

Militarization and human rights in South Asia

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Militarization anywhere in the world is a difficult problem to deal with; South Asia is no exception. History tells us that countries in the region have undergone considerable periods of economic exploitation and social repression, whether under feudal or colonial rule. After independence, locally established regimes in these countries also turned to ruthless methods of social control—often relying on the police and military—to maintain power. The region therefore shares a common harsh history in terms of bloodshed and deprivation of civil liberties, although the degree of harshness may vary depending on time and place.

Before we can begin to understand and solve the problems stemming from such violence and militarization, a few preliminary considerations are necessary:

Difficult problems must be seen for what they are

Misconceived notions of hope often mean that frank discussions of difficult problems are discouraged. Instead, it is suggested that discussion focus on positive aspects so as to sustain hope, rather than reveal the complexities of any issue. Attempts to generate positive attitudes detract from our responsibility and participation in solving the problem. They also facilitate looking at the world through rose-tinted glasses. This is not the real world however, which is particularly important when dealing with difficult societal situations. Contributing to the resolution of these requires serious attempts to first understand the problems, which may, at first glance, appear to defy any solution. With regards to militarization, if we are unwilling to look into the difficulties faced by people living in such situations, it is not possible for us to participate in finding a solution. Therefore, no apology is needed in presenting the difficult aspects of South Asian life today.

Experiences of average citizens are important

While it is possible—and even legitimate in certain contexts—to discuss peace, security and development on a grand, theoretical level, when the concern is resolving problems, it is essential to focus on how they affect ordinary citizens. This should, in fact, be the entry point to understanding the problems themselves.

It is therefore appropriate to briefly discuss the difficulties facing one of the participants for this conference, Mr Santha Fernando. Santha is well known to ecumenical and civil society organizations. He was stopped at the Sri Lankan airport on his way to this meeting, and has been detained under anti-terrorism laws for more than five days now. We have learned that a detention order has been issued by the Ministry of Defense to detain him for 30 days, which makes any application for his release in court futile.

Santha Fernando is a person of whom would be said, “He would not hurt a fly”. And yet, he has been detained under charges of terrorism. Under ordinary law, any arrest must be based upon a reasonable suspicion of having committed a particular offense. What is the basis of any reasonable suspicion of Santha Fernando committing an act forbidden under the anti-terrorism law? There is obviously nothing of the sort, as those who arrested him are fully aware. We thus have a peculiar kind of arrest; an arrest for which there need not be any reasonable grounds. Only a declaration of the arrest is needed, in the face of which there is nothing the arrestee or his relatives can do. This is an exercise of power in the most absolute sense. Representations have been made by those with high social standing on his behalf, including bishops, lawyers and international organizations, all to no avail.

Santha’s place of detention is not any regular prison, which in Sri Lanka are harsh institutions. It is the TID (Terrorism Investigation Division), notoriously known as the ‘fourth floor’ and infamous for

harassment and torture. Even if Santha Fernando himself has not been subjected to torture, he would have heard the screams and stories of others exposed to violence. A young Sinhalese journalist arrested and held in the TID for a short time was a changed man. He had not been tortured, but he saw and heard what was happening. After his release he did not even want to talk to anybody about his experience, as it had so thoroughly shocked and disturbed him. Detention in such a place is already enough punishment.

It must then be asked, what is the detention for, and what is the punishment for? Through the experience of Santha, someone known to us, we can understand what is faced by the tens of thousands of persons subjected to such arrest and detention, which has become a common occurrence. Everyone knows one or more persons who have faced such situations. It is necessary for us to take note of these experiences and participate in creating a relevant collective discourse. It is from this perspective that we should view the issue of peace, security and development.

