JANANEETHI

A SHORT PROFILE

(Registered under the Travancore-Cochin Literary, Scientific and Charitable Societies Act, 1955)
Vision

JANANEETHI aims at enabling individuals and societies become aware of their inherent human rights and civil liberties to stand for justice as well as live in dignity and freedom.

Mission

As a secular collective of human rights defenders JANANEETHI strives to defend life, dignity, liberty and other fundamental rights of all, using law and the legal system as therapeutic agents in partnership with eminent jurists, retired judges, lawyers, academics, writers, thinkers, artists, social workers and cultural activists.
- Psycho-legal counselling
- Legal aid and consultancy
- Clinical legal education
- Negotiated settlement of disputes
- Helpline to victims of violence, injustice, corruption and sexual abuse
- Training of para-legal activists and service providers
- Facts-finding investigations and reports
- Sensitization seminars and workshops on gender, child rights, right to information etc

Our core values:

- Human Rights
- Democracy
- Secularism & Diversity
- Civil Rights
- Safe Environment
- Livelihood

Gender

Justice

Secularism

& Diversity

Civil Rights

Human Rights

Safe Environment

Livelihood
Operational areas

Jananeethi has a national jurisdiction, however it has been focusing its activities in the State of Kerala. Online services are rendered to Malayalee population outside the State through emails and video conferencing. Jananeethi has taken up training programmes in all grama panchayats and block panchayats of Thrissur district. State-wide campaigns were also undertaken against dowry system and unethical clinical drug trials.

Beneficiaries of Jananeethi services

Our legal aid and consultancy services are offered to all irrespective of class, caste or creed differences. Nevertheless, our approach is victim-centred. We give special care and priority to women, children, elderly and members of the weak, vulnerable and marginalized communities. Being a Service Provider, we attend complaints of domestic / sexual violence, abuse or exploitation and take / provide appropriate course of action. The abuse or ill treatment of the elderly and the deprivation of their human rights and livelihood are also a priority concern.

Accreditation

Jananeethi is accredited with the Department of Social Justice, Government of Kerala and State Legal Services Authority. The district administration has recommended Jananeethi to several public sector undertakings and institutions to represent the voluntary sector / organizations in the district.

The 3-fold approach

Jananeethi from its beginning has adopted a 3-fold approach to issues: (i) Legal experts and analysts of the organization examine the matter on merit, legally and ethically, resolve the issues in due process with the cooperation and participation of all concerned. This process was later developed into mediation and
arbitration for the amicable settlement of disputes. (ii) We started filing Public Interest Litigation in the High Court seeking appropriate judicial directions / interventions in matters of common cause and of greater public interest. (iii) Over and above of all, Jananeethi started massive awareness building programmes with the help of ICDS network, Panchayat Raj Institutions, Community-based organizations and Government Departments from 1994. This was to inform and sensitise the community / the stakeholders / the beneficiaries for an effective social change and a sustainable success rate.

A Brief history

In 1991 Jananeethi was initiated by its Executive Director, Advocate George Pulikuthiyil as a service centre for people to have access to justice, no matter whether they were rich or poor, politically powerful or socially marginalized. It was registered as a Charity under the Charitable Societies Act in 1992 and grew as a movement involving many eminent people who had profound service records as jurists, social scientists, academia, thinkers, writers, human rights defenders and social critics.

Jananeethi is almost a quarter of a century old now. Among the many achievements of Jananeethi during the last 24 years, the most spectacular one is its psycho-legal therapeutic services to bring about better social harmony and through greater engagement of the civil society. Jananeethi uses law and the legal system as therapeutic agents. Justice is the end point. This is a right based, victim-centered approach for the total healing of the physical, psychological, emotional, social and legal injuries inflicted on them.

In 1995 it started addressing the concerns of rural women, particularly women of low-income families and
marginalized communities, who often are silent sufferers of widespread discriminations, sexual atrocities, domestic violence, etc. A special team of lawyers along with para-legal activists and social workers were given proper direction and training to effectively address the issues of women and girl children who were targets of violence at home and in society.

From 1993, Jananeethi has been regularly publishing a monthly journal, and has published several books and handouts relating to the protection and promotion of human rights. The monthly publication in vernacular language has influenced the thinking process of many people.

Major achievements

1. Jananeethi started its journey with the Public Interest Litigations in the High Court of Kerala. The first PIL filed by Jananeethi was in the case of the custodial murder of Gopi at Chertalai police station in October 1988. The dead body of Gopi was preserved in formalin by Gopi’s bereaving parents for ten years until the Honourable High Court passed final order in 1998 confirming the death of Gopi in custody. The case was unique as the corporal remains of Gopi were guarded by the elderly parents in the hope of ultimate justice. The case of Gopi caught public attention in national and international media.

2. The second PIL Jananeethi filed in the High Court was to challenge the move of H&Z International, a Shillong based recruitment agency that was in the process of selecting 75000 young ladies 18 to 19 years of age reportedly for sex tourism to/in Thailand. 45000 girls from Kerala and 30000 from the North-East of India were being interviewed for the purpose. Jananeethi filed a writ petition holding Union and State Governments as respondents along with H&Z International. The High Court stayed the recruitment by its interim order in 1995 which was later made absolute.

3. One day M S Joseph and his neighbours had a dispute on the right to a
road across his property. The opposite parties were from one particular community. The following day early morning while Joseph was going to the milk society on his cycle, a gang of 15-20 people attacked him. In a desperate attempt to save himself, he stabbed the attackers three of whom were later declared dead. Joseph was sentenced to death by the trial court, and it was confirmed by the High Court. Joseph wrote to Jananeethi for help. It was clear from the circumstances that he never had intended to kill anyone. He was not implicated in any criminal act previously. The case was presented in the court as an instance of communal violence which it was not. Jananeethi took up this case in the Supreme Court and the death penalty was reduced to life imprisonment.

4 Most of the special study reports of Jananeethi were spectacular and authentic documents that were duly recognized by references in the Parliament, the Supreme Court, the Kerala Legislative Assembly and the Kerala High Court. Reports on the Perils of Coco Cola at Plachimada, the Eco-Terrorism in Vagamon, the Devastating Train Accident at Kadalundi, the Dowry System in Kerala, the Tsunami and After on the Kerala Coast, the Nita Gelatin India Limited at Kathikudam, Kerala are some of the significant studies by Jananeethi.

5 Jananeethi over the years has trained and made legally literate more than 300,000 women from low-income families. 100-120 training sessions were conducted in a year each of which had 100-150 participants. Empowered by a basic knowledge of law and other capacity building programmes, these women have started asserting their rights and dignities in their family and working environments. This has helped a substantial progress in the quality of these women’s lives in general.
Through people’s participation Jananeethi has settled and resolved more than 2000 disputes that resulted in saving substantial time and resources of the court as well as the concerned parties. Further it has advanced the democratization of justice administration promoting culture of dialogue and reconciliation. This has great significance in Indian contexts.

Jananeethi could successfully mediate and resolve amicably a family property dispute that existed for more than 40 years in various courts without progress. Victims of sexual violence and abuse often find Jananeethi a great solace. Since many of them may not be able to prove their claims with evidence in a trial court, the credibility and social image of Jananeethi has been able to bring the concerned parties to settlement deals.

The image of Jananeethi as a leading human rights NGO and Civil Society Organization has been acknowledged and valued by several international universities and national law schools. As a result, these institutions have repeatedly sent their students to Jananeethi for practical training as part of their academic requirements. On an average 20-30 students from at least 10 major institutions/universities both in India and abroad are given training and field exposure at Jananeethi in a year.

Therapeutic Jurisprudence, justice that heals, as developed in Jananeethi over the years has been appreciated by international organisations and journals. The Executive Director was requested by the international journal on “Therapeutic Jurisprudence” to write a Guest Column that focused on how law has been used by Jananeethi as therapeutic agent. Denmark based RCT sent senior psychologist Dr. Ms Inger Agger to study services rendered by Jananeethi for therapeutic justice and to submit a detailed report to RCT.

