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Namaste 2008

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NAMASTE

a student human rights journal
2008

University of Connecticut

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EDITOR'S NOTE

Namaste (nah-mah-STAY) is a Hindi word meaning, the Spirit in me meets the same Spirit in you. It is a South Asian greeting, originating in India that is used for hello and goodbye. The greeting is commonly accompanied by a slight bow made with the hands pressed together, palms touching, in front of the chest. This is a well-recognized symbolic gesture in which one hand represents the higher, spiritual nature, while the other represents the worldly self. By combining the two, the person making the gesture is attempting to rise above their differences with others, and connect themselves to the person he/she bows to. The bow is symbolic of love and respect.

This journal is meant to promote the study of human rights at the University of Connecticut and is to serve as a venue for recognizing and displaying great academic achievements of undergraduate students in this field of study.

Recognizing the work being done within the human rights community at the University of Connecticut will foster an environment that promotes mutual respect. More than that, it is hoped that this ideal will be embraced by University community members and translated in various ways and works to the larger global community.

नमस्ते

FOREWORD

In the world of human rights, “telling one’s story” has become as important in the pursuit of justice as is the more traditional gathering of evidence and pressing a case in court. From the Truth and Reconciliation Commission in South Africa to the numerous other such bodies it has spawned, the personal narratives of suffering and human rights deprivation have moved people and governments to action. Those narratives are told not only in government statistics and legal briefs, but also in diaries, photographs, films, and in personal testimonies that witness the entirety of the human experience.

And so it is very proper that in this, the third issue of *Namaste*, the human rights journal entirely produced by students at the University of Connecticut, that words, pictures, arguments and poetry come together to present the continuing story of the struggle for human rights.

This issue begins with an exploration of why storytelling is an important feature of human rights activism, and why it is essential that those stories are narrated in ethical fashion. Articles and pictures follow that focus on globalization, torture, sex trafficking and continuing philosophical disputes within the human rights community. Like its predecessors, this issue displays the energy and insight of its student editors and contributors. It also, through the variety of approaches and methodologies on display here, witnesses to the breadth of participation necessary to advance the discourse of human rights—and not only in the academy, but across the globe.

Sponsored by student government funds and the Human Rights Institute, *Namaste* once again has provided a forum for students to exhibit in all its diversity their support for the causes of human rights and social justice. The story of *Namaste* itself continues to be part of the ongoing narrative of a growing human rights awareness.

Richard P. Hiskes, Professor
Department of Political Science
Director, Human Rights Minor Program

I am honored to present on behalf of myself and the entire staff of Namaste, the third edition of the undergraduate student human rights journal. Just as the Human Rights program here at the University has continued to strengthen and expand over the past few years, so has our publication. Namaste began as an essay contest just 3 years ago to honor the 10th Anniversary of the Thomas Dodd Center and has grown in that short time to become a voice for undergraduate expression in a very unique way.

The theme selected for this year's journal was the African concept of 'Ubuntu' and the interconnectivity of the human race. For many, human rights abuses are planted firmly in the developing world. There is a sense that the denial of rights occurs "there" and not something that would ever occur "here." However stories of refusal of habeas corpus, severe disparities between classes, and the use of government-approved torture have begun to splash the pages of the newspapers of our country. When viewing an issue such as human rights as fragmented, and not our problem, it loses force. Human rights should be rights given to an individual simply by the nature of them being human. With this spirit in mind this year's journal is centered on 'Ubuntu'. Ubuntu, which has no official English translation, has been often described as the idea that a person is a person through other persons. Nelson Mandela has explained the philosophy in a 2006 television interview with an anecdote:

"A traveler through a country would stop at a village and he didn't have to ask for food or for water. Once he stops, the people give him food, entertain him. That is one aspect of Ubuntu but it will have various aspects. Ubuntu does not mean that people should not address themselves. The question therefore is: Are you going to do so in order to enable the community around you be able to improve?"

We believe that this view of human rights represents the future of the field. With the term becoming a popular buzzword, and issues such as the oppression in Burma, the injustices occurring in Tibet, and the ongoing conflict in Darfur in the general public consciousness, our culture is growing towards this way of thinking. As the entries in this third edition show there is an increasing awareness of how we are all interrelated.

The beauty of having a journal completely student produced is that each year's staff can leave their mark on the publication. We hope that you find this collection of academic essays, personal poetry, in-the-field photography, and real life testimonials as inspiring as we do. It is easy at times to become overwhelmed by the study of Human Rights. With so many issues, in so many areas of the world, one would not be blamed if they simply decided that there was too much to be done and it would be easier to just ignore it. These works however will show you though that understanding human rights is much more than an academic pursuit; it is essential to what makes us people.

Tamara Kramer
Co-Editor-in-Chief
April 2008

A Garage Door in Post-Katrina New Orleans (2006)
Alison Reilly



KATHERINE WELSH
The Ethics of Storytelling

I have walked in the dust of humans. It was in a church. Remains were everywhere and the sun was shining in through holes broken in the walls. On the altar was a skull, and leaning against it, a cross. The light shone in across it. The pews were planks resting on cinder blocks, but under them, and around them, there were bones. I remember schoolbooks, dusty shoes, cooking supplies. Bones. Upon entry to the church, under the purple ribbons commemorating the dead, there were a series of shelves. And on them stacked skulls. A maze of them. They went around, perhaps four shelves high, arranged tightly, one next to the other. A slash in one reminded me of life that had been taken; a headscarf still wrapped around another reminded me of the disappeared flesh that had once existed there. These were people once. Then I saw one that was smaller than the two next to it. It had been a child. A child. At the time I was staying with a family. They had two children, seven and eight years old. I have wondered before how the skull is seen to bear any resemblance to humanity, but now it came to life, realizing the true arbitrariness of this death, the death stacked on shelves and left on my shoes, these dead that can no longer speak for themselves. Going around the maze of skulls, the skulls that human thought once inhabited, I wondered how many of them have left stories behind them. Do they live on in the minds of others? Who speaks for them now, and what do they say?

Let us look at two fairly recent conflict areas in which some of the worst crimes against humanity have taken place. In Rwanda, nearly the whole population of "Tutsis" was murdered. Thousands of people were mobilized to kill their neighbors, acquaintances, and sometimes even family members. In the space of three months in 1994, nearly a million people were killed. It was in this same year that a very different conflict began to be resolved in another part of Africa. During apartheid, "Black" and "Coloured" South Africans were denied the rights of "White" South Africans, and thousands were killed and tortured because of their attempts to claim these rights. After a long struggle, the first democratic elections were negotiated and took place in 1994.

There. I have reduced the pain and suffering of multitudes to a few sentences. As is done in countless media outlets. And for what? For the sake of awareness, perhaps, and because short sentences are easier to understand than complicated sentiments. What good does that awareness serve if it is presented in a way that elicits no compassion from the vast majority of the people who are "aware"? Furthermore, how is it ethical to use testimony of suffering to further that goal, if it means sentencing the stories of individuals to the fate of public indifference?

I can understand the urge to lend a voice to the dead—to share the stories that otherwise would never be heard. But I beg to know, how do we ethically transmit the pain and story of another person, dead or alive? How can a story be told without it being manipulated, changed, degraded? As trauma specialist Brandon Hamber argues, “Psychological restoration and healing can only occur through providing the space for survivors to feel heard and for every detail of the traumatic even to be re-experienced in a safe environment.” The people who have suffered deserve a forum for their pain and to relinquish some of the burden of it, but those who hear it, who experience this pain of another person, have a responsibility to the victims. What is it exactly? A victim tells their story as testimony in a truth commission. What they have endured is grotesque, an abhorrent testament to the most devious capabilities of mankind. In this context a communion of common alive-ness takes place between this victim and his listener. The listener has an experience, an understanding that is reached only through this direct contact with the victim. Yet, if this listener tells the story to someone else whose experience is less involved, this testimony of suffering is transmitted only as a symbol of tragedy. And the effect may be lost, for tragedy has already worn out a comfortable resting place for itself in the brain. That which is supposed to make us uncomfortable—the shock of horror coupled with the humanity of victim-hood—may become banal when this act of human communion never takes place.

