that it has brought with it silence in the form of self-censorship. No one talks about the violence anymore. Saratha Devi lost eight family members including her husband to the ethnic war. She is an animator with Butterfly Peace Garden, a healing, redeeming and reconciliation space for Tamil and Muslim children. This was the first time that she had come out of her confined environment.

Saratha Devi was already working with widows when her husband died. “It took me six months to emerge from the pain and work again,” she said. “The first thing I realized is that I am not a widow. Someone made me a widow. I am a seed.” She saw herself as an individual who could seed change among widows – who are caged in by silence, poverty, and war losses.

In an unsafe war zone, people often move from one place to another for safety reasons – this provided the right opportunity for Saratha to start talking to other women. The strategy was to stay at a widow’s house, and start a discussion that often lasted all night. “We realized we needed to earn, be independent and look after our own kids and our lives.”

*“I am not a widow. Someone made me a widow. I am a seed. I want to become a tree and bear fruit and give more seeds.”*

*People who made me a widow think I am in a cage. I am outside the cage looking at women in cages. Silence, poverty, losses in war. These are all cages.”*

Saratha Devi

BUTTERFLY PEACE GARDEN  
SPEAKER, SRI LANKA PANEL

*“I saw my own child and others beating a doll in the garden, saying ‘This person killed my father...This one killed my mother.*

*We need to safeguard children from the war, but the war is inside the children. How to safeguard them from that?”*

*Saratha Devi*  
BUTTERFLY PEACE GARDEN  
SPEAKER, SRI LANKA PANEL

These informal night chats led to the formation of a widows’ society, which aims to make its members financially resilient and speaks out about human rights violations. In 1995, five years after 128 civilians were taken away, women came together on that very day to demand that the army should not punish civilians, and that the rights of civilians should not be violated in the course of war.

At Butterfly Peace Garden, Saratha Devi works to stop the war raging within Tamil and Muslim children. Through a process of creating art work, heart work and earth work, war-affected children are helped in dealing with their trauma and reconciling with their losses. “We need to safeguard children from the war, but the war is inside the children,” she said. “How to safeguard them from that?”

One of the emerging challenges is dealing with a growing divide among Tamils and Muslims. These two communities, which were once united, now lead segregated lives – in separate homes, shops, schools and streets. Asks Saratha Devi: “Both communities live on the same road, but without interacting with each other, how can we survive?”

# *I'm a Mother, I Don't Want to Discuss Politics*

VISAKA DHARMADASA

Association of War Affected Women

As a housewife, Visaka Dharmadasa tried to help families affected by conflict in the town of Kandy where she lives. Working through groups such as the housewives' associations and the Lions Club, she would try and make privileged women aware of the ongoing war in Sri Lanka. "They would just go on with their lives even though a war was on in the country," she said.

Dharmadasa's activism was triggered off when her son, an army soldier, was reported missing. Coming from a village where there was a lot of political unrest, she had allowed her son to join the army. "I thought that at least he was on the legal side," she said.

When her son was reported missing, she approached the International Committee of the Red Cross (ICRC) to initiate a tracing request. The ICRC said they could not start a tracing request based on a family complaint – but only on an official complaint. The Army said it would need six months to file an official complaint.

*"It is difficult to deal with higher-ups. I used the innocent mother symbol a lot. I would say: 'I'm a mother. I don't want to discuss politics.' I used the language of motherhood to change policy."*

Visaka Dharmadasa

ASSOCIATION OF WAR AFFECTED WOMEN  
SPEAKER, SRI LANKA PANEL



Dharmadasa's response was to form an association of people affected by the war. "We have a right to know what happened to our loved ones," she said. "Our strategy was to prevent any other family from going through this, and to prevent any one from going missing."

To this end, three critical steps were taken:

- Insisting that all those fighting wear identification tags, a demand that the Sri Lanka army has accepted.
- Pushing organizations like the ICRC to accept family complaints, a demand that was finally accepted.
- Working for peace across the Tamil-Sinhala divide.

