



VOICES UNHEARD: AN ANALYSIS OF DENIAL OF HUMAN RIGHTS IN SELECT LITERARY WORKS

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Abstract: The topic of “Human rights” invites cross-disciplinary speculation. It is the basic right available to any human being by birth in the human race. The rights to life, liberty, equality, and dignity of individuals have been guaranteed by the Constitution in most of the countries across the world and their protection is important for the development of an egalitarian society. Katherine Boo’s *Behind the Beautiful Forevers: Life, Death, and Hope in a Mumbai Undercity* (2012) and Nandita Puri’s *Jennifer: One Woman, Two Continents, and a Truth Called Child Trafficking* (2020) are the two texts examined in this paper to inspect how human rights like adequate shelter, food, and safe water, dignity, and the right to one’s own body gets violated, which eventually leads to the rupture of the society.

Keywords:- Human Rights, Poverty, Child Trafficking, Exploitation, Social Justice.

Introduction:

Human Rights recognize the way individual human beings live in society and show the responsibility and obligation the state has towards each person. Human Rights are universal and give equal status to everyone. States and other duty-bearers must protect, implement and comply with the legal norms. “The state must ensure everyone the right to adequate food, education, and enjoyment of highest attainable standards of physical and mental health. These rights have to be respected and made available to the citizens by the state.”- Justice Anand, Former Chairperson, National Human Rights Commission. Poverty being the greatest pollutant of the world is the major cause of human rights violations. Child Labor, Sex Trafficking, and Illiteracy all lead to human rights violations. Human Rights should be made the central focus for displaying good governance.

Behind the Beautiful Forevers: Life, Death, and Hope in a Mumbai Undercity (2012) by Katherine Boo is a text exploring the experiences and real-life accounts of people living in Annawadi over the course of three years. Annawadi, a slum created on the land which belonged to Mumbai Airport. Annawadi was positioned as a trafficker in rich people’s garbage. It was filled with migrants from different regions of India. The text explores different characters like Abdul, a garbage picker, Fathima, a one-leg woman who is unsatisfied with her current life and looks for betterment, and Asha, who is trying to become a slumlord to attain power and money. Boo, in the text, talks about the denial of basic human rights like proper housing, food, and dignity and highlights the corruption prevalent in society. People of Annawadi cannot even sleep properly, as they are constantly under threat and fear of their homes being taken away by the Airport authority. These people have been given the status of illegal people who have forcefully encroached over the land belonging to the Airport authority. “Everything around us is roses” and “we’re the shit in between” (Boo 10). Thus, *Behind the Beautiful Forevers: Life, Death and Hope in a Mumbai Undercity* draw the actual sketch of the hardships faced by the slum dwellers

in contemporary society where they are rebuffed of their basic human rights as these rights have been just laid down in the charter but lack implementation, exhibiting the failure of governance and society as a whole.

In *Jennifer: One Woman two Continents and a Truth Called Child Trafficking* (2012) Nandita Puri explores the true account of Jennifer Haynes, who became a victim of child trafficking and sexual abuse with the inter-country adoption between India and the USA. Jennifer is sexually abused and raped by her brother Christopher in her childhood and the fear and trauma led to the cultivation of the habit of bed-wetting even till her teenage. After her adoption into the family of Edgall, she was brutally raped by her adoptive father. Owing to all the trauma she had faced in her life, she went on to use drugs frequently to get relief from her disastrous life. As her adoption procedure was not followed properly by the families that had adopted her and that had given her for adoption, she was addressed to be an illegal migrant in the USA, who was living illegally all these years and as a repercussion of this, she was sent back to her native land, India, forced to leave her husband and children behind. "Despite all manner of hardship that she has had to endure, Jennifer has survived. What she deserves now is to live with dignity" (Puri). Puri thus goes on to depict a true narrative of child trafficking which is a lucrative trade and she pleads for the restoration of dignity and humanity towards Jennifer.

Objective:

The purpose of this study is to critically examine the exploitation and lack of implementation of Human Rights through a close reading and in-depth analysis of the select works. Additionally, it emphasizes the role of active female writers who have come to the forefront of contemporary society to voice out the agonies and afflictions faced by the marginalized sections of the societies who are at the periphery with no voice and agency and are completely denied their Human Rights. As the study is focused on Human Rights, it is also connected to the work "Two Treatises of Government" by John Locke, who states that men by nature are free and equal and have the right to life, property, and liberty that have a foundation independent of the laws of any particular society. Thus, this paper aims to enlighten and bring awareness among the people regarding the Human Rights which belong to them; demonstrate how they can resist the violation of these rights; and provide them with the strength to keep on fighting for their rights without losing hope.

Analysis:

Human Rights are commonly described as universal moral rights that are valid, independent of any state recognition. Literature is a powerful tool that can bring about change and transformation in society and motivate people to take action. "Literature can cultivate a better understanding of Human Rights through critical evaluation of characters, analysis of scenarios, and examination of diverse historical voices. Students will not only gain pragmatic skills for critical reading but will also begin to understand their responsibility in creating change while realizing they are accountable for their actions" (Cockrill, Thematic Unit). Human Rights are involved in most literary genres, thus promoting the value and need for Human Rights.