In a place like Rwanda, for example, when so many people were killed in the same way, the stories of the victims gain meaning only when we achieve some understanding of the humanity behind them. We tell the stories apart by what a person was doing that morning, what they had planned to do that afternoon and what had preoccupied their thoughts after the loss of their child. In this, specific stories redeem the sense of humanity that is lost when one talks of numbers and statistics. It is the perpetrator who inflicted suffering who first denied them their humanity; we cannot do the same by forgetting the person behind the tragedy. Oftentimes, this is beyond the grasp of our imagination. Our path will never be exactly the same as another’s and thus their exact place in the world will forever remain foreign. But we gain a better understanding and are able to credit them with humanity when we are aware of the events that shaped their life, as though to examine the sculptor’s hands that molded them. Understanding some of what makes a person who they are allows us to recognize our own humanity in another and makes their story that much more real and urgent. Witnessing a person tell their

story is what drives one to compassion. This contact with the essence of a person, the choices they make in words, gestures, intonations are the closest connection one will ever have with their pain. So I ask, is it possible to transmit the humanity of another human being as we tell their stories, or will it provoke only a foreseeable indifference from others?

The same problem exists in art and specifically in the artistic use of testimony. In post-apartheid South Africa, a number of different plays emerged that existed to tell the story of victims who testified at the Truth and Reconciliation Commission. As William Kentridge, the director of one of these plays, describes it, these works attempt to “make sense” of memory. The play he directed is called “Ubu and the Truth Commission,” written by Jane Taylor and constructed in collaboration with the Handspring Puppet Company. This is a play in which certain testimonies from the Truth Commission were represented as told by puppets and contrasted with the absurd antics of a perpetrator-protagonist who tries to wash himself of his deeds and avoid being prosecuted. Kentridge’s solution to the problem of transmission of pain seems simple; puppets are a medium through which real testimonies can be told objectively. In this manner, it would seem that the audience is not forced to believe an actor telling someone else’s story. However the audience is not engaging with this character the puppet, but with what happened to him. It is not a play about the pain of a victim, but of the situation on the whole that is represented by a few chosen testimonies. Kentridge, in the Director’s note to the play, says, “Our theatre is a reflection on the debate rather than the debate itself. It tries to make sense of the memory rather than be the memory.” For this purpose, a symbolic representation of apartheid is necessary, but does the purpose served warrant this disappearance of the victim, in the sense of his or her replacement by a puppet?

The play may attempt to remain independent of the victims, but it cannot avoid involving itself with real events when it uses real testimony. The choice of using one story and not another inherently assigns greater symbolic value to one person’s suffering over another. For what reasons were the “chosen” stories selected? Most likely for the same reasons that I find myself telling particular stories that I have heard from survivors of genocide and war. Perhaps because they are horrendous, stretching the bottom-most limit of human capacity. A few varied examples might be taken to exhibit a limited representation of the scope of atrocities. They are sensational, memorable, painful. As it turns out,

these motives differ very little from those of mainstream media. But as in the media, when taking a story for its sensationalism and for the fact that it can compete with all other stories of suffering, there is a danger that we will create a symbol of pain, suffering and tragedy that is similar to all others. The victim disappears. His role becomes as anonymous as the skull on a shelf. Telling a story can bring a person to life but it can also sentence them to eternal, nameless death.

In “Ubu and the Truth Commission” we also see the representation of the perpetrator. In the play he is portrayed as an absurd, farcical character. In real life, however, it is the perpetrator who offers the most important lesson. In the story and testimony of the perpetrator, we are intrigued because of an internal yearning to understand what causes a person to commit the most evil of crimes against humanity. We listen to understand the events and circumstances that led a human being to deny and forget the humanity of their victims. The communion between confessor and audience is a complex one. The listener may have one preconceived notion of this evil crime and the person who committed it. Yet, he or she is confronted by a living and breathing human being and must reconcile these two ideas. To tell the story of a perpetrator through an objective medium, in the news for example, eliminates the confrontation of human and inhumane and leaves a simpler and more identifiable image. Thus, the lesson that is supposed to be learned of a perpetrator is lost. The human weaknesses that may have facilitated horrible crimes are not identified or considered and we create the perpetrator as some kind of “other” who bears no resemblance to ourselves.

It is the perpetrator’s lesson that is the most important to mankind. He is what reminds us of our own potential for wrongdoing. To understand him however, we must see the human side of him, lest we deny him his humanity as he denied it of others. The victim stands as a testament to this lost humanity. The pain and suffering that result from their compromised place in the world serve as a lesson as well. But as with the perpetrator, if these victims are, once more, denied their humanity in the telling of their stories, we, the listeners, are never forced to confront the fact that our place in the world could just as easily be compromised. This is what allows us to remain complacent in the face of terror and gross crime against humanity.

We arrive at the dilemma, once again, of how to communicate any true cognizance of human suffering. Perhaps it is for the victims them-

selves to take it to the world. In the wake of the South African Truth and Reconciliation, the Khulumani Support Group presented a play that was to travel Africa and educate South Africans about the plight of their fellow citizens and the truth commission process. Some of the actors, however, were not actors at all, but actual victims who had testified at the Truth Commission and in the play they represented their original testimony. In addition to the three “real people,” there were three actors to interweave these testimonies with dramatized disputes over the good of the Commission and the “new” South Africa. Here, the people who suffered are given a platform, as they are in the Truth Commission, to present their stories in a manner of their choosing. They are again connecting with an audience, even after what could have been their one chance to do so. Why isn’t everybody given this chance? The chance to share pain is not only a cathartic process for the victim, but an enlightening one for the listener, and it seems the more ethical choice with regard to a responsibility to the victim.

In comparison to the news media, this form of art reaches precious few. The essential goal of this communication is widespread awareness, isn’t it? When we hear stories of pain or suffering, we spread them. We wish for other people to be enlightened as we have been. Perhaps we wish to move others to compassion and change. This may be the original motivation behind news media: to educate the so-called masses to what is happening in their world. More specifically, to educate them of the wrongs against humans that are permitted to happen all over the world. There is the hope that this acknowledgement might stem the occurrence of abuses, or even stop them. This public awareness is shaped by the testimonies, the stories that are taken from these victims shape our perception of the place from which they come. Thus, their stories are not their own, the outsider credits them to a whole people. Is this loss of ownership worth the awareness that other people gain? Or more importantly, can any good be attributed to this awareness?

Perhaps we are under the impression that our acknowledgement will alleviate the conflicts of the world. As though a collective sigh from the “West” will change the future of those who suffer. In fact, our awareness and subsequent inaction only legitimize the situations of the lives that flash across our television screens. The genocide in Rwanda was allowed to unfold and continue until nearly every “Tutsi” in Rwanda was killed or believed to be—while the world watched. This tacit acceptance of one of the most horrific events in recent history only validated the perpetrators and further dehumanized the victims of genocide. Our awareness of the gravity of the situation did nothing to help and so the greater good to which this human testimony should

serve, was nonexistent. The Rwandans interviewed on television and the saturation of grisly photos only melted into the carnage that floods our perception of the outside world. The media's "race-to-the-bottom" of the world's worst deeds has left onlookers desensitized to horror and blissfully oblivious to the pain and humanity that seem to evaporate over the long journey across the airwaves. The world knows all and does nothing. We are guilty of global complicity. Then we think, perhaps it is necessary to sometimes close our minds to the humanity of others, for a person couldn't live with the pain of the world on their mind. But to ignore the humanity of some, is to ignore the humanity of all. And that is the root of all evil.

What, then, must we do? Many in the world have options. Some choose to watch and some choose to not know, some go and hear it from the victims themselves. Isn't that one of the greatest guarantees of America, the choice to confront the atrocities in the world (that we sometimes inflict, ourselves)? For those who experience the pain and humanity in others, there seems no option but to share it with whoever will listen. It is an insatiable urge and a self-entrusted noble duty. But could I do any better than the news media? Or won't some of the pain I have heard dissipate as soon as I open my mouth? When faced with a suffering human being, a product of compassion is the desire to share the pain, to spread it as though it will diffuse itself among the masses and evaporate off the shoulders of the one human being who carries it. Perhaps I desire to tell stories with this same feeling in mind. But I must question my motives for sharing and whether this story will add humanity or detract it from the people I attempt to represent. This problem arises from my own personal response to the news media and artistic representations of victim testimony. I recognize how little effect this testimony can have if it is filtered, re-packaged and repeated. The superficial has no lasting place in the mind.