"I walked from camp to camp asking everyone to wear identification tags," said Dharmadasa, who is Sinhalese, "and did the same in the camps of the Liberation Tigers of Tamil Eelam (LTTE). We started working for peace across the divide. It's important to do this – otherwise someone will bury you without any identity."

Dharmadasa attributes her success in changing policy partly to her positioning herself as an 'innocent mother' – whose identity lay outside of the political domain. "It's difficult to deal with higher-ups," she said. "I used the language of motherhood to change policy. I would say: I'm a mother. I don't want to discuss politics."

# *We Will Not Do What the Media Wants*

JAYANTHI DANDENIYA

Right to Life

Jayanthi Dandeniya was a garment worker in the free trade zone when her fiancé was killed in 1989. Since then, she has been working on two related issues: disappearances and workers' rights. She has faced repeated arrests and beatings, and was in self-imposed exile from Sri Lanka when her life was threatened. In 2003, she received the Kwanju South Korean peace award for her work, which exemplifies a bottom-up approach to human rights.

The year 1989 was a turning point in Dandeniya's life. In October 1989, her brother was killed by the People's Liberation Front (*Janantha Vimukti Peramuna*). Her fiancé disappeared around the same time, and his body was found in the free trade zone five days later. His 'crime' was demanding compensation for work-related accidents.

Dandeniya could not stay in her boarding house after the death of her fiancé; the factory where she worked threw her out. She changed her name and stayed with friends till 1992, meeting the families of the disappeared and collecting information on the free trade zone. "I wanted to build the trust and confidence of the families," she said, "and get them to start talking about their problems."

*“We need to reaffirm the right to life of all. The Sinhala JVP disappeared have their own organization, the Tamil LTTE disappeared have their own organization. Ditto the army.*

*How do we all get together and talk about the disappeared? We have to connect on this issue across these boundaries – the people we have lost are our loved ones.”*

Jayanthi Dandeniya

RIGHT TO LIFE  
SPEAKER, SRI LANKA PANEL

In 1992, with the notorious reign of terror coming to an end, Dandeniya started organizing workers in the free trade zone, many of whom had lost their jobs. “We started the movement in a small way,” she said. “We didn’t know how to form an organization, but I felt we had to do something.”

That ‘something’ emerged in the form of an alternative, independent paper, brought out with the support of 1500 people. The first issue continued to sell throughout Sri Lanka over the course of a year – it openly named perpetrators of violence, disregarding the journalistic norm of confidentiality. This was accompanied by a poster campaign, openly identifying the circumstances – the who, what, where, when – in which violence had occurred.

This forced the mainstream media to acknowledge and report these cases, and slowly changed the power dynamics between mainstream media and Right to Life. “We now have another media to voice what we have to say,” said Dandeniya. “We now give interviews to mainstream media on the condition that they publish what we say. We will not do what the media wants. The media has to do what we want.”

On 27 October 1993, Right to Life started commemorating the disappeared in the same spot where the burnt bodies of workers had been found. This commemoration is a rallying point for the families of the disappeared – and a reminder to the government of an injustice still not addressed.

## section 1

Initially, while friends, supporters and human rights groups came to the commemoration, the families of the disappeared stayed away. A new government had come to power on a ‘disappearance’ platform and a Presidential Commission had been set up. “They thought the new government would respond and justice would be done,” said Dandeniya. But apart from small amounts of compensation being handed out to a few families, nothing else was done.

Given that those who are responsible for the disappearances are still in power, Dandeniya is skeptical of the political process leading to justice. Disappearance becomes an issue only on the eve of an election. Once the elections are over, this issue too disappears. “But still the families are waiting for politicians to solve their problems,” she said.

In 2000, a permanent monument, the Wall of Tears, was built at the memorial site, and is visited by people across ethnic, racial and religious divides. “We are proud that we women have got together and done something the politicians could not do,” said Dandeniya. “But it took 15 years. It wasn’t easy. Are we prepared to run and run and run till we get here?”