**Specific contributions of Jananeethi**

1. Jananeethi is the ONLY voluntary organization in Kerala providing quality legal services by professionals FREE of costs to deserving persons and communities.

2. In 1992 Jananeethi introduced for the FIRST time in Kerala a new CULTURE
OF DIALOGUE for reconciliation and peace building through assisted negotiation for settlement of disputes out of courts. After a decade, Indian judiciary formally accepted this as ADR and the Supreme Court of India initiated the institution of Mediation Centres at selected cities/towns in the country.

3 The State Legal Authority took the FIRST LITIGATION-FREE VILLAGE in India CREATED BY JANANEETHI in 2000 at Thichoor in Varavoor Panchayat in the district of Thrissur as a model, and asked district judges in Kerala to replicate JANANEETHI MODEL OF LITIGATION-FREE ZONES.

4 HEALING JUSTICE is another contribution of Jananeethi. Over two decades of its effective psycho-legal and social interventions, Jananeethi had proved participatory approach in justice administration was possible. As a major step towards the Democratization of Justice, Healing Justice is achieved when bleeding memories are healed not by legal process alone, but by an integrated approach that ensures full participation and cooperation of all concerned.

5 Jananeethi introduced CLINICAL LEGAL EDUCATION as a successful model for empowerment and focused on LEGALLY LITERATE zones by conducting legal literacy sessions in rural areas. Empowerment and Self-reliance are realized when men and women, young and old articulate their legal and human rights, while they are aware of / serious about their duties as responsible citizens of the country.

6 Every year Jananeethi reaches out to more than 200,000 visitors to the International Pooram Exhibition with strong messages against GENDER-BASED VIOLENCE AND SEXUAL ABUSE.

7 Jananeethi adopted a strategy of CONSTRUCTIVE ENGAGEMENTS to put an end to unethical clinical drug trials in Kerala. Accordingly Jananeethi appraised and alerted the Union and the State Governments, the judiciary, the legislators, the medical and para-medical institutions, and all the other stakeholders including the general public on the illegal and unethical clinical practices of drug trials on human participants.
Our Roadmap

1. Sustain the core activity of providing legal aid, mediation and conflict resolution, psycho-legal counselling services including helpline support to women, children and elderly in distress.

2. Function as a resource centre for researchers and activists of democracy, environment, livelihood, civil rights, gender, diversity and secularism.

3. Establish and maintain a training centre for para-legal volunteers, social work students, geriatric health workers, social activists, service providers and law students with residential facilities for 40-50 persons at a time.

4. A day care centre for the elderly.

5. A short stay home for women and adolescent youth in crisis and victims of violence.

6. Reclaim the vantage position as an operational hub for human rights defenders, environmental activists and change makers.

Why to support Jananeethi?

Jananeethi tries to address injustice, corruption and violence meted out to the weak and vulnerable sections of the society. Invariably the services are given free of costs and hence there is no income for Jananeethi. The financial crisis in the developed countries and the changed policies of the political administration in our country threaten the very existence of rights-based NGOs and CSOs. In this context, the only source of support and solace is the CSR funding.

Monthly minimum requirement of funds for its core functioning

There is immense scope for extension and enhancement of Jananeethi services to larger areas and communities. But to keep its services to the bare minimum, we need a monthly requirement of Rs 175,000/- The split up details are given in the table shown below.
What does Jananeethi offer to / promise the donors?

Audited Annual Statement of income and expenses will be submitted to our donors and promoters for verification. Further, we gladly offer to comply with:-

(i) Acknowledgement of our donors on all our print materials like notices, brochures, book-lets, posters, annual reports etc

(ii) Official representatives/Chief executives of the donor agencies will be given special invitation to all our public programmes.

(iii) 10% of seats of all our training programmes will be reserved for the nominees of our donor agencies.

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**Administration**

**Advisory Board**
- Dr. N.R. Madhava Menon - Chairman
- Dr. K.N. Panikkar
- Prof. K.G. Sankara Pillai
- Smt. Aruna Roy
- Adv. Kaleeswaram Raj
- Prof. Sara Joseph
- Shri. B.R.P. Bhaskar
- Dr. Karine Bates

**Board of Directors**
- Prof. N.N. Gokuldas - Chairman
- Dr. George Mathen - Vice Chairman
- Adv. Faritha Ansari - Secretary
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- Prof. Kusumam Joseph - Treasurer
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**Director, International Affairs**
- Dr. Gopakumar Thampi

**Executive Director**
- Adv. George Pulikuthiyil

**Executive Committee**
- Adv. George Pulikuthiyil
- Shri. R. Vijayarajan
- Fr. Johnson Ainikal
- Shri. Ajayakumar Melveettil
- Shri. M.N. Suresh Babu
- Adv. P. Sunilkumar
- Ms. E. Jayasree
- Ms. Beena George
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ORGANISATIONAL MANDATE OF JANANEETHI

Organization: JANANEETHI
Date & year of Registration: May 13, 1992
Legal Status of the organization: Registered under Travancore-Cochin Literary, Scientific and Charitable Societies Act, 1955
Registration Number: 193/1992 Tcr.
Chief Functionary: Adv. Fr. George Pulikuthiyil, Executive Director
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Tel: 0487-2373479 / 2373281 / 9447027338
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Web site: www.jananeethi.org

Management of the organization: Board of Directors elected by General Assembly
Public recognition/accreditation: 1) Ministry of Home Affairs, Govt. of India
2) State Legal Services Authority
3) State Department of Social Justice

National / International Alliances:
 i. National Human Rights Commission
 ii. National Campaign for Right to Information
 iii. India Against Corruption
 iv. People’s Union for Civil Liberties
 v. Amnesty International
 vi. International Organization Against Torture
 vii. Human Rights Watch
 viii. May 18 Memorial Foundation
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Jananeethi

Development Starts From Fearlessness

By LATHA ANANTHARAMAN

In the town of Thrissur in central Kerala, a group of lawyers and activists is at work on a radical old idea: a crime-free society. The practical attempt to put together a holistic, harmonious community may sound like a utopian movement out of the 19th century, but this NGO has set goals and a schedule for the project.

Jananeethi—People’s Initiative for Human Rights—focuses on redressing wrongs as a way to transform human lives. Its members run a wide range of programs for legal counseling and aid, promotion of legal literacy, human rights education, public interest litigation, dispute negotiation and settlement, consumer education, anti-corruption measures, and public participation in making and reforming laws.

Much of Jananeethi’s legal help is given to women who have been neglected, abused, kicked out of their homes or forced to run away. At Jananeethi’s office in Thrissur, law officer Faritha Ansari and program officer K.K. Radhamani introduce me to Mary, whose husband used to get drunk and beat her up. Mary first met Radhamani at an anganwadi class. The government’s anganwadis provide day-care for preschool children and help mothers improve the overall health of their families. They hold classes about health, hygiene, consumer awareness and other topics. The classes are an effective way for organizations to reach out to women, and for women to ask for help from a sympathetic and well-informed outsider. Mary wanted to know how she could divorce her husband. He had stabbed her in front of their three-year-old daughter, left her (as he thought) for dead, and turned himself in to the police. Jananeethi helped her get her divorce.

Mary still has deep scars on her face, neck and ribs from the attack eight years ago. She now runs her own tailoring shop, supports her two daughters and has refused alimony from her ex-husband. How
has the divorce changed her life? “I was always afraid before. Now I’m not afraid.” Her husband sometimes asks her to come home again. “He just wants to live on my money. I plan to work, live a little better, get my daughters educated.”

Last year, Jananeethi completed a comprehensive study on dowry, a rapidly growing social evil in Kerala society. The study, funded by a federal grant from the American Embassy’s Public Affairs Section, was carried out in three stages: surveys on why dowry is still demanded and paid despite legal safeguards and public awareness campaigns; debates and discussions among people affected by dowry customs; and workshops for academics, social workers, human rights lawyers and activists, government officials and media persons on better ways to fight dowry.