There was a crypt below one of the churches in Rwanda. Multiple crypts, in fact. Visitors were allowed to go down and see the bones that had been put there. Down a steep set of stone stairs they housed all the bones that wouldn't ever get put into graves with their rightful pieces. They were on shelves, a shelf for femurs, a shelf for skulls, a shelf for tibias. In absolute silence I started counting them, a few more of them with slashes down the center and in the back. When I realized what I was doing, I made myself stop. I was counting the skulls of human beings like I would a pile of pebbles. And in that moment I forgot that for each one of

these, there was a murder and as I looked around I realized it was on a scale that I couldn't truly comprehend not without being a part of it myself. There in a dark, death-smelling crypt, alone with skulls, I wondered why I counted. Just to tell people at home, I suppose, to give them an idea of the number of skulls I sat with in the bottom of a crypt in Rwanda. That's when I first wondered, would it really give them any idea of the scale, a number of skulls and femurs stacked on shelves in crypt under a church where thirteen years ago a massacre took place? So I sat there. I tried to believe that these people were alive, and the images from the movies and photographs painted my mind. I tried to think about the family some of these people might have been left behind, somewhere still in Rwanda maybe not too far from where I was, and I could only think of the family I was staying with and the relatives they lost. So then I tried to just be there. To do nothing and feel what is left when neglect for the humanity of a people takes root in a society. And that was one of the strongest things I've ever experienced.

I have met some of the people affected by the Rwandan genocide and have stood witness to their humanity and testimonies, but I am still at a loss for what to do with all that they have given me. I tell people about what I have seen and done and I find myself frustrated at their limited ability to listen or understand those things that I only understood after experiencing. I try to learn more and to understand better, but my ability is often painfully limited to what I know. While there is still so much that I do not and cannot understand, I have learned that to try to understand this pain, one must search beyond the photographs for the people that live (or die) behind them. In telling their story, complete success may be impossible, but it is most effective when focused on their humanity, and not the disgraces it has endured.

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HEATHER NEEDELMAN
Contemporary Globalization in the Eyes of its Critics
and Advocates

“Globalization in the eyes of its advocates means free trade, increased prosperity, and the steady erosion of despotic regimes by the growing demand for freedom.” However, in the eyes of its critics it means “the loss of sovereignty with large-scale social, economic, aesthetic disruption, and an invasion of images,” such as the pornography allowed in the west that has evoked outrage among many Muslims (Scruton 2002: 132). Historically, colonial powers exploited developing countries, but today some people believe that globalization has replaced the role of colonial powers. Its borderless markets and neo-liberal practices control local government policies that create inequality and corruption in developing countries (Thompson 2003: 66). There has been an intellectual and political turmoil raging in many Muslim-majority countries. Muslim thinkers and activists have been battling to reinterpret the Qur’an and its prophetic traditions in light of modern challenges sparked by globalization (Ramachandra 2005: 484).

POLITICAL

“The Islamist perspective of democracy does not accept the premise that truth is relative, an essential tenet of political pluralism.” Islamists have rejected the democratic political system because they consider secular political groups inappropriate and impotent. For this reason, Islamic movements tend to be more representative of an authoritarian and repressive system rather than a civil society (Sisk 1992: 25-26). Closed and authoritarian systems have a higher propensity and capability for violence because these people are repressed and cannot express themselves in their current political system (McAdam 1996: Spring 2006, Class notes for 9/19, POLS 296W).

“The most fundamental values of democracy are human rights and individual liberties.” Unlike a democracy, an authoritarian and totalitarian regime “hinges on a coercive and despotic state” where the state is everything and the individual is nothing (Thompson 2003: 39-40). However, several Muslims in the Middle East perceive United States foreign policy solely based on national interest. They believe it is inconsistent and really a double standard when the United States had appealed to “self-determination, democracy, and human rights while aiding Muslims in Kosovo and then ignored the plight of Muslims in Chechnya and Kashmir” (Esposito 2001: 142). Contrary to western ideals of socioeconomic and political rights, Islamists have a broader perspective on rights because they are communitarians and not individualists. For instance, the author of *The Satanic Verses* was sentenced to death by the Iranian Islamist regime for blasphemy against Islam. Unlike many countries in the West, the state of Iran did not give the author the right of free speech because it is an individual right and not a communal

one. Traditionally, freedom of speech is permitted in Islamist states, but is subject to Islamic law. In other words, any religious dissent is forbidden and illegal in Islamic run states, such as Iran (Sisk 1992: 26-27).

CULTURAL GLOBALIZATION

Culture is defined as the shared beliefs and understandings, mediated by and constituted by symbols and language of a group or society. However, when there are breaks and contradictions in a culture, it is likely that there will be movement cadres, activists and sympathizers. Movements sparked by cultural breaks and contradictions may adopt an ideology that challenges the current social-political order. Moreover, specific metaphors, symbolic representations, and cognitive cues can be adopted for alternative modes of action (McAdam 1996: 263, 269). With that, "globalizing processes both corrode inherited cultural and personal identities and, at the same time, stimulate the revitalization of particular identities as a way of gaining more power or influence in this new global order" (Ramachandra 2004: 482). One failure of United States policy has been its almost exclusive focus on its relationships with Middle Eastern governments without trying to build cultural bridges with populations in the Muslim world (Esposito 2001: 143).

Benjamin Barber's term, 'McWorld' is the best-known metaphor for cultural globalization because it signifies the distribution of Western products, values, and lifestyles throughout the world. Cultural globalization is perceived by some as a cultural homogenization of cultures throughout the globe that has sparked hostility in the Muslim world against the West. Despite the progressive image the West has projected, non-western countries have been questioning it and instead, are adopting an approach that rejects secular modernity and adopts authentic modernity.¹ More specifically, non-western countries have embraced religion to reinforce their communal ties against globalization and to preserve their authenticity. Some militants are using this embrace to manipulate people into joining their movements against the West for the revival to Islam (Stenberg 2004: 82-85). The loss of individual expression and of cultural diversity raises political challenges by those who want to preserve their culture (Ramachandra 2005: 479).

RELIGION

The causes of "religious violence" vary from one context to another. The precipitating factors have little to do with religious beliefs. However, once a conflict arises, religion is quickly invoked by both conflicting parties as a strategy to draw support from 'co-religionists' elsewhere (Ramachandra 2005: 488). Islamism is a decentralized movement that does not

possess a distinct nationality. "It rejects the modern state and its secular law in the name of a 'brotherhood' uniting them against the infidel." Globalization has brought the Islamic world into a crisis by introducing secular society because it is divergent from the Islamic state model. Islamists believe that they serve a higher power and for this reason there is no difference between the government and religion. In contrast, secular society emphasizes a separation between religion and the government. (Scruton 2002: 157-158).

Critics believe that globalization has replaced tradition with a "phony and humiliating economy of pure consumption." Desperate for a revival of Islam, fundamentalists, including militant extremists have re-awakened a "reign of goodness" where sharia law prevails. Muslims unable to organize in opposition to their government are attracted to religious violence because it gives them a sense of identity (Scruton 2002: 159). Since it is extremely difficult for children to receive an education in many Middle Eastern countries, madrasas allow them to receive an education but it is at the price of believing the West is responsible for their misery (Haqqani 2002:60-61).

ECONOMIC

Currently, Al-Qaeda's primary target is the United States, interpreted as a sovereign nation-state. The attacks of 9/11 were designed to hurt the infrastructure of the United States faculties of decision making. These faculties include the Pentagon, the White House, and the World Trade Center which together represent the military, the government, and the economy. Islamic militancy perceives the American state as an agent that is controlled by these three spheres that call upon itself "the wrath of god" (Scruton 2002: 133-134).

"For Western nations to presume that they can safely exploit the vast oil and gas riches of Central Asia without first helping bring peace to Afghanistan is unrealistic to the extreme" (Rashid 1999: 23). The oil in the Middle East has contributed massive revenues to the regimes that trade it with the West. Due to these revenues, a building boom has fueled a population explosion that has affected global trade in other areas. Consequently, the Middle East is controlled by a governing power that does not contribute funds towards planning regulations and for this reason the landscape has been "mutilated beyond recognition" (Scruton 2002: 127-130). With its initial start in the 1970's, Islamists saw economic failures as a result of economic, political and cultural influence of Western imperialism. "Islam provided not only the spiritual values that allowed the East to resist the West, but presented also an alternative model of political and economic development based upon social justice" (Pullapilly 1980: 116-118).

FRAMING AND POLITICAL OPPORTUNITY

Movements must frame their demands in ways that attract devout followers and construct social networks that serve as connective structures. The adoption of mobilizing structures groups depends upon the efforts of movement leaders in facilitating the cultural connections between the local networks and preexisting cultural elements (McAdam 1996: 149, 105). Terrorists feel the need to preserve their cultural and religious identity as an opportunity to fundamentally shape their future. Thus, terrorism may begin as a defensive strategy but it usually transforms into a lengthy and significant cause (Cooper 2005: 564).