# We Need to Mobilize Women

MENAHA KANDASAMY

Institute of Social Development

*“To strengthen workers’ rights, we need to strengthen women and their bargaining power, but traditional unions are all male dominated though women members are 75%.”*

Menaha Kandasamy

INSTITUTE OF SOCIAL DEVELOPMENT  
SPEAKER, SRI LANKA PANEL

Menaha Kandasamy is from the plantation community, whose ancestors were brought over to Sri Lanka from South India during British rule to work in the coffee and later tea plantations. This community has been part of Sri Lanka for more than 185 years. Her mother was a tea plucker, her father a trade unionist. She works on issues of workers’ rights, human rights, and women’s rights among plantation women who have traditionally been denied citizenship rights from colonial times.

Women who work on plantations face class oppression and patriarchy. There is no system of equal pay for equal work. Domestic violence, incest and marital rape are common, but male-centred trade unions are reluctant to take up these issues as legitimate issues of workers’ rights. “To strengthen workers’ rights, we need to mobilize women as part of their bigger struggle for political emancipation and decision making,” said Kandasamy, drawing attention to three generations of structural violence and violations.

## *IV. Advocate from Gujarat*

The Gujarat panel consisted of:

MADHAVI KUCKREJA

Vanangana

## context

*“As part of the majority community, Gujarat made us realize how we perpetuate majoritarianism inadvertently, for example through the clothes we wear. Gujarat also shattered the myth that India is a secular nation.”*

**Pramada Menon**  
CREA  
FACILITATOR, GUJARAT PANEL

The Gujarat genocide did not make international headlines the way that Rwanda, Sri Lanka and 9/11 did, although it took place within the full glare of the Indian media. From February 28 to March 2, 2002, Hindus in the western state of Gujarat in India, launched three days of brutal violence against the minority Muslim community. Hindus burnt property and people, sexually assaulted women and girls, and tortured and killed hundreds. 850 deaths were officially confirmed, however some unofficial reports indicate as many as 2000.

The right-wing ideology of Hindutva, the goal of which is to build an exclusively Hindu nation in India, spurred the violence. Hindutva has been ideologically dominant in Gujarat since the early 1990s and gained more strength in 1995, when the Hindu fundamentalist Bharatiya Janata Party (BJP) won the state elections. A systematic campaign of hate had been carried out by the Hindu Right in Gujarat before the 2002 violence. For example, leaflets that branded Muslims as ‘the enemy’ were used to urge Hindus to drive them out.

## section 1

In the 2002 genocide, mobs of thousands attacked Muslim communities, with Hindu leaders spurring on the violence through loudspeakers with promises of immunity. The Hindu Right planned, orchestrated and participated in the violence, with the assurance that a complicit state government would not punish the perpetrators. Attackers had lists identifying Muslim homes, businesses and individuals. Many police officers participated in the attacks, led the mobs to Muslims, or stood by passively. The state government punished police officers who tried to stop the violence.

As a part of these attacks, Muslim women were specifically brutalized in a manner that was more organized than in previous riots in India. Sexual violence against women included rape, gang rape, stripping, penetration by objects, and molestation. The media played an insidious role in fanning the flames of hatred through the publication of fabricated reports of sexual violence perpetrated against Hindu women. These reports led to Hindu men avenging the honor of Hindu women by raping and burning alive Muslim women.



# What Does a Survivor Want Afterwards?

MADHAVI KUCKREJA

Vanangana

*“Everyone had opinions based on the media. People still think more Hindus died than Muslims.*

*The vernacular press reported Hindu rapes, but not Muslim rapes. When challenged, they said, where’s the complaint? What’s the proof of rape?”*

Madhavi Kuckreja

VANANGANA  
SPEAKER, GUJARAT PANEL

Madhavi Kuckreja is a women’s rights activist and one of four Indian women activists working on the case of Bilkis Yakus Rasool – the only case of sexual violence in a communal riot situation to go to court in independent India.

Bilkis, an illiterate 21-year-old rural Muslim woman, was raped on 3 March as she was fleeing her village with her family. 14 members of her family were killed, including her daughter, who was smashed on the ground in front of her. When Bilkis filed a rape complaint with the police, it was dismissed on the grounds of insufficient evidence.