Many women ask Jananeethi to help them get the life insurance, accident compensation, or widows’ pensions they are entitled to. Thangam’s husband served in the army for 21 years, was discharged because he suffered from mental depression, and died a year later. For decades the army refused to pay the widow’s pension she was entitled to. Jananeethi filed and won her case and, when the army still delayed payment, filed for contempt of court. Thangam has now been receiving her pension for a year. Her face shines when she tells me how the lawyers at Jananeethi made this possible.

Jananeethi’s most ambitious endeavor is the transformation of Ward 12 of Thrissur Corporation into a crime-free community by the end of this year. The American Embassy’s Public Affairs Section also provided funds for this project.

Ward 12 has a population of over 5,000, mostly daily wage laborers and a small group of university employees. In each of its five zones, a member of the staff and a team of facilitators from the neighborhood gather people together to find out why crimes are committed. They talk about incomplete land deeds, land disputes between family members and neighbors, domestic abuse, worksite accident compensation, taxes, rent control, consumer grievances and red tape. These problems often drive them to borrow from loan sharks or commit crimes such as bribing, encroaching on others’ land, stealing or demanding dowry. The lawyers aim to settle every dispute, either out of court or in court, pay back every loan, get every household a valid title deed, and make every member of the community legally literate, all by December 2004.

At the same time, the community will work to prevent gambling, addiction, unhygienic environmental conditions, pollution and unemployment. According to advocate George Pulikuthiyil, director of Jananeethi, community councils for environment, health, employment, child welfare, care of elderly, and so on will take up the baton at the end of the year so that the improvements are sustained and taken further. He feels that if people know their legal rights and responsibilities, they will be able to better their lives in every way.

Faritha says people in Ward 12 were distrustful at first. “Some of them would say, first get me my pattayam [land deed], then I’ll come to your meeting. But now they all talk to each other and even stop us in the street to ask what the next meeting is about.”

They are also using the meetings to share information and skills. Shali, mother of four, found out why her toddler bruised so badly each time she fell. The child is now being treated for her condition. Mercy asked the staff to help her find someone to teach her bookbinding. She and other mothers were paying a high price for their children’s notebooks and she felt she could produce cheaper ones on her own.

And what lies beyond this program? Jananeethi’s ultimate objective, according to Pulikuthiyil, is nothing less than to create a society without fear. “We hear about the high indices of well-being in Kerala, but if you ask a woman a question she looks around to see if anyone might overhear. Development starts from fearlessness. It arises from the feeling, ‘my life is secure.’ That means freedom from fear in the home, on the streets, in custody—a society in which every member has his or her human rights.”

About the Author: Latha Anantharaman is a freelance writer based in Pulikkad, Kerala.
A Legal Eagle On Mission

A former catholic priest takes up the law to protect the poor and marginalised

Back in 1988, a young boy named Gopi was brutally killed in custody by the Alappuzha police. His heart-broken parents brought the body home and preserved it in formalin in a tub and started a vigil for the person who would deliver them justice. In 1992, they found the man. His name was Fr George Pulikuthiyil, and he came to helm an outfit called Jananeethi (Justice to the People). Fr George took the case to court, fought it for six years and finally won.

In 1998, exactly a decade after his death, Gopi’s parents finally cremated their son’s body; satisfied that justice had been done.

Fr George began as a Catholic priest in Thrissur, a small town in Kerala. It did not take long for the padre to become disillusioned with religion. He quit the church but continues

to be called ‘Father’. Arming himself with a law degree from Mumbai, he started practice in the Kerala High Court. E Every evening, with the help of a retired judge he ran a durbar that dispensed free legal service and arbitration advice to the poor. Soon word spread and the hopeless and exploited started to queue up for justice. The unit grew into Jananeethi which is
today a legal and human rights organisation with lawyers and field workers on its team, 24 legal
helplines and the moral support of people like retired Justices T. Chandrasekar Menon and V.R.

"My mission is to make justice administration a mass movement. Protection of human rights
should be part of a people’s culture," says Fr George. Soon Jananeethi had started two short-
stay homes for battered women and a suicide helpline. And then it began to take on public
interest litigation for environmental issues as well, initiating pil’s against sand quarrying from
rivers, or agricultural land being used for non-agricultural purposes. It was one of the first
organisations to take up the Coca Cola issue at Plachimada, when it sent in a team to test the
sludge and found it contaminated. In Kozhikode, it took up a case where 120 acres of agricultural
land had been grabbed for commercial construction. "We step in when nobody else can or will file
a case," he says.

In 2000, through Jananeethi’s efforts, Thichur ward in Thrissur became litigation-free. The Kerala
government declared this a model ward and asked that it be replicated across the state.
Jananeethi is taking the idea further. Last month Mullakkara ward was declared not just litigation-
free but 100 per cent legally literate as well. The team visits each home to spread the word about
legal and human rights, discusses issues like dowry and domestic violence and holds legal
literacy classes. Funding is a hand-to-mouth affair with some donations or annual project grants
from human rights organisations coming in at the last minute to pull Jananeethi out each year.

It’s not just the church, he’s made an enemy of powerful politicians and businessmen who would
love to see him go. Threatening calls and letters are old hat to him. "Every morning I tell myself
this is the last morning of my life," he says. Living in a room off the Jananeethi office, you can see
him dashing off letters, trying to scratch up the funds to keep the unit going, or taking up another
lost cause. The last time we met, he had just rescued an HIV positive girl disowned by her
husband and family. He gave her a job at his office as telephone operator, and even found her a
husband. All part of a day’s work.

—Vaishna Roy
Jananeethi in Thrissur is a ten year old friend to many.

George Pulikuthiyil leads a staff of 14 and 40 volunteers, to deliver a range of free services.

Working out of an elegant old rented building in Kerala's Thrissur, Jananeethi is an organisation that is difficult to categorise. Started just over a decade ago by George Pulikuthiyil, it battles for human rights, aids dispute resolutions, cares for the despairing, propagates awareness of law and preaches social harmony. "God is more palpably present in a court of justice than in a monastery," believes 50 year old George. Strange notion for a man who is in fact an ordained --though now non-functioning-- Catholic priest. He lists himself formally as a Human Rights Lawyer. He is in reality a battler against all injustices.

A priest becomes a lawyer:

George was born in Manandawadi in the hilly Wayanad district of Kerala. He left for Thrissur at the age of 13 to pursue his studies. He was drawn to the church and decided to become a priest. He studied theology, philosophy and economics. In 1981, aged 31 he was ordained. His first assignment was with Chavara Cultural Centre in Kochi [-then Cochin]. The three years there made him look beyond the walls of his calling. He was struck by the stories he heard from judges and lawyers practicing in the Ernakulam High Court. Stories of how long cases lasted before decision, how people pauperised themselves fighting litigation, how innocent many of them were of their rights, how frequently this innocence cost them their cases... The world out there seemed to need his ministering more. Father George Pulikuthiyil was an agonised man.

Transferring back to Thrissur in 1984, he started Viswa Darshana, funded by the church. It was to be a rights group. Soon it developed a leftist flavour. And worse, --for an aghast church-- it spoke in an irreverent, secular voice. Father George wrapped it up and left for Mumbai.

The re-education and re-making of George Pulikuthiyil had begun. He acquired degrees in Literature, Journalism and most satisfyingly, Law. By 1990 he was back, enrolled at the Ernakulam High Court, taking briefs free of cost. Before long, he saw the need for a parallel --and, faster-- track for settling disputes. And so began Jananeethi, 1991.
'Justice to the People':

Jananeethi began as a legal aid centre but has allowed itself to be moulded by the needs of the people who approached it for various sorts of help. Today it is many things. In the last three years, for example, 10,000 people have approached it. Last year alone it was presented with 220 disputes, out of which it settled 137 out of court. A majority of these relate to domestic discords, followed by property and debt wrangles.