Some people believe that Islamists use Islam as a political opportunity in order to disguise their true objectives, which have more to do with acquisition and maintenance of political power rather than religion (Esposito 2001: 144). Also, a number of people believe that advocates of political Islamism are after “hegemonic control under their political control.” Dictators in some Middle Eastern countries have promoted their own interpretation of Islam, including violence, to further their political agenda. They define this struggle from the mentality of ‘us’ against ‘them’ which excludes others due to their differences. This mentality only values similarities, and generates hate among people with differing beliefs. (Thompson 2003: 47). Additionally, repressive regimes do the majority of the killing and wounding, while the adversarial groups do more damage to objects (McAdam 1996: 95).

RELIGION SERVING AS A FRAME

The foundation of Islamism is intangible because it is grounded in religion and not politics. Many militants do not join a community; instead, they join an “imagined one.” Militants diverge from traditional Islam when embracing militant ideologies because they are different from the ideologies of traditional Islam (Roy 2004: 42 & 52). Therefore, Islamists are not concerned about reality and resort to murder because they are pursuing their own interpretation of Jihad. Similar to the Russian nihilist, the Islamist is an “exile in this world” because their only interests are in spreading a revival to Islam (Scruton 2002: 126-127).

MILITANT MOBILIZING STRUCTURES

People in the West often do not make many attempts in trying to understand why Militants’ resort to violent means. Frequently, the disastrous conditions of their home countries and repressive regimes are not taken into consideration when trying to explain why militants resort to violence. Militants are attracted to terrorism because it empowers the powerless and celebrates death through overcoming their

repressed and empty lives. Failures of Arab nationalism, along with a Western bias toward Islam, has allowed for Islam to become more powerful. Radical countries and political movements use these appeals in order to legitimate and mobilize popular support (Esposito 2001: 147). In some circumstances, militant violence can take a nationalistic form in search for an autonomous nation when the nation-state’s influence is diminishing. Some militants use violence to advance their agendas for a better livelihood, such as the militants in Lebanon during the 1980’s (Thompson 2003: 66).

Poverty, ignorance, and despotism are breeding grounds of Islamic terrorism because they serve as reactions to stagnant economies, unrepresentative local governments, and their resistance towards western ideologies (Thompson 2003: 63). The Muslim world is divided between the rich, many who are aligned with the West, and most of the poor who turn to religion as an “adequate means of livelihood.” If a child is impoverished and receives an education it is likely that they attend a madrasa. Although a minority of madrasas in the Middle East glorifies violence against the west, the majority of these religious schools only stir feelings of opposition against the West. After the Cold War it was difficult for all madrasas to stay unaffected by radical militant ideologies because during that time some madrasas were used for recruitment against the USSR (Haqqani 2002: 60-64).

Mobilizing participation for militancy also includes creating focal stories. One focal story utilized by militant recruiters is that the Americans and the Israelis plan on conquering the Middle East, have a desire to steal Arab oil, want to humiliate Muslims and convert them to Christianity (Cowan 2006: 237). “Terrorist group recruiters lurk within an atmosphere of emotional fervor, and take advantage of personal loss.” For example, Hamas and the Islamic Jihad have been known to use funerals and mourning booths as platforms for recruitment. These mobilization strategies exploit emotionally high circumstances (Bowers 2004: 268).

Motivating potential terrorists is a difficult endeavor because terrorists do not receive high monetary wages. For this reason militants value the psychological perks they receive from their mission. Although many terrorists are motivated by religious and political ideologies it does not completely explain why they resort to murder because many people who agree with the same views do not resort to killing. The motivation for militant extremists is very complex and only evolves over time. Potential militants are motivated for militancy usually in small group settings that glorify suicide bombing. In these small groups, they are trained together and form emotional bonds. These small groups last for extended periods of time and encourage members to feel special because these bonds make them feel elitist and that in itself is a

benefit for its members. After forming these bonds, these militants are told that they must give their lives for each other. Once they are called to engage in suicide attacks, they feel a strong obligation to the cause (Cowen 2006: 236).

THEIR MILITANT MOVEMENT EMERGENCE AND ITS' EFFECTS

Social movements, including revolutionary ones, must unify people, shape coalitions, confront opponents, and assure their future after mobilization is complete if their movement is to be successful (McAdam 1996: 148-149). Some of the most intense movements of ethnic and religious nationalism began in states where local leaders felt exploited by the global economy. Also, these movements feel vulnerable towards United States military leverage. Members in these movements feel invaded by pornographic images from United States popular culture (Juergensmeyer 2004: 35).

Some believe that terrorism was a reaction towards the United States and its failure to enhance the economic development of some Middle Eastern countries. The United States has traded with some regimes in the Middle East which have repressed their people. Therefore, the terrorist movement has gained momentum during the contemporary period due to its outrage against the West for promoting such regimes and ignoring the underdevelopment of their countries (Mazrui 2006: 24-25). Ironically, "terrorism has become, both an instrument designed to force radical social and political changes and an instrument of oppression in seeking to prevent such changes" (Combs 2005: 2).

Although Al-Qaeda is a small group with only one thousand members, it is at the extreme end of a hostile subculture and considers itself to be authentic and very religious. Bin Laden and his terrorist organization gained immense popularity because of the world-wide recognition it received after 9/11. Publicity introduces Islamist militancy and reveals to the public that it is attacking symbols of global economic and political power in pursuit of their religion. Using religion provides them with the metaphor of cosmic war, "an image of spiritual struggle that every religion contains within its repository of symbols, seen as the fight between good and bad, truth and evil." Thus, when militants receive publicity, their cause is recognized which helps them to frame their grievances and mobilize participants for their social movement (Juergensmeyer 2004: 35).

Most social and political struggles are likely to be concluded within the lifetimes of their participants, but religious struggles take genera-

tions to succeed. Unlike contentious social movements, Islamists movements are based on holy wars. The terrorists that attacked on 9/11 did spark the public's consciousness,' but not in a way that will entice countries to work with them on their differences. "Enemies become satanized, and thus compromise and negotiation become difficult." Since many militants resort to suicide bombing, they do not expect to negotiate with their enemies (Juergensmeyer 2004: 35).

Religious and ethnic nationalism has provided a solution to the perceived insufficiencies of Western-style secular politics in the contemporary political world. As secular ties begin to form in the post-Soviet and post-colonial era, militants at the local level are searching for new ways to frame their social identities and political loyalties. What is significant about these ethno-religious movements is not just their usage of technology, but their creativity of appropriating its national and global networks. Some leaders in the movement are using ancient cultural images and concepts that give them framing strategies people can connect with (Juergensmeyer 2004: 35).

Movements that support ethno-religious nationalism are confrontational and sometimes violent because they adamantly reject the intervention of outsiders. It is not surprising that they occasionally clash with each other and secular states. Nevertheless, these clashes help them define who they are as a people. Many militant organizations serve as a backlash of what has been deemed as the world's global standard which prioritize "the elements of secular, Westernized urban society found also in many parts of the former third world and interpreted by militants as vestiges of colonialism." However, as these identities form, they inherit alternative modernity's with international and supranational aspects of its own (Juergensmeyer 2004: 35-36). Good relations can be established between the Christian-West and the Islamic-Middle East is if Christians in the West condemned all expressions of anti-Muslim bigotry and if Muslims in the Middle East condemned similar bigotry concerning the West (Ramachandra 2005: 489).

Conclusively, the puzzle I sought to explore through this paper was what Militant Islam really consisted of and why people chose to resort to its violence. Applying social movement theory was imperative in my understanding of Militant Islam because it answered my question as to what it was and why people mobilize for it. My key findings suggest that the impoverished environments in many Middle Eastern countries are a result of repressive governments financed by democratic institutions. Due to the repressive nature of these regimes, militant movements are sparked out of desperation for a change in the political and economic atmosphere. My most significant finding was that militants use a distorted concept of the Islamic religion to

mobilize their support against what they see as their enemy. The violent outbreaks of anti-modernist religious terrorism in the beginning of the 21st century can be interpreted as desperate and tragic attempts to regain social control. Until there is a clearer sense of global citizenship, diluted religious interpretations of moral order will continue to appear as solutions to the problems of authority, identity, and belonging in the world of globalization (Juergensmeyer 2004: 35-37).