Two years later, after interventions from the National Human Rights Commission and the Supreme Court, Bilkis’ case was transferred from the state of Gujarat to the Central Bureau of Investigation (CBI). The CBI exhumed the bodies of her family which resulted in the indictment and arrest of 12 people and six policemen. The case is currently being heard in the Mumbai High Court.

Bilkis, who has had to move home 19 times since she started fighting for justice, could not be at this meeting because her lawyers felt there should be no publicity. Neither could Sharifa, a

## section 1

key witness, who was scheduled to come but could not get a passport issued in time.

In her presentation, Madhavi Kuckreja highlighted how women's bodies were used as markers of community in Gujarat, with women themselves, not only as victims but also perpetrators of violence. There are 55 documented cases of sexual assault in which Hindu women participated in the violence.

In the intense polarization following the Gujarat riots, the only people who worked with Muslim men and women were Muslim leaders. There are many NGOs working in Gujarat, which is a prosperous state, but less than 10% of them work with the Muslim community even in times of peace.

Hardly any Muslim women who had faced violence were willing to file cases. "Women survivors in Gujarat have not formed a community of their own yet," said Kuckreja. "The community they have formed is the community they are from. Local leaders, not NGOs, have supported them."

Bilkis' immediate community had to decide that this struggle for justice was their struggle. Only once the community owned this struggle could the case be taken up. The biggest allies in their struggle were religious Muslim leaders – they were there for the community, and the community trusted them.

“It was an issue of identity during the battle for justice,” said Kuckreja. “For her, it was not just a fight against sexual violence, but a fight for her community identity.” Women’s rights and human rights groups, which see themselves as secular, often do not allow enough room for these identities to express themselves. There is a tendency to ignore issues of religious identity, even though religion plays an important role in people’s lives.

*“The advocate-survivor relationship is very tricky. When an advocate becomes bigger than a survivor, then you don’t know what the survivor wants.”*

*How much do we really consider the agency of the survivor, what she wants?”*

Madhavi Kuckreja

VANANGANA  
SPEAKER, GUJARAT PANEL

What does a survivor want afterward? That is the key question. “Justice for what?” asked Kuckreja. “For security, life, money, her children, for what? Day in day out, who follows through with the survivor? Two years later, who’s with her?”

Women’s rights and human rights groups rely on conferences, reports and media as part of their advocacy strategies. “Do we spend the same amount of time working with women at the community level?” asked Kuckreja. “On the ground?”

section 2

*Key Issues*

*Discussion*

*Learnings and Strategies*

## Key Issues

The key issues emerging from the four panels are:

- Struggles faced by survivors of political violence, including:
  - For justice and accountability
  - To obtain adequate food, housing, healthcare, and avoid violence
  - For reconciliation among conflicting groups
  - To live with violence they or their family have endured without access to adequate mental health services
  - To have agency over the representation of the violence they experienced and their response to it
- The formal legal processes of justice do not always address overall social justice. What is the life that survivors face after an armed conflict, even if the courts give legal justice? Does this factor need to be considered to broaden the understanding of justice?

## section 2

- In situations of political violence, different forms of oppression often join hands in unexpected ways. In Sri Lanka, the commercial sector was complicit in fostering terrorism. 9/11 was used to justify an international war and a domestic erosion of civil liberties. In Rwanda, women were raped and infected with HIV, but their treatment is not a part of reparation and reconciliation, as the stigma around HIV colludes with the oppressions of genocide and violence against women.
- The media is a critical gatekeeper and agenda-setter in providing information and shaping public opinion during armed conflict and war. But mainstream media often ignores, shades, misrepresents and sensationalizes reality. Stories are half-told, edited to represent something entirely out of context, or used only for descriptions of pain and suffering. In Rwanda, the world watched the genocide on TV but did nothing to intervene. The mainstream coverage of 9/11 misrepresented the survivors, while the Sri Lanka press did not cover all points of view. In Gujarat, stories in the vernacular press conflicted with those in the English press.
- Survivors need to represent their own perspectives more effectively, but this is challenging given media biases and given the inherent risk in speaking out in such situations.
- The relationship between an advocate and a survivor is a tricky one. It is not always clear whose interests are represented in such relationships, but the advocate needs to keep in mind the agency of the victim at all times.