One of the exciting achievements of Jananeethi was in creating the first litigation free village in the whole of India. It began like this: In early 2000, Fr.George had addressed a seminar of several village officials on the evils of litigation and the need to resolve disputes locally. In a few days, Ms.Saudamini led a small delegation from her village of Thissur [not, 'Thrissur'] in Varavoor panchayat inviting Advocate George to come over to Thissur and demonstrate his solutions. Adv. George and Adv.Jasmine Joseph visited the talented village. Peopled by craftsmen with ancient, masterly skills, Thissur a predominantly Hindu village, had been a steady contributor to Kerala's cultural life. Yet, the villagers were a querulous lot! There were disputes in every street. 40 law students from Thissur town volunteered to survey and list the problems. So began eager -- if cautious -- knocks on over 500 doors to listen and understand the disputes. In the end, the students had compiled a list of 264 dead-locks to be resolved. Not surprisingly, two-thirds of them was against the administration itself. There were also 17 cases filed in the various courts of law. A 'court' or Lok Adalat was set up in the village school. Law students and other volunteers began extensive discussions with the various parties to develop meeting points. George coordinated with the judiciary, police, authorities and banks who were parties to the disputes, to depute their representatives. Three benches were set up, each headed by a retired judge, a senior lawyer and a social worker. A team of three law students was assigned to assist each bench.

Jananeethi led by Fr./Adv. George had done the groundwork well. In mere three days --May 2, 3 and 4, 2000-- the three benches found enough time to hear all disputes in detail and arrive at settlements. A mere 11 cases were left for the newly set up village Harmony Committee to dispose of later. The villagers were agog with excitement. Hundreds stood around to gawk. On May 7, the whole village was dressed up to celebrate. Thissur's renowned pipers and drummers led a slow parade through the decorated streets and naturally enough a lunch fest followed. After all Thissur had just become India's first litigation free village.

What happened thereafter, you might ask? Well, the Harmony Committee is in working order. Since the 3-day fair ended, it has been able to dispose off 84 petitions. Villagers approach it first before they dash off to the police or the courts. No one has consulted a lawyer either, in the last year. Nor have they bothered Adv.George. He is busy anyway with enough things.

Maithri:

There is no chapel or crosses or religious images at Jananeethi, though Fr.George lives in a room upstairs. There is a sombre outhouse at the back though, reached by an anonymous, ever-open lane from the main road. The outhouse is Maithri. Often people reach it softly, facelessly. Many of them are women, who have decided to consider this option. Some years ago they would have thought suicide
their only option. They have heard that they will receive understanding and assistance here.

Behind the much touted family system in India lurk many injustices, mostly against women. Women are battered by dowry demands, alcoholic husbands, mindless cruelty, lack of freedom, sexual abuse... it's a long list. Close to 3000 women kill themselves every year in Kerala and Jananeethi has researched to find that ten times that number consider it.

In the last year over 1200 people have sought Maithri, 30% of them women. Some write, some call and some slip quietly down the lane in person. With changing times people's problems seem to be changing too. Men facing bankruptcies, students daunted by exams, disappointed lovers, people with offbeat sexual preferences... for all these, suicide is an active option.

Maithri listens patiently and is totally non-judgmental. It often arranges a short-stay home and gets down to finding a solution. George narrates a story: "She was so young. A widow whose only inheritance from her husband was the HIV virus. The family began a campaign to drive her away. She was not even allowed to the water pipe. They blamed her for her husband's death. So she came here to see if there was anything left in life.

"I took the staff into confidence and they agreed to go along with my suggestion. So we hired her as a receptionist and trained her. After a year I advertised in the papers for a groom who is HIV positive. Along came a young man and we all got together and got them married. They are a very happy couple today and keep in touch."

He is a calm man undisturbed by the fact that the church has cut him adrift. Jananeethi needs Rs.70,000 a month for its operations. It has 14 staffers, 7 of them lawyers. They raise money by doing consultancies, sponsored projects, publishing books and from donations. All their services are free.

Who is he, this man? Father George? Advocate George? How do you brand him? Without doubt, --like the best in the country-- he is a fine Indian, who keeps his religion to himself and gives of himself to all people. He is a part of the unknown army that cares for India. And that is India's true security.
India Celebrates First 'Litigation Free' Village

India - Working out of an elegant old rented building in Kerala's Thrissur, Jnananeethi is an organisation that is difficult to categorise. Started just over a decade ago by George Pulikuthiyil, it battles for human rights, aids dispute resolutions, cares for the despairing, propagates awareness of law and preaches social harmony. "God is more palpably present in a court of justice than in a monastery," believes 50 year old George. Strange notion for a man who is in fact an ordained Catholic priest. He lists himself formally as a Human Rights Lawyer. He is in reality a battler against all injustices.

George was born in Anandawadi in the hilly Wayanad district of Kerala. He left for Thrissur at the age of 13 to pursue his studies. He was drawn to the church and decided to become a priest. He studied theology, philosophy and economics. In 1981, aged 31 he was ordained. His first assignment was with Chavara Cultural Centre in Kochi. The three years there made him look beyond the walls of his calling. He was struck by the stories he heard from judges and lawyers practicing in the Ernakulam High Court. Stories of how long cases lasted before decision, how people pauperised themselves fighting litigation, how innocent many of them were of their rights, how frequently this innocence cost them their cases. The world out there seemed to need his ministering more. Father George Pulikuthiyil was an agonised man.

Transferring back to Thrissur in 1984, he started Viswa Darshana, funded by the church. It was to be a rights group. Soon it developed a leftist flavour. And worse, --for an aghast church-- it spoke in an irreverent, secular voice. Father George wrapped it up and left for Mumbai.
The re-education and re-making of George Pulikuthiyil had begun. He acquired degrees in Literature, Journalism and most satisfyingly, Law. By 1990 he was back, enrolled at the Ernakulam High Court, taking briefs free of cost. Before long, he saw the need for a parallel -- and, faster -- track for settling disputes. And so began Jananeethi, 1991.

Jananeethi began as a legal aid centre but has allowed itself to be moulded by the needs of the people who approached it for various sorts of help. Today it is many things. In the last three years, for example 10,000 people have approached it. Last year alone it was presented with 220 disputes, out of which it settled 137 out of court. A majority of these relate to domestic discords, followed by property and debt wrangles.

One of the exciting achievements of Jananeethi was in creating the first litigation free village in the whole of India. It began like this: In early 2000, Fr. George had addressed a seminar of several village officials on the evils of litigation and the need to resolve disputes locally. In a few days, Miss Saudamini led a small delegation from her village of Thissur in Varavoor panchayat inviting Advocate George to come over to Thissur and demonstrate his solutions. Adv. George and Adv. Jasmine Joseph visited the talented village.

Peopled by craftsmen with ancient, masterly skills, Thissur a predominantly Hindu village, had been a steady contributor to Kerala's cultural life. Yet, the villagers were a querulous lot! There were disputes in every street. 40 law students from Thissur town volunteered to survey and list the problems. So began eager -- if cautious -- knocks on over 500 doors to listen and understand the disputes. In the end, the students had compiled a list of 264 deadlocks to be resolved. Not surprisingly, two-thirds of them was against the administration itself. There were also 17 cases filed in the various courts of law. A 'court' or Lok Adalat was set up in the village school. Law students and other volunteers began extensive discussions with the various parties to develop meeting points.

George coordinated with the judiciary, police, authorities and banks who were parties to the disputes, to depute their representatives. Three benches were set up, each headed by a retired judge, a senior lawyer and a social worker. A team of three law students was assigned to assist each bench.

Jananeethi led by Fr./Adv. George had done the groundwork well. In mere three days -- May 2, 3 and 4, 2000 -- the three benches found enough time to hear all disputes in detail and arrive at settlements. A mere 11 cases were left for the newly set up village Harmony Committee to dispose of later. The villagers were agog with excitement. Hundreds stood around to gawk. On May 7, the whole village was dressed up to celebrate. Thissur's renowned pipers and drummers led a slow parade through the decorated streets and naturally enough a lunch fest followed. After all Thissur had just become India's first litigation free village.

What happened thereafter, you might ask? Well, the Harmony
Committee is in working order. Since the 3-day fair ended, it has been able to dispose off 84 petitions. Villagers approach it first before they dash off to the police or the courts. No one has consulted a lawyer either, in the last year. Nor have they bothered Adv. George. He is busy anyway with enough things.