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HEATHER NEEDLEMAN
Was Torture Effective in Earlier History?

Today, in the twenty-first century, Americans are asking themselves if torture is an acceptable action on behalf of their government. Before evaluating the ethics problems with torture, it is essential to draw a historical analysis of arguments posed earlier in history by governments advocating torture and whether these claims substantiated effective results for people living under the idea of a social contract. Using early perspectives from two philosophers during the 17th and 18th centuries and illustrating the use of torture condoned by the Elizabethan government in England during the 16th and 17th centuries, serves as a basis for arguing that torture was ineffective in protecting harm from individuals within society.

Coercing a confession represents what Cesare Beccaria, a philosopher in Italy, called the false test of truth. Beccaria believed that torture for the purpose of extracting confessions was unjust and did not serve to protect people in society. He argues that the only truth that any government condoning torture wanted was one that “lived in the muscles and fibres of a wretch in torture.” In other words, the truth was not based on fact and was only found in someone’s physical strength. He points out that the common use of torture by the government was just as ineffective as trials conducted before boiling water or fire in Italy. Trials of this sort forced many people to admit to crimes they did not commit because of the fear that these instruments would be used on them.

Moreover, during the 18th century, English governments were torturing people on grounds of suspicion. The inevitable problem with suspecting someone of committing a crime and not having solid evidence was that the government was unjustly conducting torture because the person in question could have been innocent. William Godwin, an English journalist and philosopher, said suspicion was “the most abhorrent to reason” and was “arbitrary in its application” because it lacked a pattern of objectivity that valued evidence and reason. Furthermore, suspecting an innocent person and torturing them went against the principles of a social contract. It makes sense that Beccaria was a popular read in America during its founding because his writings advocated a social contract in pursuit of protecting the people bound to it. Beccaria contends that torture used as punishment or a tactic for retrieving confessions “would also be contrary to justice and to the nature of the social contract itself.” In other words, using torture tactics to retrieve the truth was an ineffective method in discovering whether the alleged criminal was undoubtedly guilty.

Governments throughout history, such as those in England, have claimed

that they used torture to “terrify and make an example to others.” Baccaria believed that the political intent of torture was useless because it did not make sense to be made an example of to the public while being tortured in the darkness where the public could not see. He deemed these acts of torture ineffective for safety reasons because it did not serve the purpose of making examples out of criminals. Another problem with torturing people in order to make an example out of them is exhibited through the Elizabethan government’s use of torture on Catholic priests in their attempt to degrade the moral fabric of Catholicism in England. Thus, this use of torture did not benefit or protect society and only benefited the political and religious agenda for the Protestants in England during the late 16th and early 17th centuries.

Governments such as those in England and Italy, had encouraged the belief that torture was justified because religion had always associated inflicting pain on those who were in vice. Governments during the 16th and 17th centuries in England claimed that the use of torture was condoned by God and by no surprise the governments in the 18th century claimed the exact same belief. William Godwin said that religious persecution was founded on the belief that it is “meritorious in us to mal-treat those whom God has cursed.” Moreover, torture was used as a tool by governments to accuse whomever because they asserted that torture was justified by God.

Governments in England during the 16th and 17th centuries did not consider whether torture was effective in prohibiting crimes. Additionally, Godwin believed that criminal law was not applied effectively by the government because religion brought out emotions of anger instead of invoking reason and applying it to the justice system. Baccaria summarized this principle when he said, “punishments which go beyond the need of preserving the common store or deposit of public safety are in their nature unjust, the juster the punishments, the more sacred and inviolable the security and the greater the liberty.” Therefore had the government committed acts that were unjust, these acts were then ineffective because they did not strive to protect public safety.

Additionally, the use of torture in Renaissance England under Queen Elizabeth was condoned in order to coerce confessions from those who were alleged criminals. By forcing many Catholics to admit to crimes they did not commit, they believed that this system of torture was deliberately used to verify lies that suppressed Catholicism. At the end of

the 16th century, England’s use of torture significantly increased as the Elizabethan government accused and later tortured many Catholic missionary priests. Since these people were forced to confess to crimes they were innocent of, there were most definitely innocent people who admitted to a crime in order to stop the enduring torture. Therefore, torturing people to retrieve confessions represented an inherent flaw within the justice system.

Godwin illustrates the power of religion by suggesting that “religion is the sacred province of conscience, and that moral duty may be left undefined to the decision of magistrate.” In other words, a government official had the right to determine what was acceptable and what was not. Making the decision to torture another human being was not directly ordained by God, but instead it was indirectly ordained by a political and religious figure. Using the word of God to accomplish inhumane tasks has allowed this manipulation to be “deeply impressed upon the mind.” Consequently, this abuse of power illustrated one of the many detriments towards society since the truth was only what the magistrate coined it to be.

Instead of truly punishing the alleged criminal and making an example out of them, William Godwin argues that such torture had a prevailing uncertainty that actually multiplied the rate of crimes due, in part to resentment. He said, “the more torture there is in any country of inequality and oppression, the more punishments are multiplied.” Moreover, Godwin believed and argued that institutions that valued torture as a means towards an ends of justice were only contradicting the “genuine sentiments of the human mind.” In other words, using torture for any reason was in violation to the social contract.

In conclusion, realizing that torture is ineffective in pursuing public safety is not a novel idea as arguments against torture can be found in the 17th and 18th centuries. Currently, the acts of torture on behalf of the United States government in Guantanamo Bay illustrate the same problems that had plagued the minds of philosophers during these earlier centuries. The relevance of these early perspectives prove that torture only serves to the detriment of society and has been used by unjust governments in pursuit of their own political agendas. What Cesare Beccaria and William Godwin considered unjust was a government extracting confessions through force or torturing an individual to punish them and make an example out of them. Similar to Godwin’s argument, torturing and punishing criminals only increases the rate of crime instead of reducing it. Ultimately, the amount of crimes committed and the rate of torture are related with one another. Beccaria and Godwin’s

principle arguments against torture was that it was without reason and was only a disadvantage in the pursuit of protecting individuals bound to the social contract.

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CHAD SAGNELLA
Ward C-2, Room 5, Bed A

Editor's Note: The University of Connecticut sponsors a study abroad program every spring for students to live and work in Cape Town, South Africa. Each participant in the program is assigned to intern with a local non-governmental organization that is working to help right the wrongs of the Apartheid-era. Apartheid was a system of separation invoked by the White National Party in South Africa from 1948 to 1994. During this time period the white minority moved the majority of the black population into barren areas outside the major cities that are referred to as "townships". One of the major epidemics that currently plague these areas, which are still highly prevalent after more than 10 years since the end of Apartheid, are electrical fires. These areas were constructed with only one entry and one exit in order to help the police forces control the black population. This difficulty, coupled with the proximity of the houses to one another, the materials that the houses are made out of, and the use of unreliable materials used to steal electricity, makes the issue widespread. The Red Cross Children's Hospital has an entire burn wing dedicated to the treatment of children who are a victim to these circumstances.

This poem is a circumstantial interpretation of a patient I had at Red Cross Memorial Children's Hospital in Cape Town, South Africa. I hope to illustrate the context of this 3-year-old girl's life in a Xhosa-speaking township on the outskirts of the city.

WARD C-2, ROOM 5, BED A

warm day, cool night

i pass the evening playing with

uma's old rings, trying them on each finger,

still hungry after auntie's dinner, but crying

will do no good.

uma is at work.

she is a night woman

but usually returns soon after

sunrise.

papa is asleep in his chair

drunk off one too many utywalas

like every other night before.

the fire started in auntie's house next door.

the electrical wire that

uncle peter had run from

the Eskom line to auntie's

stove had shorted.

they were asleep

unaware of the monster that was

eating away at what

little they had.

it spread quickly

jumping

from house to house

like a grasshopper in the plains.

i saw the smoke

before the blaze.

i tried to wake papa

but ubawo was

unrousable.

i screamed for uma

i screamed for papa to wake up

nothing.

i screamed for someone

anyone.

warm body, cool ward

cyclic beeps of monitors and

other children's cries
fill the air.
a sister is wrapping my
torso
with cold, wet gauze.
it feels good,
refreshing.
i try to remember what happened
of the night before.
then i see uma in
the corner of the room.
i smile.
she must have returned
early from work.

uma comes over as
the sister leaves the room
to get more gauze.
she whispers to me,
baby, my usana.

she begins to unwrap
the dried gauze that is
stuck around my hands
like a boxer's gloves.
she cries a little
at the sight of
my fingers.
red, black, white,
not the usual look
for my brown hands.
uma wipes her eyes
and helps the sister rewrap
my fingers with
new, wet gauze.
now i cry
a little because it hurts and
a little because i wonder
if i'll ever be able to wear
uma's old rings again.