South Asia's master-servant relationship, as shaped by the caste system

The common heritage of a unique servant-master relationship within the South Asian culture is another issue that we need to keep in mind during this discussion. What makes this relationship unique, is the lack of physical chains binding South Asia servants, unlike the black slaves of the United States and elsewhere. In contrast, South Asia developed a comprehensive scheme of internalizing servanthood. The chains are inside the minds and hearts of the people themselves. Their instincts have been shaped in such a way as to reproduce habits of faithful service to masters, even with smiling faces. This continues today, mostly through the institution of caste and other modes of internalized branding and degrading of humanity. A recent novel, *The White Tiger* by Aravind Adiga, portrays this servanthood graphically:

The greatest thing to come out of this country in the ten thousand years of its history is the Rooster Coop.

Go to Old Delhi, behind the Jama Masjid, and look at the way they keep chickens there in the market. Hundreds of pale hens and brightly coloured roosters, stuffed tightly into wire-mesh cages, packed as tightly as worms in a belly, pecking each other and shitting on each other, jostling just for breathing space; the whole cage giving off a horrible stench — the stench of terrified, feathered flesh. On the wooden desk above this coop sits a grinning young butcher, showing off the flesh and organs of a recently chopped-up chicken, still oleaginous with a coating of dark blood. The roosters in the coop smell the blood from above. They see the organs of their brothers lying around them. They know they're next. Yet they do not rebel. They do not try to get out of the coop.

The very same thing is done with human beings in this country.

Watch the roads in the evenings in Delhi; sooner or later you will see a man on a cycle-rickshaw, pedaling down the road, with a giant bed, or a table, tied to the cart that is attached to his cycle. Every day furniture is delivered to people's homes by this man — the delivery-man. A bed costs five thousand rupees, maybe six thousand. Add the chairs, and a coffee table, and it's ten or fifteen thousand. A man comes on a cycle-cart, bringing you this bed, table, and chairs, a poor man who may make five hundred rupees a month. He unloads all this furniture for you, and you give him the money in cash — a fat wad of cash the size of a brick. He puts it into his pocket, or into his shirt, or into his underwear, and cycles back to his boss and hands it over without touching a single rupee of it! A year's salary, two years' salary, in his hands, and he never takes a rupee of it.

Every day, on the roads of Delhi, some chauffeur is driving an empty car with a black suitcase sitting on the backseat. Inside that suitcase is a million, two million rupees; more money than that chauffeur will see in his lifetime. If he took the money he could go to America, Australia, anywhere, and start a new life. He could go inside the five-star hotels he has dreamed about all his life and only seen from the outside. He could take his family to Goa, to England. Yet he takes that black suitcase where his master wants. He puts it down where he is meant to, and never touches a rupee. Why?

Because Indians are the world's most honest people, like the prime minister's booklet will inform you?

No. It's because per cent of us are-caught in the Rooster Coop just like those poor guys in the poultry market.

The Rooster Coop doesn't always work with minuscule sums of money. Don't test your chauffeur with a rupee coin or two — he may well steal that much. But leave a million dollars in front of a servant and he won't touch a penny. Try it: leave a black bag with a million dollars in a Mumbai taxi. The taxi driver will call the police and return the money by the day's end. I guarantee it. (Whether the police will give it to you or not is another story, sir!) Masters trust their servants with diamonds in this country! It's true. Every evening on the train out of Surat, where they run the world's biggest diamond-cutting and polishing business, the servants of diamond merchants are carrying suitcases full of cut diamonds that they have to give to someone in Mumbai. Why doesn't that servant take the suitcase full of diamonds? He's no Gandhi, he's human, he's you and me. But he's in the Rooster Coop. The trustworthiness of servants is the basis of the entire Indian economy.

The Great Indian Rooster Coop. Do you have something like it in China too? I doubt it, Mr Jiabao. Or you wouldn't need the Communist Party to shoot people and a secret police to raid their houses at night and put them in jail like I've heard you have over there. Here in India we have no dictatorship. No secret police.

That's because we have the coop.

Never before in human history have so few owed so much to so many, Mr Jiabao. A handful of men in this country have trained the remaining 99.9 per cent — as strong, as talented, as intelligent in every way — to exist in perpetual servitude; a servitude so strong that you can put the key of his emancipation in a man's hands and he will throw it back at you with a curse.