There is no chapel or crosses or religious images at Jananeethi, though Fr. George lives in a room upstairs. There is a sombre outhouse at the back though, reached by an anonymous, ever-open lane from the main road. The outhouse is Maithri. Often people reach it softly, facelessly. Many of them are women, who have decided to consider this option. Some years ago they would have thought suicide their only option. They have heard that they will receive understanding and assistance here.

Behind the much touted family system in India lurk many injustices, mostly against women. Women are battered by dowry demands, alcoholic husbands, mindless cruelty, lack of freedom, sexual abuse... it's a long list. Close to 3000 women kill themselves every year in Kerala and Jananeethi has researched to find that ten times that number consider it.

In the last year over 1200 people have sought Maithri, 30% of them women. Some write, some call and some slip quietly down the lane in person. With changing times people's problems seem to be changing too. Men facing bankruptcies, students daunted by exams, disappointed lovers, people with off-beat sexual preferences... for all these, suicide is an active option.

Maithri listens patiently and is totally non-judgmental. It often arranges a short-stay home and gets down to finding a solution. George narrates a story: "She was so young. A widow whose only inheritance from her husband was the HIV virus. The family began a campaign to drive her away. She was not even allowed to the water pipe. They blamed her for her husband's death. So she came here to see if there was anything left in life.

"I took the staff into confidence and they agreed to go along with my suggestion. So we hired her as a receptionist and trained her. After a year I advertised in the papers for a groom who is HIV positive. Along came a young man and we all got together and got them married. They are a very happy couple today and keep in touch."

He is a calm man undisturbed by the fact that the church has cut him adrift. Jananeethi needs Rs. 70,000 a month for its operations. It has 14 staffers, 7 of them lawyers. They raise money by doing consultancies, sponsored projects, publishing books and from donations. All their services are free.

Who is he, this man? Father George? Advocate George? How do you brand him? Without doubt, --like the best in the country-- he is a fine Indian, who keeps his religion to himself and gives of himself to all people. He is a part of the unknown army that cares for India. And that is India's true security.
Malathy and Parukutty had not spoken to each other for years, though the sisters lived barely a stone's throw from each other in Thichur village, Thrissur district, central Kerala. The two married sisters had a dispute over land bequeathed by their father.

The sisters were on the verge of hiring separate lawyers to fight for their slice of parental real estate when Jananeethi (People's Initiative), a social service organisation, stepped in. It changed the lives of Malathy and Parukutty. It also transformed the entire Thichur village.

Thichur, once wracked by innumerable court cases, is today probably India's first and only litigation free village. So much so that the Atal Bihari Vajpayee government, on coming to hear about this village, asked Jananeethi activists to help model similar programmes across the country's rural areas so that litigation among the people might at least decrease if not disappear.

"We thank Jananeethi for helping us unite," says Malathy, whose feud with sister Parukutty is now resolved.

"We realized that our quarrel was not indeed over this piece of property but over our individual unwillingness to look after our ageing mother," Parukutty laments.
Families like Malathy and Parukutty have been united, foes have become friends and lawyers have become jobless in Thichur, thanks to the innovative legal scheme that Jananeethi, headed by Catholic priest Father George Pulikuthiyil, has been implementing in the last couple of years.

Father Pulikuthiyil, a practising lawyer, says he is happy to see the village that was once mired in a plethora of court cases transformed. "Earlier, raging fights and scuffles used to be an everyday affair here. Now it is a peaceful village. People have realized that they can live in harmony if they do not have legal cases to fight on," the priest points out.

The people in Thichur, an obscure village some 130 kilometres north of Kochi, are generally poor. P K Saudamini, a local politician who joined hands with the priest to launch the litigation-free campaign, says the village has some 520 households.

"But legal fights over properties used to be a daily affair in our village. There are families that went into economic ruins because they hired expensive lawyers to fight property cases. Now people have stopped going after lawyers and spending their time and money in courts cases," she says.

When Father Pulikuthiyil confronted Malathy and Parukutty about the futility of hiring lawyers, he says they were initially hesitant. But the priest says that the idea of launching a legal campaign to end litigation in the village came to him that day.

"I knew homes where brothers and sisters lived together but never spoke with each other because of property disputes. I knew fathers and sons fighting over worthless lands. I wanted to change the social system because here, the court cases came up due to poverty," explains the priest.

The landholdings in Thichur are small. Most men are engaged in agricultural labour. The womenfolk earn their living from agricultural work or working as domestic maids with the rich families in the neighbouring villages. The men spend a considerable part of their income on alcohol, tobacco, and drugs. In fact, in most of these families, the poor illiterate women are the breadwinners who look after themselves and their children.

Father Pulikuthiyil and a team of law students who assisted him identified that legal cases in Thichur had a bearing on their poverty. "A large number of complaints were related to the colonies being denied water, electricity, sanitation facilities, etc. The court cases were also related to the payment of dowry, money lending and property disputes," said the priest.
At the end of their survey, the priest found that the 520 Thichur families in the village were fighting 264 court cases that included criminal and civil cases, family disputes, and litigation against various government offices like the Kerala State Electricity Board and the state Water Authority.

Soon, Father Pulikuthiyil met with government officers, legal professionals, and the local politicians and people and convinced them of his litigation-free village idea. He set up a Harmony Committee that consisted of legal experts and social activists to listen to various cases.

Says Jasmin Joseph, a lawyer and one of the committee members, "Our effort was to change the mindset of the people that fighting their cases in courts is a waste of their time, energy and money." The committee members met every week in a clove-cigarette warehouse to use patience and pressure on the litigants.

"Our argument to the local villagers was that they should give up court cases and settle them in the committee. When we investigated deep into some cases, we were wonder-stuck that people were fighting with each other even because of envy," she points out.

The committee then fixed dates for the public hearing of various cases. In three days, the peacemakers led by Joseph settled 17 of the 264 disputes.

A typical case was of V Ayyappan, who had filed a criminal court case against four neighbours who beat up his son during a brawl in a local liquor shop. Ayyappan demanded Rs 50,000 in damages from his neighbours. But the Harmony Committee settled it for Rs 11,500 to cover the medical costs of Ayyappan’s son. The assailants also rendered an apology to Ayyappan.

"I am relieved that I settled the case out of the court. If I had fought the case further, I would have lost that much more money in litigation for many years," Ayyappan says now.

In May 2000, the Kerala government officially declared Thichur India’s first litigation free village. Since then the Harmony Committee has been meeting every Friday in Thichur to ensure that no fresh legal cases go to courts.

K P Krishnan, whose land dispute with neighbour N P Kesavan ended amicably through the committee in July, says he is happy that the case was settled. "We were not talking with each other for long because of this land dispute. Now we are friends once again," says Krishnan.

Thichur’s Harmony Committee has now become famous. Father Pulikuthiyil says he is getting requests from across India asking him to initiate similar litigation-free campaigns. Already, the Kerala
government's Legal Services Authority and the federal law ministry have requested Janaceethi to explain how the legal campaign could be activated across the country.

In a country, where litigation is a nightmare because of the millions of pending cases, Thichur shows a way out.
SOCIETY

COURTING HARMONY

A village in Kerala becomes litigation free

For the obscure Thichoor village of 520 households, scuffles and raging fights over property disputes used to be an everyday affair. A year ago there were 264 court cases from the village in Thrissur district, Kerala. Today it has the distinction of being the only Indian village that is litigation-free.

Extricating such villagers from the web of cases was the dream of Father George Pulikuthiyil, a Catholic priest and lawyer, who articulated it last November at a meeting of the State Legal Services Authority which is committed to imparting speedy justice. His dream of creating a litigation-free society struck a chord in P.K. Saudamini, a former member of the Varavur panchayat, who suggested that he try it out in Varavur.

After a series of consultations, they realised that making the whole panchayat litigation-free was a superhuman task. Thus, they narrowed the scope to Thichoor in the panchayat, and Fr Pulikuthiyil pledged the full support of Jananeethi, an NGO under his command.

At a meeting of government officers, legal professionals, panchayat members and the villagers at Thichoor on February 28 an executive committee was formed for the project, with Saudamini as general convener.