Children Outside of a Daycare Center in South Africa (2007)
Parents with AIDS come with their children for a daily meal and medicine.
Many of the children are HIV positive as well.

CURRAN KENNEDY



ZOHAIB RASHEED
Finding the Middle Ground Between Two
Philosophical Foundations to Human Rights

Topic: This paper will consider the philosophical foundations of human rights. I do not claim to answer this question myself, merely discuss this topic because it is relevant to most realms of human rights dialogue. Although there are many different philosophical foundations for human right, I believe that two contrary schools of thought, individualism and communitarianism, are helpful in explaining the complexities of the subject.

Thesis: I will posit that the theoretical arguments put forth by the individualists, and the communitarianists give us important perspectives on the philosophical foundations of human rights. Individualism and communitarianism are seemingly contradictory ideas, yet both put forth equally compelling philosophical justifications for human rights. Interestingly, each philosophical school of thought has the same goal - to cultivate global understanding and cooperation – but both have very different ways of accomplishing this goal.

I. INTRODUCTION

As Michael Freeman's paper illustrates, the subject of human rights is a cross-disciplinary study and it would be over-ambitious to give a singular philosophical foundation for human rights. "The concept of human rights raises problems that are, on the one hand, practical and urgent and on the other, theoretical and abstract...It is widely recognized that these two dimensions of human rights work should be integrated into one another, [which] can prove to be difficult in practice." Indeed there are a plethora of justifications, ranging from appeals to God (natural or inalienable rights) or God like substitutes such as 'nature or reason', universalism, cultural relativity, or state sovereignty. Each argument has its merits and its weaknesses. However, for the purpose of this paper, I will focus my discussion on individualism and communitarianism. The individualists ground their philosophical foundations on respecting rights of individuals enumerated in the Universal Declaration of Human Rights (UDHR). On the other hand the communitarianist will back their arguments from a culturally relative point of view. Although it would make equal sense to approach the topic of communitarianism from a Marxist viewpoint, I believe that the cultural relativist approach will gain more acceptability and speak to a wider audience. Moreover, cultural relativism is an attractive option for communitarianist for it gives the community the power to decide and determine important social and human rights norms.

Each school of thought has weaknesses and ultimately each falls short of giving an encompassing answer to the philosophical foundations of human rights. Ultimately, I posit that even though the doctrines of individualism and communitarianism are contrary philosophies, they are still important fragments of an overarching philosophical foundation of human rights. Thus, it is important to consider each argument's merit and try to integrate that into a consistent system.

II. THE PHILOSOPHICAL FOUNDATION OF HUMAN RIGHTS IS GROUNDED IN INDIVIDUALISM

Jack Donnelly is an individualist – the idea that each person has the right and liberty to pursue life projects that they find desirable, and this right cannot be curtailed by social, religious or cultural norms. Donnelly goes on to say that the philosophical foundations of human rights can be found in man's moral nature. Human beings need human rights because we deserve a life of human dignity, a life worthy of human beings. This idea is similar to Kant's idea of human dignity. Kant posits that human beings are rational agents (able to reason), and we employ practical reason to achieve some good (what ever it may be). Since we are rational agents that try to achieve some good, a life of dignity is necessary to achieve that good. Without a life of dignity, human beings would not respect the life projects of fellow human beings,

and vice versa. Such a world would spiral into a chaotic system, similar to Hobbes' state of nature, in which a person has a right to do anything to preserve himself. Therefore, a life of human dignity ensures respect for individual human rights because each person would understand their responsibility not to infringe upon another's freedoms. A life of human dignity establishes a level beneath which we may not permit ourselves to fall.

The UDHR heavily endorses individualist and libertarian philosophy. Donnelly recognizes that although the foundations of the Universal Declaration on Human Rights are rooted in western and liberal endorsement of individualism – idea that an individual has the liberty to follow individual goals and desires – it does not mean that non-western states will not find the concept of universal human rights agreeable. In fact, he would argue that, many cultures would accept that people have the right to follow their individualistic desires and goals, as long as the individualist does not thrust his point of view on others.

Donnelly adds that human rights are based on a conception of human nature. Human nature seeks to fulfill human needs (food, water, shelter). But he says that this is not enough to explain human rights. Donnelly introduces the idea of individual liberty – a person is the sole decider of his life projects and should have the liberty to lead a life as he sees fit. In his view, human beings are entitled to human rights simply on the basis of being human. There is no creature on this planet like the human being, and therefore such rights cannot apply to them. If we are the only creature with such qualities and we have the capacity to pursue individual desires, then this must stem from our moral nature. He adds that most human rights are expressions of individualistic desires of the person, such as freedom of religion and speech. If human rights are an expression of individual desires, then it follows that they stem from man's moral nature. Man's moral nature seeks to fulfill individualistic desires (not hedonistic) that ought to be protected from institutions that seek to curtail this freedom. Protection from such injustices is the responsibility of society. His argument is bolstered when he refers to the rights enumerated in the Universal Declaration of Human Rights, which are simply individualist desires and freedoms.

Donnelly adds a practical aspect to his theory of human rights by asserting that there is an international consensus on human rights norms through international conventions and treaties. "There is a striking cross-cultural consensus on many of the values that human rights activ-

ism seeks to protect." The ratification of the UDHR by most states, implicitly means that there is at least some consensus on universal human rights norms. "Verbal acceptance of human rights by most states is a prima facie indication that the underlying moral vision is attractive." He believes that even if some states explicitly endorse other ideologies, they implicitly give in to the logic of the UDHR by being party to it. For Donnelly, the philosophical foundation of human rights is grounded in man's moral nature to lead a life of dignity, by following individual goals and desires. International acceptance and consensus on the UDHR implicitly suggests that states are morally attracted to universal human rights that are grounded in individualism.

I must add that I find Donnelly's grounds for human rights rather confusing. He seems to jump from philosophical discussions, to practical difficulties faced by human rights, and then an obscure view of human nature. There are clearer accounts of individualism. However, for the purposes of this paper, let's agree that individualism means that each person has the right and liberty to pursue life projects that they find desirable, and this right cannot be curtailed by social, religious or cultural norms.

III. THE PHILOSOPHICAL FOUNDATION OF HUMAN RIGHTS IS GROUNDED IN COMMUNITARIANISM

Rhoda Howard, who is not a communitarian, defines communitarianism societies as "societies that value the fact that within it one's ties are prescribed by one's relations to family and kin. Within that network of ties, sex and age roles are carefully defined...socially-prescribed roles, freely fulfilled, are assumed to result in rootedness in society." Unlike Donnelly, the communitarian's philosophical foundation of human right is grounded in respecting the community as the highest authority that decides a culture's value system. Most communitarianists view the Universal Declaration of Human Rights, which enshrines the ideal of individualism, as a threat to their value system. Therefore, communitarianists search for doctrines that endorse group rights, or equal distribution of benefits to all citizens (a somewhat Marxist ideal).

Communitarianism is also similar to the concept of communalism in some significant way because both put the interests of the community above the interests of the individual. This is usually only done on the principle that the community exists for the benefit of the individuals who participate in it, so the best way to serve the interests of the individual is through the interests of the community. In some ways, it is a utilitarian justification, where the greatest happiness means the greatest utility produced for the group rather than the individual. Therefore, we can see the rift between communitarians and individualists since both consider the philosophical foundations on contrary ideologies. Individualism emphasizes the individual liberty to pursue

self-defined goals and desires. On the other hand, the communitarian abhor the fact that in individualist society, androgyny is permitted and lifestyles choices that offend the natural order of kinship and family are tolerated.

The communitarianist, in my view must give a more convincing foundation for his belief that the community defines social order, rights and lifestyles, and not the individual. The individualists have centuries of literature, from Locke to Rawls, to search for foundational justifications, where as the communitarianist appeals to centuries of repeated practice. Interestingly, I believe that a communitarianist can find this foundational ideology by appealing to literature on cultural relativism. "In the communitarianist view, the underlying glue that holds society together is its culture. The culture tends to be static and orderly; very little change is foreseen. One's primary identity comes from one's family or kin, then the larger social structure such as one's unchanging group, defined as ethnic, religious, or national." It is possible that the communitarianist would likely not have a concept of individual freedoms, especially as it stands in the western tradition. Nonetheless, I think the communitarianist can appreciate that he has a right to determine his value system or culture. For this reason cultural relativism would be a rather attractive option for the communitarianist, for it allows him to decide and determine his value system.