You'll have to come here and see it, for yourself to believe it. Every day millions wake up at dawn — stand in dirty, crowded buses — get off at their masters' posh houses — and then clean the floors, wash the dishes, weed the garden, feed their children, press their feet — all for a pittance. I will never envy the rich of America or England, Mr Jiabao: they have no servants there. They cannot even begin to understand what a good life is.

Now, a thinking man like you, Mr Premier, must ask two questions.

Why does the Rooster Coop work? How does it trap so many millions of men and women so effectively?

Secondly, can a man break out of the coop? What if one day, for instance, a driver took his employer's money and ran? What would his life be like?

I will answer both for you, sir.

The answer to the first question is that the pride and glory of our nation, the repository of all our love and sacrifice, the subject of no doubt considerable space in the pamphlet that the prime minister will hand over to you, the Indian family, is the reason we are trapped and fled to the coop.

The answer to the second question is that only a man who is prepared to see his family destroyed — hunted, beaten, and burned alive by the masters — can break out of the coop. That would take no normal human being, but a freak, a pervert of nature.

A few centuries ago, many enlightened persons talked about educating these servants and assisting them to be free from such restraints. Nearly all countries of South Asia saw various movements for education, and even attempts to provide opportunities to break this internalized servitude. Many generations of such work has had its impact. The servants have begun to wake up and to want to walk away from their servanthood. Their masters however, have not had the enlightenment to end the master-servant bondage and begin a mutual relationship on the basis of humanity and equality. Rather, they have turned to their guns to suppress servants who no longer want to be servants.

This situation, in which servants—the larger sectors of society—demand a fundamental change to the traditional political, social and economic relationships, is the essential background to militarization in the region. Any discussion on peace, security and development must give serious consideration to this

historical conflict and the present state of contest by the underclass. This contest is likely to continue until an effective solution is found, by way of social and economic rearrangements recognizing the equality of all. Mere legal recognition of equality, while the basic master-servant relationship remains unchallenged, is of little use.

Consequences of militarization

Having discussed some background and relevant factors to today's militarization within the region, let us look at a few incidents that indicate the impact of militarization on collective social behavior in different South Asian countries. These impacts include kidnapping, the loss of legal protection, the undermining of civilian policing, the loss of importance of the individual and the lack of respect for women, among others.

Kidnappings

Kidnapping is a widespread problem in several countries. The extent of the problem in India is suggested by a photograph of a group of young children holding placards with slogans such as, "Kidnapping Uncles, do not kidnap us". This photo comes from the state of Bihar, known for the complete collapse of its rule of law and basic institutions. As a result, kidnapping for ransom has become a common occurrence, causing much parental anxiety.

The photograph of a six-year-old girl in Sri Lanka, amidst her classmates, was published in the media after she was kidnapped from school. Within hours of her kidnapping, some persons contacted her family in town, as well as her father who was employed in the Middle East. They demanded a ransom of 30 million rupees. Two days later, Varsha's body was found in a drainage ditch with her throat slit.

To make matters worse, although the Sri Lankan police arrested two persons suspected of involvement in Varsha's kidnapping, they both died in police custody, precluding any public trial into the case. Not only did the police fail to protect her, they also failed to find her after the kidnapping, and they denied the rights of the family and the public to know what happened by summarily killing the suspects.

There has been considerable discussion about the frequent practice of kidnapping in Bihar as well as Sri Lanka. Businessmen, professors and many other persons have been kidnapped for ransom. Kidnapping also occurs for revenge or intimidation. It is also used as a political tool to harass or blackmail individuals wishing to leave certain political parties or engage in 'disloyal' activities. Frequent kidnappings of this manner create a certain psychological state amongst society. People become wary of independent thought, free speech, or even any initiative to assist others, in the fear of being kidnapped.