The committee’s brief was to prepare the village for Lok Adalats to settle the cases. “Our aim was to change the mindset of the disputing parties so that they would themselves seek an amicable closure of cases at the Lok Adalats,” said Fr Pulikuthiyil.

With this in mind, the Jananeethi volunteers, including lawyers and students from the Thrissur Law College, called on the litigants and held a series of counselling sessions with them. “In most cases it was ego which stood in the way of settlement. The real issues were small or negligible,” said lawyer Jasmine Joseph.

Of the 264 cases in the village, 200 were civil cases and the remaining were petty criminal cases. Most of the civil cases were over property and during a three-day Adalat in the first week of May, all but 11 cases were settled.

“I am happy that my case has ended in an amicable manner, otherwise it could have gone on for years causing immense damage to all concerned,” said Col. P.V. Narayanan, who had a long-standing land dispute with his neighbour Johny. Another ex-litigant, businessman P.K. Hamza, had inherited a property dispute from his father, and so had the opposing party. “After many years of litigation, a court verdict was in the offering and it could have meant considerable damage to either of us,” he said. “Yet we have settled the case and are friends these days.”

To ensure that Thichoor remains litigation-free, the villagers have formed a five-member harmony committee, headed by businessman N.P. Sithaeesan. “Once a month the committee will hear disputes,” said Sithaeesan. “And if we cannot settle a dispute on our own, we will refer it to Jananeethi. If they can’t settle it, then it will be allowed to become court litigation.”

Now Saudamini has a prayer on her lips: that the people treasure Thichoor’s new-found claim to fame and stay out of court.

Vini Abraham
Eco-Tourism Plan

...Causes Ecological Concerns

New resorts being set up as part of the Kerala government's efforts at promoting eco-tourism and the resultant inflow of tourists as well as encroachment by intruders are all leading to the ecological destruction of Vagamon region located on the fringes of Idukki district, alleges a recent study conducted by Jananeethi, a Thrissur-based non-government organization NGO).

Emphasising that the study focused on Vagamon tourism and its aftermath and that it was conducted at the behest of the local residents, Jananeethi executive director George Pulikuthiyil said the damage being done to the eco-systems and the terrain by the upcoming resorts and the flow of tourists was huge and shocking.

Here it may be mentioned that Vagamon, situated 100 km from Kochi and 64 km from Kottayam, at an altitude of 1,100 metres above sea level, is surrounded by the lush greenery of tea gardens, beautiful meadows, deep puzzling valleys and dales.

It is a trekker's paradise and is currently being promoted as one of Kerala's foremost eco-tourism spots.
At the Global Investors' Meet (GIM) held in Kochi on January 18 and 19 this year, several leading business groups, including those from abroad, have expressed interest in Vagamon, where 1,800 acres of land is being developed as a 'holistic health destination'.

Quoting extensively from the findings of the said study, Pulikuthiyil said, "These upcoming resorts are blocking the naturally formed streams. And the tourist vehicles that ply on the silken hills have disturbed the natural quiet, shaken the soil, loosened the rocky structures and disturbed the entire ecology of the area. All these have caused uneasiness in the minds of the local inhabitants."

Besides, several tourism operators have encroached with or without permission the rich grasslands, natural lakes and lovely cliffs as well as some of the tea plantations for their business promotion.

They have also begun indiscriminate constructions on the natural grasslands claiming that it was wasteland. For the time being, the High Court of Kerala has stayed all construction works in the region by an order of injunction, Pulikuthiyil added.

Pointing out that two lakes originally belonging to the government-owned lands have been encroached by private lobbies and some of the resorts have started releasing their sewage water into the stream that later forms the Meenachil river, he said, "the state government had not made a single honest attempt to evacuate the intruders nor to check the river pollution."

Alleging that the damage already done on the region by the tourists is very alarming, he said, "barrels of plastic bottles and polythene bags brought in by tourists who come in large numbers are crushed and split all over the region. The vehicles bringing these tourists ply all over and scale the meadows and disturb the soil, thereby causing soil erosion from the top of the hills, which in turn block the water-logged joints of the hills and valleys. These in effect are likely to dry out the streams that feed the Meenachil, Manimalayar and Periyar rivers leading to deprivation of drinking water to thousands of people in the lower plains."

The presence of huge number of tourists and dozens of upcoming resorts would further aggravate the water crisis.
INDIA: Getting Justice outside the Justice System: Interview with George Pulikuthiyil

(Ed. note: George Pulikuthiyil is the executive director of Jananeethi in the Indian state of Kerala. This interview was conducted by the editor of Human Rights SOLIDARITY, Bruce Van Voorhis.)

AHRC: Please describe the work of Jananeethi, and explain why the organisation was formed.

Pulikuthiyil: Jananeethi, based in Thrissur in the state of Kerala in India, was formed in 1992 as a legal aid centre for the most vulnerable and marginalised sections of society. Gradually it was developed as a people's initiative for human rights. Defending the rights of the defenceless has been the most important function of Jananeethi. The scope of Jananeethi as a human rights NGO [non-governmental organisation] has been extended to fighting against torture, monitoring human rights violations, promoting gender justice, campaigning against a variety of human rights abuses and issues - domestic violence, child labour, capital punishment and caste-based discrimination - providing human rights education, networking with like-minded groups, preventing suicides and, lastly, caring and supporting the victims of violence and those with HIV and AIDS.

Jananeethi has taken to the courts cases of custodial death, torture, offences against women, domestic violence, environmental degradation, the violation of people's constitutional rights, corruption in public offices, labour disputes and offences against children and society's weaker sections for an appropriate remedy. Furthermore, Jananeethi has taken up hundreds of common causes as petitions and has settled them amicably through its conflict resolution strategies, one of which is litigation-free villages. Initiating a process to resolve disputes without going to court in the first village in the country, out of 575,000 villages in India, was the product of the hard labour and commitment of Jananeethi for freedom from litigation and the democratisation of justice.

AHRC: A litigation-free village appears to be a novel concept. What specifically though is a litigation-free village, and how does it work?

Pulikuthiyil: A litigation-free village means a community where disputes are resolved by the people themselves without letting the concerned parties go to a lawyer, a police station or a court of law. A committee of eminent and widely respected senior citizens of the community has been assigned by the District Legal Services Authority of Thrissur to attend to whatever dispute or complaints the people may have. The committee sits twice a week at a convenient place where people can bring
their complaints or petitions. The committee will study the matter, will visit the site if required, will negotiate with the concerned parties and will propose solutions. In a majority of cases, the solutions are accepted by both parties. If any dispute cannot be resolved by the committee, it is referred to Jananeethi, which will thoroughly assess the matter in light of the respective law and will propose legal remedies. If anyone is still not happy with the decisions made after this process, the dispute is forwarded to the District Legal Services Authority where a final decision will be made by the judge, which will be binding on the two parties. Presently, no one has had to go to court as we were able to arrive at amicable solutions in the petitions filed before the committee.

What is important here is a change in the attitude and aptitude of the people. People by nature are litigants. We build up trust in the mind of the people, however; and because of our constant contact and interaction with the person or family, we create in them an attitude to seek peaceful solutions rather than court verdicts. There is a paradigm shift in the culture of resolving conflicts. This is the qualitative change we intend to introduce in society.

**AHRC:** What types of cases are resolved in a litigation-free community?

**Pulikuthiyil:** Except major criminal cases that are non-compoundable in nature, almost all cases are settled by the parties in the presence of the Harmony Committee. Even in the case of cognisable offences, amicable settlements are possible through the intervention of the respective court. It very much depends on the nature of the offence involved and the approach of the court in the matter. Marriage disputes, all civil matters, consumer issues, administrative matters and petty criminal offences are the common issues that are effectively dealt with by the committee.