*“In the post-genocide period, NGOs kept insisting we come and share with the perpetrators. But it was one community killing another.*

*The images on TV were always ‘the bones of the dead’. We were families – but they never show you that.”*

**Annick Kayitesi**

ADVOCATE FOR CHILDREN AFFECTED BY GENOCIDE  
SPEAKER, RWANDA PANEL

- Survivors’ advocacy strategies will differ from one context to another. Media advocacy can highlight an issue, but may not bring justice to a survivor. Sometimes, a battle for justice has to be fought quietly.
- In planning an advocacy campaign, it is important to consider the basis of resources and emotional support to a survivor. From who does he or she get support? Conversely, how much energy are advocates putting into supporting survivors vs. lobbying at conferences and through media?
- Many issues of identity arise during a survivors’ struggle for justice. A survivor’s identity often shifts due to factors beyond his or her control. Identities are taken away in some cases, community identities sharpen in other contexts, and religious and ethnic identities often underlie critical decisions. Survivors need to have some control over how their identities are represented even as these shift.

## Discussion

### I. The Advocate – Survivor Relationship

Following the survivors’ panels, a lively discussion focused on the advocate-survivor relationship. Survivors’ issues are often represented not by survivors, but by experts – sociologists, academics, advocates, etc. – who represent these issues from their own perspectives. “When talking about survivors, it is often not Rwandans who are speaking, but white people,” said Annick Kayitesi. “This is the first time we Rwandans are speaking for ourselves.”

International advocates often help, but from their own perspective. For instance, a Rwandan’s idea of rape and how to deal with it may be different from that of an outsider. “Are we not intelligent enough to know what is going on in our lives and in our country?” asked Kayitesi. “It angers me to relive this through the perspective of others.”

What does international pressure really achieve, asked another participant. There was no international pressure to avert the genocide even though it is widely-accepted that the United Nations was aware of the situation. Aid is often conditional. “We are putting out our palms for aid,” said Monique Kankera, AVEGA. “But we are then asked to release prisoners, some of whom participated in the genocide.”



*“How can we strike a balance so that what survivors want to achieve is given priority over the interests of advocates? How much can we work for mutual benefit?”*

Visaka Dharmadasa

ASSOCIATION OF WAR AFFECTED WOMEN  
SPEAKER, SRI LANKA PANEL

International pressure is often exerted in equal measure – but on behalf of perpetrators. The Vatican put pressure on the Rwanda government to release a Catholic bishop who had been identified as being part of the genocide. Those who identified him have had to run away now that he has been released. Even after an ethnicity-based genocide, Rwandans still have to fill in their ethnicity on their national identity cards, making it easy to identify minority Tutsis. “Nobody’s asking survivors what they think,” said Kankera. “Priorities are set elsewhere.”

## II. Sexual Violence in Armed Conflict

There are many challenges in the struggle for justice around sexual violence in cases of armed conflict. “Murder and death have safe honorable acceptance,” said Madhavi Kuckreja, Vanangana. “But rape is another story for the survivor.”

Rape in situations of armed conflict is very different from rape in other situations. During armed conflict, the community may be supportive, since the community is also attacked and the collectivity feels raped.

Cultural norms prevent women from speaking out about rape. An AVEGA study showing that 66% of women who had been raped in Rwanda were HIV-positive, prompted many other women to speak out about their own experiences. For the first time in Rwanda, men who had committed rape were imprisoned. This too prompted other women to speak out.

## section 2

However, survivors who have been sexually assaulted often do not want to speak to media. They do not want to endlessly repeat their story both because of stigma and trauma. Thus there is often a conflict between getting the issue covered and getting justice for the survivor.