Frequent kidnappings are a symptom of the breakdown of social relationships as well as the institutions of rule of law and democracy. In these circumstances, kidnappings will be accompanied by extrajudicial killings, physical harassment of all types, the grabbing of private property, and illegal occupation of land.

The loss of legal protection

Under a rule of law system, many safeguards to individual rights are built into the legal structure. The practice of arrest and detention for instance, is subject to specific procedures to prevent any abuse of power. To further ensure that these procedures are followed, lawyers are legally entitled to intervene on behalf of the individual. An individual may not be aware of all relevant legal provisions, or may be afraid to assert their rights in the face of state officers who have the power to use force. Effective interventions by lawyers are therefore an essential component of protection.

When a society becomes militarized, the lawyer's role is minimized and may even completely disappear. This was noted in the March 2009 report of the UN Special Rapporteur on the situation of human rights in Myanmar: "None of the prisoners with whom the Special Rapporteur spoke had been represented in the court by legal counsel. Many of them did not even know the definition of the word 'lawyer'."

Although Burmese lawyers may wear black coats and ties like their counterparts in former British colonies, in reality they have little capacity to protect their clients. In effect, lawyers in Burma are a mere decoration. Their incapacity leaves their clients at the mercy of those who arrest and detain them.

The situation of the role and authority of lawyers in Burma differs only slightly from other South Asian countries, where lawyers complain of being ignored for a variety of reasons. The increase in militarization drastically reduces the legal space available for consulting lawyers. Emergency regulations and anti-terrorism laws—known by different names in different countries—allow for long periods of detention with limited access to lawyers. Often the possibilities for bail under such laws are also limited, leaving lawyers with little to do by way of applications to courts. Moreover, courts themselves do not have the power to adjudicate on the legality of such detentions.

Not only does militarization increase the possibilities of—and decrease the safeguards against—arrest and detention, it also dispenses with fair trial in large areas of the law. In particular, those charged with offenses under 'special laws' are given no trials at all. Guilt and innocence is decided not by the courts, but by the police, military and other parts of the defence establishment. The disposal of fair trial further limits the space for lawyers to protect individuals, however unfairly they may be treated.

When court powers are diminished, it is made clear that the real decision makers are these other authorities; they are the ones to be approached for necessary matters, not the courts. This realization inevitably leads to widespread corruption. The relatives of a detainee for instance, may try to obtain his release by paying bribes to officers involved in the detention or with relevant connections. In these circumstances, lawyers willing to engage in such behavior become more wanted than those relying on professional abilities. Many lawyers complain that would-be clients first inquire into their connections to the authorities, before seeking their assistance.

It has been said that you know the value of lawyers only when they no longer exist. This is true in many parts of South Asia today; lawyers with real powers ensured by law are largely extinct.

The absence of a legal profession capable of effective protection serves to enhance militarization. Authorities therefore take extraordinary steps to attack and intimidate lawyers. Many lawyers appearing in cases against the ruling regimes are killed or suffer other grave attacks. Lawyers have had grenades thrown into their homes, their offices set on fire, or their names listed in government websites as traitors for making representations in courts on behalf of alleged terrorists.

Judicial corruption

A law student attended a lecture regarding the prevention of corruption given by a senior lawyer. The senior lawyer mentioned many ways of avoiding corruption. The junior lawyer asked a question at the end of the lecture: "Sir?" he asked, "when I join a chamber to practice law - which is soon I expect- if I am given some money by my senior lawyers to carry to the judge, what do I do?"

Complaints about corruption within the judiciary are heard throughout Asia. The increase of such complaints coincides with the increased use of emergency and anti-terrorism laws suspending the

operation of normal laws. In fact, the greater the takeover by the military, the greater the possibilities for corruption.

The link between militarization and the increase of corruption among the judiciary is related to the undermining of the separation of powers. Under militarization, not only does the power shift to the executive, but the executive itself begins to come under military pressure. This change undermines the judiciary. Even though externally the courts may exist as before, internally there are substantive changes. As with lawyers, those judges used to strict professional habits may find themselves making room for more ambitious and adventurous individuals ready to forsake justice for their own interests.