**AHRC:** Why did you create such a community?

**Pulikuthiyil:** The idea originated from a personal conviction that the existing judicial system and its procedures are not an answer to the problems in society. There was a desperate need for an alternative. In olden times in which there were no police, courts and lawyers, people used to have quarrels and fight, but they used to solve such discords amicably through peaceful negotiations and mediations. There were elders in society who were part of the community, and they mediated between the parties involved. There was neither bribery nor favouritism. There were no expenses involved and no delay. If people are capable of committing wrongs, they are also capable of resolving such mistakes. They should use their potential creatively and for the good of the entire community. The whole process is participatory, ensuring the involvement and cooperation of the parties concerned. There was more self-reliance, more civic sense and more concern for the welfare of society in those days. We wanted to reintroduce those "golden" systems of the olden times in society today.

**AHRC:** What has been the reaction of the people who are living in a litigation-free village?

**Pulikuthiyil:** People of the village today have a feeling that there is a remedy for any problem at hand. It is reachable. They can approach the committee and explain their situation. Their participation is also taken into account in resolving the problem. It is in consultation with them. Their views are adequately considered. They need not spend their hard-earned livelihood for the case. They need not wait for generations to resolve their problems.

There is a conspicuous change in the matter of domestic violence, for instance. Women have begun feeling better. Their male counterparts have stopped torturing them. Women now have strong feelings that there is somebody who is ready to listen to them and attend to their grievances.
Even police officers direct people to the committee for easy and effective measures to address people's problems.

However, everything is not all rosy and encouraging. Local political leaders who were until recently functioning like middlemen in the midst of people's disputes and disharmony and who made a living from such "services" and gained political mileage became "jobless," and their income stopped. Moreover, some communally charged elements in society who want to vitiate the community's social tranquility by sowing seeds of communal hatred have also consciously orchestrated attempts to prove the experiment a failure. In addition, certain political aspirants of a political group caused serious damage to the cause by trying to hijack the whole programme for their own political gain.

**AHRC:** Have there been requests by people in other villages to create a litigation-free community in their area? If so, have you been able to respond to their requests?

**Pulikuthiyil:** There have been many requests. However, we could not respond positively in the beginning. There were financial reasons. Unless some agency comes forward to sponsor the programme, Jananeethi on its own cannot financially support it as the entire process involves many full-time and part-time personnel. Furthermore, those requests came from distant places, and it was practically impossible to operate in these areas from the Jananeethi office in Thrissur. Moreover, our first experiment had affected the normal functioning of Jananeethi as the entire staff was delegated to the experiment. Jananeethi's staff strength is very limited. The expansion of activities would entail a hike in the total expenses of the organisation which we were not able to meet.

However, the State Legal Services Authority, to which Jananeethi is accredited, was highly impressed with the success of the experiment. Hence, it has given directions to all 14 district legal services authorities in Kerala to initiate appropriate steps to have at least two villages declared litigation-free in every district in a year. It has also directed the district authorities to seek the guidance and cooperation of Jananeethi in case there is a need. Jananeethi has been asked to visit a few districts to advise them about how to proceed so far. Thus, in various parts of Kerala, a few more villages have been declared litigation-free. Jananeethi on its own has applied to many agencies for support to further expand the programme.

**AHRC:** Unfortunately, it is difficult for everyone to benefit from litigation-free communities. How then can the official justice system be reformed so that all people in India can enjoy a justice system that delivers justice in a timely manner? Is there a way to mobilise civil society to bring about this change?

**Pulikuthiyil:** There is a growing awareness among everyone that the existing system is rotten and useless. Everybody is conscious of the problem. Who will initiate the remedies though?

The administration of justice is intrinsically the basis of the civilisation of the community in question. Therefore, it rests in the making of a civil society that is sensitive to such issues. Basically, it is part of political education and social engineering. In a country like India with 1.2 billion people - one-sixth of the total population of the world - it is not an easy job. It requires committed civil servants and social movers.

Indian society, by and large, is quite fed up with the prevailing system, however. Any serious attempt to clean the room will adequately be appreciated. There are also attempts elsewhere like
the one initiated by Jananeethi. All such movements have their emulating effects on others. I have no easy solutions for the change we wish to achieve, yet I believe that change is taking place at a slow pace. We need more people with commitment, resources and democratic and secular values to devote themselves to the problem.

AHRC: Are there any other questions that I've failed to ask that you feel are important?

Pulikuthiyil: Litigation-free status does not indicate a perfect society. It does not mean that society is free from crime. Many people do not pursue litigation only because it is a hazardous process, expensive, painstaking and ineffective. Hence, simply because there is no litigation pending, it does not mean the society is ideal. Therefore, Jananeethi has gone a step beyond. Now we are concentrating on a "crime-free society." In 2004, Jananeethi has taken up a project with the financial aid of the American Centre in New Delhi to experiment with the coveted ideal - a crime-free society - in Ward 12 of Thrissur.

"Crime-free" sounds utopian. Yes, indeed, but we at Jananeethi strongly believe it is possible because we believe in the inherent goodness of the people. There are 1,800 families in Ward 12. It is an abysmally crime-prone area for many reasons. There is poverty; unemployment; homelessness; landless labourers; an acute water scarcity; non-access to roads, electricity and sanitation; communal divisions; political polarisation; illicit liquor; broken families; administrative corruption; communicable diseases; chronic health hazards; and many other problems that have contributed to the suffering of the people in the village. Crime is the byproduct of these maladies. If we are able to address these socio-economic and cultural concerns, we are confident that we'll be able to control criminal offences and will gradually be able to do away with criminal activities in the village. Freedom from crime means freedom from many things - litigation, hatred, unemployment, communicable diseases, illiteracy, poverty, drug abuse, vandalism, domestic violence, sexual offences, gender-based discrimination, mutual mistrust, child labour, desertion of the elderly, environmental degradation and pollution, mental distress and suicide and the victimisation of those infected or affected by HIV and AIDS, etc.

Freedom from crime means freedom from fear and want. It means total development. It means the welfare of the people and the community. It means social tranquillity and cooperation. It means culture and civilisation. It is the highest mode of life one can think of. In such a society, human rights are respected and practised. Any violation of a human right is a crime. Hence, freedom from crime means the reign of human rights that indicates total progress and social harmony. Where there is this order and discipline, we call that society governed by the rule of law. Jesus called this society the Kingdom of God, Mahatma Gandhi called it Ramarajya, Plato and Marx called it the Welfare State, and we, in legal terms, call it the Egalitarian Society. The mystics never differ though. They only speak the same thing in different tongues.

Posted on 2004-03-03
RCT Mission Report

Visit to

Jananeethi

9 September, 2006

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1. Introduction

This report is based on a visit by an RCT mission to Jananeethi on September 9th 2006. The report reflects the immediate impressions and views of the mission gained through this visit and through the materials received. Thus, it does not as such represent a full scale assessment of the organisation, but rather contains preliminary observations. The mission would like to extent it’s heartfelt thanks to the staff of Jananeethi for making the visit a very positive experience. It is hoped this brief report may be useful to the organisation.

Jananeethi was founded in 1991 and it presents its overall aim as:

“Radical changes in the society enabling individuals and societies to live in consonance with the dictates of humanity in their widest scope and dimensions”.

Jananeethi has a broad human rights mandate and limited resources. The Trust areas comprise 1) Combating torture; 2) Conflict resolution; 3) Gender justice; 4) Child rights; 5) Environmental issues; and 6) Public community health.

2. Organisation

Jananeethi has a 155 member general body from all segments of society. An elected body of directors serves for a three year term and have regular meetings (consist of high level people who are not only figure head, but who contribute actively in some sort of voluntary functions). The executive director is supported by a legal fraternity and the executive committee of 9 members.

The organisation is founded and led by a lawyer and former Catholic priest, and is strongly rights-based in its approach. It has a paid staff of 7, in addition to a number of interns & paralegals, investigators, project staff & field animators, research assistants and administrative staff. Jananeethi is a platform for many national and international students and interns studying human rights issues.

It was not clear how many people were presently working with the organisation on a part-time or voluntary basis, but it was the impression that Jananeethi has scaled down its staff due to financial problems. Presently, Jananeethi is in a difficult financial situation, which is limiting its activities. Presently, Jananeethi has scaled down permanent staff from 22 to 7. To boost the outreach capacity they have formed action teams by linking up to external resource persons and institutions.