Thus, a philosophical foundation for the communitarianist can be buttressed by the cultural relativist philosophy. Cultural relativism can be employed as a weapon by the communitarianist against the individualist. To reassert my earlier claim that the problem for the communitarianist is this: he has no foundational justification for holding community rights above individual rights. This is where cultural relativism can be employed to provide a justification for his value system. Since the community has a right to determine its own values and norms, the communitarianist could claim that his culture has the sole right to determine their value system. "Given the many attempts by Western powers to destroy indigenous societies, cultural relativism was and remains a valuable defense of indigenous societies against attack and destruction by colonialists." Any intrusion from external sources would infringe upon the communal state sovereignty. Any such attempts could also be viewed as cultural imperialism – the idea that a culture imposes its values upon another.

IV. CONCLUSION: THE MIDDLE GROUND

As we have observed in the prior sections, there are a number of philosophical foundations for human rights, some of which are contradictory to another. For example, the individualists attack the communitarian on grounds that such communitarian societies discriminate against minorities by devaluing their values. Moreover communitarianism does not respect the rights of women since most such societies are patriarchal. Moreover, cultural relativism can evolve into an extreme form, what we can call radical cultural relativism (cultural absolutism) - that culture is the sole source of the validity of a moral right or rule. Furthermore, only the community can define what constitutes as a human right. This is a very powerful claim for it debunks any justifications of universalist. Rhetoric of this form is commonly employed by dictators who seek to maintain their strangle hold on a societal norms. These dictators claim that since the cultural is the sole source of norms and values, and if that culture discriminates against any given group, then discriminating against those groups is justifiable within that culture.

The communitarian might respond with a list of counterarguments. When the Universal Declaration of Human Rights was formed, many of the Asian nations did not actively participate in its creation for they were not independent states at that time. Communitarians believe that UDHR embody the doctrine of individualism, which has roots in western traditions. The western tradition does not view the unique cultural experiences of communitarian societies as a relevant source of human right ideology. Therefore, enforcing states to accept a doctrine contrary to their historical and cultural tradition is nothing less than a form of imperial ethnocentricity. Communitarians also claim that individualism diminishes family values - a central tenet of communitarian values - by flaunting individual liberties that encourage norms that breakdown the social and communal hierarchy.

Despite the compelling arguments on each side, it is possible to find a common ground between individualism and communitarianism. An-Na'im gives us an enlightened vision of cultural relativism that integrates universal human rights norms with cultural justifications for respecting these universal norms, which he called a cultural legitimacy thesis. "The cultural legitimacy thesis accepts the existing international standards while seeking to enhance their cultural legitimacy within major traditions of the world through internal dialogue and struggle to establish enlightened perceptions of and interpretation of cultural values and norms." He goes on to say: "I propose to broaden and deepen universal consensus on the formulation and implementation of human right through internal reinterpretation of, and cross-cultural dialogue about the meaning and implications of basic human rights values and

norms.”

The first step towards consensus on universal human rights is to reinterpret and reexamine cultural values by finding grassroots justification for accepting universal human rights norms. Understandably, each culture will come up with unique reasons to accept these universal norms. Cross-cultural dialogue is the next necessary step in forming global consensus. Dialogue will reveal that societies share common values that can be incorporated into a larger framework of universal human rights ‘culture’. Thus, each culture will have a culturally relative justification for these norms, yet would agree that these universal norms exist and are necessary.

We return to the central question we posited earlier in the paper: are there philosophical foundations for human rights, and if yes, what are they? The answer to the former is an unequivocal yes, but the answer to the latter is a little more complicated. Indeed we have seen that there are numerous philosophical justifications for human rights, and paper has discussed two contradictory positions at length – individualism and communitarianism. Yet, it is not clear which one we should endorse, or do we even have to endorse one over the other? This is a tough question to answer, and many intelligent people stand on both ends of the spectrum. However, one thing is clear from this discussion: although at first sight one might think individualism and communitarianism are mutually exclusive ideologies, a more in-depth discussion relieves that there is common ground. We can use An-Na’im’s enlightened vision of cultural relativism to cherish the differences between societies, and promote dialogue to discuss the differences, rather than rejecting them unqualified.

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Bathtub in an abandoned house in New Orleans (2006)
ALISON REILLY



SARAH CETLIN
Sex Trafficking

According to the US Department of State's website sex trafficking is "the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act". Although the fact that the government has an easily attained official definition and explanation on their website of sex trafficking is a step towards achieving rights for women, it is only a small step. In truth their definition generalizes the horrors that are involved with sex trafficking. Women are routinely pushed the sex trafficking trade around the globe – even though the government is aware of it. It directly and indirectly violates many human rights and therefore many grassroots organizations work towards solving the travesty. But without the support of the government, and within the bureaucratic structure of the United States, the complete abolition of sex trafficking is near impossible. The world needs to be educated of the realistic horrors of sex trafficking that are happening to women throughout the world and work to end it.

Human trafficking happens for various reasons not limited to but including, forced labor, slavery, organ removal, and sexual exploitation. Regrettably, ninety percent of the trafficking that occurs involves sexual exploitation. Almost all of the people that are trafficked in this form are women and children. The children's ages range from nine to nineteen with an average age of eleven. Although the majority of women have particular identity types, women of all ages and races are at risk since the people that are in charge are running a business – and are therefore extremely organized. These women and children usually are unaware of what they are getting themselves into and believe they are involving themselves into something that will be beneficial.

The sex trafficking "business people" employ an assortment of means to lure the women out of their home countries. They may promise the women a good job in another country, such as models, actresses, waitresses, or nannies. They may behave like they are facilitators of travel and are simply bringing the women to the western world. The women may believe they are entering into a marriage to gain citizenship within another country -- which is actually only a false marriage proposal turned into a bondage situation. The women might be sold into the industry by parents, friends, husbands, and etc. as a way to make money. Or the traffickers could just actually kidnap the women.

Once these women are within the other country and realize the terrible situation that they are in, it is extremely difficult to get out of it. Due to the debt-bondage system that the traffickers use as a trapping device, the women are stuck to their traffickers. In this illegal system the traffickers tell the

women they owe the traffickers money, usually from the travel or living expenses, and that they need to pledge their personal services to repay the debt. In addition to the debt-bondage system, the traffickers usually bring the women down physically and mentally to keep them “in their place”. These tactics can include starvation, confinement, beatings, physical abuse, rape, threats of violence to them and their family, threats of shame, and forced drug use. The effects of these abuses are intense and the women may physically experience abortions, injury, drug and alcohol addiction, and STD’s. They may psychologically experience grief, fear, shame, distrust, anxiety, and etc. The spread of disease also become a major problem in terms of effects, such as STD’s and HIV/AIDS. Even though the women will probably have a hard time leaving after dealing with all of the effects, as an added safety measure they will usually keep the women under constant watch. There have even been situations where the women have actually been kept in cages. The traffickers know what they need to do in order to make sure the women do not and cannot escape.

People may find themselves wondering how it is possible for sex trafficking to continue when the women are treated so terribly. But in a world where, in many places, women are treated as objects it is not surprising that the mistreatment is allowed. Due to overwhelming socioeconomic situations, where poverty and unemployment are prevalent, women may find themselves agreeing to jobs that may not seem completely legitimate. Due to the huge demand for women that can be objectified and used as sex objects there continues to be a market for these women. The ideologies held about women and the accepted sexual roles also lead the path to sex trafficking. Sex tourism is a major part of this – where people travel for the sole purpose of sexual exploitation, for example to Thailand, where the sexual aspects of laws are more lenient than in the western world. The “Virgin Ideal” is another main reason – the idea that women who are virgins are pure and of higher value. This also is a contributing factor to the desire for children in the world of sex trafficking. A third major contributing factor is the abuse of women during war. In many situations wars are fought using the local women’s bodies as a way to get at the country.