Undermining of civilian policing

Militarization impacts the local policing system in many ways. Most importantly, once the police are called upon to assist the military, civilian policing habits are undermined. Searching a home under normal criminal law for instance, requires police to obtain a warrant from a magistrate, to use minimum force, and to maintain proper reports regarding all events. Military searches are of a different nature however. They include heavy arms and many personnel, and inhabitants are told to surrender or be fired upon. In other instances, the police and military are used as secret death squads. Such operations are carried out with no regard to the law.

Military operations are often accompanied by impunity, while police actions are controlled by the law. When the police begin to work within a military environment though, they also acquire a taste for impunity.

A key function of the police is to investigate crimes, and yet under militarization of the police, routine criminal investigations are among the first to deteriorate. This is because police officers become too busy in other operations, such as providing security to politicians, to carry out criminal inquiries. Furthermore, the police are often required to create obstacles in cases where the state itself is directly or indirectly involved; they are told to disrupt complaint receiving mechanisms, to intimidate witnesses, or to tamper with the official records. They may even receive instructions—from political sources or their own superiors—not to investigate. All this serves to land honest officers in conflict, while generating the attitude that the pursuit of integrity is nothing but a way to get in trouble.

Ultimately, police officers learn to use their uniforms as a means to make money. It is far from uncommon in South Asian societies to learn of illegal arrest, detention and the fabrication of charges by the police, merely to earn some profit. The police begin to associate with criminals, developing shares in brothels and the illicit liquor and drugs trade. They then pose a serious threat to citizens. Security is impossible when the police themselves become instruments of insecurity.

Diminishing respect for women

Militarized environments expose women to serious forms of dehumanization. One of our own conference participants quoted a Tamil woman from Sri Lanka saying, “I don’t to be born a Tamil and even more I do not want to be born a woman”. The atmosphere is one of male domination, with the corresponding images of men enhancing their power with guns. On the roads and at checkpoints, women are often humiliated by vulgar language and behavior.

Rape also becomes a common feature. The military allows a permissive atmosphere with regards to women to encourage men and youth to stay put in their assigned locations and duties. Encouragement of sexual adventures is also part of ‘keeping up morale’ among the armed forces. Many stories of girls abducted for sexual abuse and thereafter killed are thus heard in South Asia.

Apart from such direct abuse suffered by women at the hands of the military, they must also deal with problems affecting their loved ones, such as their husbands, fathers, brothers and sons being killed or attacked. Women heading families are a common feature in militarized societies. Under these circumstances, women face a twofold punishment. Firstly, in a society where economic powers are unfairly vested in men, their loss severely affects the economic life of women. Secondly, they must also bear the emotional loss of arbitrarily losing their menfolk.

Public debates regarding conflict and civil war in South Asia rarely discusses the consequences to women. As a result, a considerable amount of suffering is unrecognized and undocumented, even as it leaves a social impact. Life within society becomes bleak when large numbers of women are exposed to grave suffering, frustration and depression.

The loss of the importance of the individual

When the Sri Lankan Secretary of Defence was questioned about the assassination of well-known journalist Lasantha Wickrematunge by a BBC correspondent, his quick response was, “When thousands are being killed, does the killing of one person matter?”

When media reports of killings are heard daily for years, sensitivity is diminished. One more killing does not seem to make any difference. If a society is to remain sane however, a great sense of outrage must be expressed on the issue of life and murder. The loss of such outrage signifies an extremely negative transformation, both morally and psychologically. It also creates further space for killings to occur.

Any rule of law system is formed around the importance of the individual. Every wrong against an individual is of prime importance in the development of civil and criminal law. To define an act a crime means that it is a wrongful act against an individual and society will take notice and offer just retribution. When these crimes are no longer matters of importance, the very foundation of criminology is undermined. This can only signal the abandoning of criminal justice.