What does ‘justice’ mean to a survivor of sexual violence? Does it necessarily mean winning a legal battle, or does a survivor’s sense of justice come from small day-to-day actions that enhance her wellbeing? For example, community acceptance and acknowledgment of her situation, rehabilitation in her village, re-establishing loving relationships.

Do survivors and advocates share the same sense of justice? When, if ever, does the struggle for justice end? “Ultimately, survivors want to get on with their lives,” said Kuckreja.

*“For me, part of justice was finding my voice around this. This is a very important part of what constitutes justice for me, or at least what constitutes survival for me.”*

Terry McGovern

9/11 FAMILIES FOR TRUTH & HUMAN RIGHTS,  
WOMEN’S HEALTH & HUMAN RIGHTS INITIATIVE,  
COLUMBIA UNIVERSITY  
*USA CONVENOR, MODELS OF RESISTANCE*

## *Learnings and Strategies*

Participants collectively identified effective strategies and learnings that had emerged from the panel presentations.

- Being committed, focused, goal-directed and persistent.
- Thinking of oneself as a survivor with agency, rather than a victim lacking agency.
- Using a dimension of one's identity, for example motherhood or widowhood in a self-reflective, political, non-traditional way.
- Consciously exploiting oneself to achieve a goal, for example by spinning pain and suffering stories for the media.
- Grounding a survivor in his or her community and letting that be the primary support base.
- Allowing 'justice' to be defined by the survivor, for example access to housing or finding a safe space can be as much a form of justice as a legal struggle.
- Making limited use of press, rather than winning every battle through the press. The press may highlight an issue, but this may not result in justice.

## section 2

- Negotiating with the press to put out messages of agency, rather than only of pain and suffering.
- Challenging representations in human rights materials that show victims in a one-dimensional way.
- Ensuring that human rights groups negotiate the terms of their representation with survivors as equals.
- Using aspects of identity other than ‘victim’.
- Thinking about political, legal, religious, media, social and other contexts before planning a strategy.
- Understanding the cross-cutting nature of issues related to armed conflict, for example HIV.
- Strategically using that moment in time when an issue gets international attention.
- Providing spaces for survivors and victims to express and speak for themselves, while ensuring that advocates do not take over that space.
- Fostering transnational cooperation and building links with other survivor groups waging similar battles, for example in the former Yugoslavia and other areas.
- Training each other to become more effective media advocates.

*“This is not just a crisis of identities, but a crisis of citizenship, of how the nation perceives itself.*

*A discussion only around identities perpetuates victimhood. All perpetrators see themselves as victims.*

*If we leave it at identity politics, we may end up being a collective of victims who may or may not empathize with each others’ victimhood.”*

**Gita Sahgal**

WOMEN AGAINST FUNDAMENTALISMS  
MEETING PARTICIPANT

*“Victims are disempowered, but survivors are a powerful force. We have been very successful – with no resources, no training, with just anger.*

*We need to see ourselves as strategically valuable to the larger struggle for human rights.”*

**Terry McGovern**

9/11 FAMILIES FOR TRUTH & HUMAN RIGHTS,  
WOMEN’S HEALTH & HUMAN RIGHTS INITIATIVE,  
COLUMBIA UNIVERSITY  
USA CONVENOR, MODELS OF RESISTANCE

- Sharing funding strategies among survivor networks.
- Enabling the community of survivors to share their success stories and their pitfalls, with the long-term goal of preventing more people from becoming victims.
- Documenting and disseminating strategies used by survivor groups and models of survivor-led advocacy.
- Understanding that survivors are strategically valuable to the larger struggle for human rights.
- Ensuring that survivors have a political voice. Survivors or ‘victims’ are the organizing tool of the human rights movement, but are survivors a political force where human rights groups are concerned?
- Building strategic alliances with human rights advocates on more equal terms.
- Fostering an understanding in the human rights community of the achievements of survivor-led initiatives and the strategic significance of such forces.
- Creating a survivors’ bill of rights focused on survivor-led advocacy rather than victim protection to be presented to human rights groups that consistently use traditional victim imagery.



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