The second question that will probably come to people’s heads is why people want to traffic women and children at all. The answer to this question is based on the world today as well. It revolves around the economy and desire to make as much money as one can in which-ever means possible and the fact that the laws are much easier to get around than other criminal offenses. A British police officer put it well by saying, “If you get caught smuggling cocaine, you’re looking at 20

years. If you smuggle women, the profits can be just as high and if you get caught the only thing you’re looking at is living off the immoral earnings. If you’re a criminal, the choice about which to go for is pretty simple.” The difficulty and nature of trafficking cases makes them unattractive to government officials – they want cases where they can easily blame one or a few people and have the case be over.

Trafficking involves a variety of people and positions, ranging from the people who pick up the women, the individuals who falsify documents to allow the women to gain entrance to the countries, and the people who enforce the restrictions on the women. It is clearly not easy to figure out exactly who is to blame. The industry brings in seven billion dollars in profits annually and is the third largest revenue for organized crime worldwide. Since there is a rare chance of having to deal with legal consequences, the traffickers can focus directly on the market and the profit that they make.

One would hope that modern developed countries would be more stringent and take great measures to prevent sex trafficking. Unfortunately it is the more developed countries where the actual exploitation of the women occurs. The United Nations estimates that 700,000 to four million women and children are trafficked around the world. Most of the women that are trafficked are exported from economically and governmentally weak countries into economically and governmentally secure parts of the world. According to the worldrevolution.org, women are exported from “no less than 49 countries around the world”. The largest percentage of women come from the Former Soviet Union and Eastern Europe (estimated 270,000 women) and is closely followed by women who are trafficked from Southeast Asia (estimated 225,000 women). Drastically lower but still a huge number of women come from Latin America and the Caribbean, at about 100,000 women. These women end up at a variety of wealthier parts of the world including Western Europe, which gets about 120,000 women, Australia, at about 70,000 women, Japan, at about 100,000 women, and the United States, at about 50,000 women. These huge numbers are only representative of women who have been documented. The numbers of women who are unknown is most likely significantly higher.

Although many would think that sex trafficking couldn’t occur in the United States, one only needs to look at the documented numbers to see that it is possible. It is important to remember that women from developed countries can be lured into sex trafficking situations. Even young women in the United States have been trafficked out of the country. Women who live in low socioeconomic status situations are particularly vulnerable. But any average woman has to be aware of the risk that she has the potential to be

trafficked as well. There is the example reported by ABC News in 2006 of Debbie, a straight "A" American student, who was abducted from her driveway in Phoenix, Arizona by individuals she considered "friends". The market in the United States for incoming trafficked women is the largest issue in terms of the U.S.A.'s involvement in the sex trafficking.

The United States has the second largest market for sex trafficked women and children. The women are usually transported to Mexico and then illegally brought in the U.S. with fake documents or are snuck in. They tend to be brought in to major cities, where they can generate the greatest profit, and along the Mexican border, as that is where they are usually brought in. Surprisingly, or not, these women are also kept in suburban areas – where the outside of the house may fit in with the suburban surroundings but the inside does not. In addition to the women that are sexually exploited on U.S. land, there are also the American soldiers that exploit women; many times these individuals have been sex trafficked to an area where soldiers are. An example of this is the U.S. military bases in Korea last year. Next to each of the twelve major bases were entertainment areas where soldiers could go to bars that sold tax-free alcohol, Korean's were not allowed to enter the bars. In addition the soldiers could get sexual satisfaction as 8,500 foreign women entered Korea on "entertainment" visas. Even worse is that the age within the military for statutory rape is 14, much lower than the 18 for all other American citizens. The fact that these visas exist and that the age is lower for statutory rape charges shows defacto government support of sex trafficking for its military. The fact that the government is supporting sex trafficking is repulsive – one only needs to look at the extensive list of human rights violations occurring to understand this.

The Universal Declaration of Human Rights (UDHR) does not directly discuss the problems of trafficking. In fact it hardly directly touches on women or children's rights – instead talks about everything as a "right to all humans". But sex trafficking indirectly violates many articles within the UDHR. Article four states that "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms". Women being forced to have sex and that are not allowed to leave are basically a modern day form of slaves. Article five states that "no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment". This article is clearly violated for almost every single description of sex trafficking given in this essay. Section two of article thirteen states that "Everyone has the right to leave any country, including his own, and to return to his country". The point of this article applies directly to sex trafficking as women are

made to stay in countries they do not want to be in. However there is an issue within this article – the use of the pronoun "his" is shows that the UDHR is slanted towards men. Sadly, women and children are not thought of as equal humans in many places throughout the world.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of a Child fill in most of the gaps that the UDHR fails to cover. These conventions detail exactly what rights women and children have and focus on inequalities that are generally accepted throughout the world. Since sex trafficking is such a major violation against women and children violations within these conventions are expansive. The main article within CEDAW that is violated is article six, which directly prohibits trafficking. It states, "State parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women". It is apparent that sex trafficking is an outright violation of this human right.

The Convention on the Rights of a Child defines a child as anyone under the age of eighteen. The facts that are given throughout this paper shows that a large number of the women trafficked are actually considered children. There are two main articles that are violated within this convention: article thirty-four and thirty-five. Article thirty-four states that, "state parties undertake to protect the child from all forms of sexual exploitation and abuse..." Article thirty-five states that, "state parties shall take all appropriate national, bilateral, and multilateral measures to prevent the abduction of the sale or traffic in children for any purpose or in any form". The rights of these women and children are so severely violated that there are numerous grassroots organizations that are working to giving them their rights back. The number of grassroots organizations fighting against sex trafficking is overwhelming. The Amnesty International website lists about fifty organizations, with many others that are unrecorded. Amnesty's work against sex trafficking falls under their Stop Violence against Women campaign. They are an important NGO working on sex trafficking because of the amount of power they hold and their understanding of how to operate successfully within a bureaucratic society. They create annual reports on trafficking of persons and work to educate the public through media and other outlets. They also focus in on individual situations – for example their current focus on sex trafficking in Greece. In line with Amnesty's bureaucratic nature, they are focused on changing legislation. Amnesty wants more states to ratify Greece's Convention on Action against Trafficking in Human Beings by the Council of Europe so that it can go into action there. They are an organization that most of the public is aware of and therefore are more likely to trust. In addition all the public needs to do support their issues, like the Greece situation, is to sign their actions on their website. Amnesty is easily reach-

able and already well known worldwide.

Some smaller grassroots organizations do more for the actual women that are victims of trafficking and have the capability to educate on a smaller scale. Although Amnesty's mass media tactics are extremely effective in the world today, smaller scaled efforts can be more effective on reaching people individually. The Coalition against Trafficking in Women (CATW) and Matahari: Eye of the Day are both NGO's that work on a smaller level to fight against sex trafficking. According to CATW's website they, "Research and document the situation of women who have been trafficking and are in prostitution; educated the public about the extent of harm sustained by women and girls in prostitution; and galvanizes change through legislation and working with governments and international agencies to create/change/amend policy and legislation that support the right of every woman and girls to be free of sexual exploitation; and helps create and support alternatives for women and girls who have been sexually exploited". So although they working on some of the same aspects of Amnesty – like changing legislation, they are also focusing more on helping the women after they have been trafficked and working with them on a more personal level. They look at sexual exploitation as something that eroticizes women's inequality.

Matahari: Eye of the Day focuses in on even a further personal and individual level than CATW. They are more directly concerned with minority communities that tend to be directly attacked by the sex trafficking industry. They focus mainly on migrants and colored communities and help those who have been affected by sexual exploitation. Their help may come in the form of counseling, advocacy, and group support. Their main goal is to help victims heal, to educate communities, and to organize communities to fight against sex trafficking. Although they have some large successes – like creating a Trafficking Victims Outreach and Services Network (which is a coalition of New England's regional NGO's and Governmental organizations working against sex trafficking) they impact many women on person levels. Since the government is the overall power structure – and is the home to the people that can do the most to change the regular occurrence of sex trafficking, it is important to get them on board with the grassroots organizations. Coalitions like Matahari's, and others throughout the country, are extremely vital in making that happen. People need to band and work together to make the government understand the magnitude of sex trafficking. Furthermore, the organizations will achieve much more if they are able to work together because they will have much more power than if they stand alone. Slavery is illegal throughout

most parts of the modern world. Sex trafficking is only a modern form of slavery and it needs to end now!

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COLOPHON

The third issue of Namaste was produced at the University of Connecticut. It was designed and set into type by Tom Chiari. The in- and outside cover image was originally created by Tom Chiari as well. The journal's text pages are printed on Galaxy Offset Smooth (70# weight), the full color images are printed on Daily Gloss Text (80# weight) and the cover is Jenson Gloss Cover, (111# weight).

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