Once criminal justice is abandoned, society is left in a situation where no collective control can be exercised on people’s behaviour. Individuals can then no longer rely on collective support or protection. The emergence of extrajudicial punishments is rooted in this loss of collective control and support. Mob justice is one such punishment, where people themselves decide on the punishments for whoever they find as alleged culprits of any offense. Proof of guilt and proportionality between crime and punishment are of little significance in these cases. More important is a sort of psychological satisfaction that something is being done against crime, which will intimidate others.

Another form of extrajudicial punishment is that meted out by the police or military, whereby persons are killed during or after their arrest. In different countries, this practice has different names—encounter killings, crossfire killings or self-defence killings.

Just as the life of an individual ceases to be a matter of importance, so threats to private property are also of no importance. Theft and land grabbing are common complaints in South Asia today. Legal redress for such wrongs is as difficult as redress for personal wrongs.

Obstacles to the realization of contract and tort

Civil law requires that dealings on properties and transactions be based on contracts. For this, it is essential that contracts can be enforced. When militarization undermines the law and courts can no longer inspire confidence to hold individuals to what they have agreed, the certainty of contracts is in question.

The performance of obligations becomes dependent on who has greater force or authority at their disposal; in other words, those with police or military connections.

The same can be said regarding the law relating to tort. The system of compensation for negligent actions on the part of the state or private sector acts as a deterrent when effectively implemented. When those in power are beyond the challenge of the law, negligence cannot help but spread. A public health system left in the control of individuals not subjected to legal scrutiny for instance, can lead to negligence in the purchase of medicine, storage of medicine, the treatment of patients, record keeping relating to treatment and many related matters.

Loss of memory, loss of language and loss of attitudes

Once collective consensus on basic social norms and standards has been destroyed over a lengthy period of militarization, significant damage is caused to society's memory and language. This is well demonstrated in the experience of South Asia.

South Asian societies for instance, no longer have a concept of a public officer who will not abuse power. While this can be somewhat attributed to abuse of power under feudal and colonial rule, significant losses have occurred from achievements made in the 19th and 20th centuries. Many juridical notions developed after enlightenment in Europe were brought to South Asia. The transformation of medieval systems of social control to a process of reason is a significant human accomplishment. The development of jurisprudence and legal practices on the basis of rational principles rather than the whims of those in power is not just 'a western affair', but the triumph of humanity.

Such development requires enormous effort in any society. It involves the education of generations of people on these notions, as well as the practices required to uphold them; educating civil servants, the intelligentsia and the population as a whole is no small matter. The introduction of these systems in most South Asian countries happened during colonial times, or with colonial influence. Inevitably, colonial interests conflicted with a rational system of justice and rule of law, which meant that only partial transformations occurred.

This meant that post-independence, new ruling regimes had to undertake several unaccomplished tasks if they wanted to see the functioning of effective justice and law systems. However, the new governments in South Asia faced such overwhelming responsibilities that they paid little attention to the development of a rational system of justice. Instead, they were consumed by the need to win popular votes. In the contest for power, they lost sight of society's long term interests.

The first casualty of emerging crises within the new nations was the limited system of justice administration. Modifications to the system in order to deal with immediate problems largely resulted in the removal of basic protection mechanisms and the erosion of rule of law foundations.

Militarization emerged from such a background, and began to undermine weak justice systems that could not withstand the pressures of the military. The narrative of how this happened in different South Asian countries is a sad tale of how the struggle to base the administration of justice on rational notions of jurisprudence was abandoned.

The failure of certain practices in society will inevitably lead to a lack of knowledge about them. When the judiciary no longer stands against the wrongdoings of the executive, people will forget what the independence of the judiciary, or the separation of power means. In the same way, words and concepts lose their original meanings. With the change of relationships, there is also a change in the meaning of words. 'Judge' may begin to signify someone who rubberstamps the diktats of the government and a

cynic who allows justice to be subjected to the rules of the marketplace. A 'policeman' can be seen as a terror and someone who could engage in any kind of immorality without suffering any consequences. A 'trial' can become a mockery; a show trial. Legal procedures, held at one time as strict rules ensuring fair play, are now trivialities to be dispensed with by anyone, at anytime.