3. Networking and external funding

Jananeethi has not developed major international affiliations or sister links within the research community and/or with international human rights agencies. National NGO networking in India is allegedly difficult for Jananeethi as many organisations are affiliated with political groups.

The political scene in Kerala is dominated by two major parties the Communist Party (Marxist) and the Congress party (I). (At the moment a coalition government under the leadership of CPM is in power). In general political interference is the rule of the game. Political parties are strong players

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1 PowerPoint presentation, 2006
in Kerala and they try to interfere and do not allow independent NGOs to develop. Independent views are rare in Kerala as most people have communal and party political loyalties. A power change in Kerala automatically will be followed by replacement of top level police officers.

While Jananeethi is at present in a financial crisis in the past the organisation has obtained financial support from Cord Aid, Misereor, UNDP and most recently from the AHRC. An important activity from April 2005 to March 2006 was also “Jananeethi Programmes for the Care and Support of Tsunami Victims in Kerala, India: Naithikaynam, Journey towards Justice”. The programme was funded by a donor from Luxembourg (Climate Alliance).

4. Legal Action as the entry point

Presently, Jananeethi is working with a wide definition of torture, including victims of domestic and relational violence; women and children constitute a large number of its beneficiaries.

Jananeethi believes in action – a human rights organisation should always be prepared to be actionable for intervening in right time. They also believe in legal action as entry point. A 24 hour helpline receives approx. 20 calls per day. The Director of Jananeethi, Fr George, is action oriented and he is sceptical with the Urgent Appeals floating around on the internet and on the human rights scene. Although he finds awareness on violations relevant and important it is insufficient and legal action is required.

5. Future Objectives and Plans

Among its future objectives are the establishment of a torture rehabilitation centre, a resource centre for investigation of torture, campaign at the regional and national levels for the ratification of the UN Convention against Torture, formation of monitoring committees against torture, and sensitization programmes about torture at the community level.

Jananeethi has tested two promising community approaches towards prevention of violence and crime. In a community overwhelmed by pending private conflicts and litigations Jananeethi and the villagers established a ‘people’s court’ with a view to reach to negotiated settlements and created a ‘litigation free community’. In another instance they managed to facilitate the creation of a ‘crime free community’.

Jananeethi has recently developed the tactical human rights concept of a ‘People Tribunal Court’. The aim is to establish a civil society counter mechanism to the sloppy public investigation and horrendous court delays – a judicial enquiry may take five years - and low priority is given in torture cases. Jananeethi is seeking financial support to initiate this new preventive tactic against torture.

6. Psychosocial Interventions

6.1 Beneficiaries

Jananeethi is always to take the victims perspective – “we don’t take people as cases” - victimisation and by stressing the rights based perspective “not asking for mercy” are important ideological elements in the working attitude of Jananeethi. Jananeethi insists that the duty bearer for rehabilitation should be the perpetrator. The main beneficiary category consists of:
• Victims of domestic violence: Last year there were 144 beneficiaries in this category. Most of these beneficiaries are women and they have commonly suffered severe violence and/or sexual harassment. The victims are provided with “psycho-legal counselling” for mostly 4-5 sessions, including accompanying the victim to the police station for the investigation. If the psychological problems are too complex, the victims are referred to a clinical psychologist.

• Victims of police torture and ill treatment: Last year there were a total of 54 cases in this category. Jananeethi gets in contact with the victims through reading about them in the press. Jananeethi helps the victims file a petition to the Human Rights Commission and sometimes also provides him/her with psycho-legal counselling. It was the opinion of the interviewed Law Officer that psychological counselling is not much needed in most police torture cases – that these victims, mostly males, are not as traumatised as the women victims of long-term domestic violence, and that “law as an instrument for social justice” provides sufficient therapeutic help. *Justice is in itself healing.*

• Children victims of abuse: Last year 12 cases. The children had suffered sexual abuse, trafficking, or were street children begging. Some children are referred to a child psychiatrist;

• HIV-infected persons: Provided with counselling

• Adolescent girls (9-16 years): Victims of sexual harassment. They were provided with personal development programmes.

• Victims of the Tsunami: Jananeethi helped almost 10,000 victims. For 7500 victims petitions were filed for compensation to the State government. The victims were also provided with legal aid and assistance, emotional support, social and psychological rehabilitation and social reconstruction (skill development) by legal experts, human rights defenders, clinical psychologists, psychiatric social workers, and “befrienders”. A “mass-healing program” was organised assembling 120 people who had lost family members. Here, after a 4-hour session in which the participants “mourned, sobbed, stammered, wept, annoyed, triggered in rage, grief and guilt and resigned in total helplessness and anguish, they apparently appeared to be resilient, more balanced, quiet, and composed<sup>2</sup>. A special programme was also conducted in schools for children affected by fear and nightmares.

6.2 *Psychosocial Activities*
Jananeethi understands the concept of “psychosocial” in its widest sense, and sees a strong relationship between justice and rehabilitation. It is, therefore, acceptable to list all the following activities as aspects of the organisations activities to promote psychosocial wellbeing:

• Advocacy: Defending the rights of children and women through training and campaigns, including gender-sensitizing of the police; defending ecological matters;

• Psycho-legal Care and Support: a combination of legal aid and psychological assistance where the victims receive empathic support and counselling. Some beneficiaries are referred to clinical psychologists. Mass/group healing where victims ventilate their feelings, receive support from other victims, and gather hope and courage to move ahead towards justice.

• Help-line telephone services: This help-line is used by many women, elderly and children that are seeking legal aid, information or assistance.

• Community mobilisation: Facilitation of problem-solving initiatives, formation of youth groups, mediation of disputes;

• Training in legal literacy: Community-based education programme, especially for rural women and women of low-income groups, often through self-help groups. In 2005, 44,252 women took part these training sessions; capacity-building of staff;
• Legal resource centre/meeting place: for human rights activists and professionals;
• Networking: With police and judiciary, NGOs, community-based groups, international organisations, academic institutions;

6.3 Research
Fact-finding studies are carried out on, e.g., family suicides, the dowry system, and environmental problems. One of the legal officers is pursuing her PhD on the topic sexual abuse.

6.4 Monitoring and Evaluation
There does not seem to be any M&E system in place although basic statistics are monitored and registered.

6.5 Gender Aspects
There is a great emphasis on gender-related violence, especially sexual abuse of girls and women. The organisation has responded to the gender-related violence with advocacy, campaigns, training, and psycho-legal support of victims.

7. Perspectives for RCT

There seems to be interesting perspectives for collaboration between RCT and Jananeethi, especially as concerns the organisations strong rights-based approach and use of the concept of “psycho-legal counselling”. This approach has parallels to the Latin American scene, but it could be relevant through, for example, a study carried out by Jananeethi and RCT in collaboration, to further develop the description, understanding and usefulness of the psycho-legal approach in both the Indian and other contexts.

The study could be of 3 months duration, including 4 to 6 weeks of fieldwork in Jananeethi by a Danish researcher, who in collaboration with a law officer from Jananeethi collected empirical material about a number of psycho-legal counselling cases with the aim of producing a joint article for international publication.

Although limited time was available for the dialogue with Jananeethi it should be mentioned that the Team was impressed with the organisation. A few observations should be shared with the Jananeethi:

- If TOV is central it could become part of the IRCT network (IRCT is the International Rehabilitation Council for Torture Victims) and apply for assistance from the UN voluntary fund for victims of torture.
- The organisation is dynamic with dedicated and professional staff. It is an organisation with integrity, but it could perhaps strengthen organisationally and become better in prioritising the battles it wants to take.
- Jananeethi deals a broad human rights mandate as demonstrated by a very diverse human rights agenda. It is very activity oriented and it has shown that is has been capable of achieving national impact with the initiation of the coca cola campaign which has closed down the coca cola plant in the state and stirred up a controversy as it was found that coca colas contained residuals from pesticides.
- Most of the activities of Jananeethi falls outside the narrower mandate of RCT within rehabilitation and prevention of state sanctioned torture and organised violence.