The loss of the memory of a rationally functioning justice administration is accompanied by a change in the associated language. This will affect social attitudes. People will begin to lose respect for relationships based on laws. The acquisition of goods and power by whatever means, emerges as a legitimate social ideal. The crudest forms of selfishness cease to be considered socially denigrating.

The meanings of militarization

Politically

If we compare militarism with democracy (even in the third world sense), we find:

- The source of legitimacy in a democracy is a constitution based essentially on the separation of powers. This is true even when it does not abide by any of the basic principles of liberal democratic constitutionalism.
- For militarism, the source of legitimacy is the capacity to use force; the gun itself is the legitimacy. The use of the gun is not subjected to any overriding rules or monitored by institutions. Under militarism, if there is a constitution at all, it is just a paper on which the military ruler or clique can incorporate whatever they wish.

Legally

In a democracy, the entire system is subjected to the rule of law. This implies that:

- Laws arrived at by consensus are above everything else.
- The implementation of the law is subjected to a process laid down in the law itself.
- The rulers, like everyone else, are subjected to this law and process.

In any study of the change from a democratic state to a militarized one, we may notice the following stages:

- Initial resistance in varying degrees towards militarization.
- A lessening of democratic and legal resistances, and the serious weakening of the voices of the middle class.
- The virtual disappearance of any legal forms of resistance or opportunities for such resistance.

Under militarism, the ruler is above the law. This means that carrying out his orders need not be subjected to any process; the ruler can decide on whatever way his orders are implemented.

Socially

- The military's increasing grip on society is accompanied by a gradual displacement of reason.
- The idea of building consensus on the basis of reason is displaced with blatant forms of propaganda that create the impression of artificial consensus.
- The distinction between truth and the absence of truth is made relative to the extent that all rules of language and discourse to convey meanings become irrelevant. Words can have whatever meaning given to them at a particular moment.

- Facts and figures lose significance, creating a ‘no-fact zone’.

Accountability

- Auditing ceases to be a matter of significance in the military context, while in the democratic context almost everything centers on accounting and auditing.
- Militarization gradually removes the distinction between public and private. This applies to property ownership as well as decision making.

Morally and ethically

- Under militarization, the absolute prohibition against murder ceases to be significant; murder becomes a lesser evil. In this way, murder becomes a way to settle disputes and to threaten individuals.
- The cheapening of life extends to other areas such as personal and family relationships. Moral abuse becomes normal even in relationships where guardianship is involved.
- Reformers who wish to improve things are uncertain of where to begin or whom to rely on for support.
- Distrust towards others is the norm.
- Powerlessness becomes the excuse for compromise, no matter how morally unacceptable.

The way out

The only way out of such militarization is to:

- Develop the capacity to understand the shock and shame suffered under these circumstances, as well as collective shock and shame. In the aftermath of WWII in Germany, people suffered various illnesses, resulting in the famous book, ‘The Inability to Mourn – principles of collective behaviour’ by Alexander and Margarete Mitscherlich. Individual and social recovery was dependant on the capacity of the people to admit their plight and mourn, and thereby find the path back to recovery.
- Raise fundamental issues relating to public and legal institutions. Although public confidence in justice mechanisms may have been lost, recovery requires bold attempts to discuss these issues.
- Document every incident of abuse and develop databases and information centers for this purpose. Elie Wiesel, the Nobel prize laureate, recalled the advice of the Rabbis at the height of the holocaust, when they told people to make records of everything they see happening to others or themselves. The literature that survived through this provided the basis for later reflection and helped the recovery process legally, socially and spiritually. One remarkable piece of this nature is the Diary of Anne Frank. There is no alternative to dedicated documentation of injustice and abuse. The night, when it comes, causes havoc—but faithful records of that havoc is an essential component for the recovery of the conscience.

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