Behind the Beautiful Forevers: Life, Death, and Hope in a Mumbai Undercity by Katherine Boo portray the reality of the slum dwellers living in Annawadi, which was earlier inhabited by the laborers of Tamil Nadu, due to which it came to be known as Annawadi, the land of Annas referring to elder brother in Tamil. Abdul, the protagonist of the text is a garbage picker who had to work since his childhood as his father's lungs were wrecked due to tuberculosis that resulted from garbage picking. This emphasizes the expression of Child Labor and the denial of Child Labor rights as stipulated in Article 24 of the Indian Constitution, which states that "No Child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment". Abdul was only twelve when he started picking garbage, which is hazardous to one's health. Since they work in filthy and vulnerable conditions, it is common for the rag pickers to develop respiratory issues, worms, and skin diseases. The land of Annawadi shows the plight of people over there as only six people out of three thousand, have permanent jobs, which highlights the denial of the Right to employment as Article 16 extends the "Right to equal Opportunity for employment or appointment under state. In order to survive, people resorted to eating rats, frogs, and even grasses grown at the edge of a sewage pond, for dinner. This shows the extreme case of denial of the Right to Food as it is a Human Right that protects the right to be free from hunger, food insecurity, and malnourishment. Another instance of the denial of the Right to Food is when Sunil goes to sell his father's footwear, and cooking pot, in exchange for food, and in the end, nothing was left to be sold. 'One Leg' whose original name was Sita, was living a life which is not accepted, and her disability of having only One Leg reduced her bride price and she ultimately got married into a Muslim Family, who renamed her 'Fathima', and had to compromise to a life, not of her choice. Asha longed to be a female Slum lord through her involvement in the Shiv Sena party, which was dominated by Hindus and aimed to attain power and money and eventually get involved in the corruption taking place in the city of Mumbai. According to the Shiv Sena, migrants had taken over the job opportunities of the natives, and having a tough

relationship with Muslims also led to the double suspension of all the Muslims of Annawadi for any crime committed. Asha's daughter Manju had the aim to become the first female Graduate in Annawadi. Abdul's brother Mirchi did not intend to go into the business of garbage picking and sorting as he wished to have a clean job like that of reporting to a luxury hotel. Wealthy people accused the slum dwellers of making the city filthy, while the slum-dwellers went on to complain against the wealthy people who did not pay the scavengers well enough, as the wages of wealthy people kept on increasing and on the other hand the wages of these people were extremely low to even afford basic amenities. In the name of global competitiveness, the government went on to privatize the land and secure the airport land at the cost of thousands of lives struggling to continue in Annawadi. Time was very precious for Annawadians, as they had to work till dawn and stand in long queues, for hours to fetch water, which was supplied to them by the municipality for ninety minutes each morning and night. While on the other side, wealthy people were wasting water as they were unaware of the struggles faced by the people living in their neighborhood, who struggled even to get basic drinking water. "Mumbai wastes 900 million liters of water every day" was stated by Former CM Devendra Fadnavis. Girls coming out of the slum of Annawadi wore sun-bleached dresses with broken zippers and they had bony backs. Some women resorted to working as sex workers to earn money for the survival of their families. The monsoon season gave the daily wage workers of Annawadi a hard time as they were forced to remain inside their houses, which led to no wage institution for procuring a job. . This instance yet again highlights the injustice practiced in society as even after possessing the required educational qualification and talent, a person needed to pay money to get a job. Public funds for education had increased the capital of India but that money was used by the political elites for their own needs instead of utilizing it for the good of the deprived section of the society. Kalu was murdered in the darkness by the side of the Air India gate and his eyes were poked out. Since he is from the lower strata of society, he was denied a proper investigation as for the authorities, he was a nuisance to be dispensed off. They had closed the investigation by stating that he died of tuberculosis, which was not true. Kalu was denied the Right of fair investigation according to Articles 20 and 21 of the constitution of India which argued for fair, transparent, and judicious investigation. Later after Kalu's death, five of the road boys were taken to the Sahar Police Station and went on to beat them in the name of investigation and were given an ultimatum that if they won't stay away from the Elegant airport then they will be charged with the murder of Kalu. "In a modernizing, increasingly prosperous city, their lives were embarrassments best confined to small spaces and their deaths would matter not at all" (BOO 268). After the terrorist attack that took place in the Taj Hotel, according to Sunil, the wealthy people were mourning at the devastation of the place where they had relaxed and felt safe. Nobody was concerned about the siege of South Mumbai and the and ultimately to abject poverty and hunger. Young girls in the slum died under suspicious circumstances as these people were denied the facility of a sonogram, which was used by wealthy people to get over their female liabilities before birth. Sickly children of both sexes were sometimes done away with due to the humungous cost needed for their treatment. There was no provision for abortion in Annawadi, because of which women were forced to give birth to eight to nine children, which shows the denial of Reproductive Rights, which includes an individual's right to plan a family, terminate a pregnancy, and gain access to reproductive health issue awareness. Most Annawadians considered their daughter to be a burden due to the custom of having to give dowry. Abdul was accused by 'One Leg' of beating and burning her and she was admitted to Cooper Hospital, which was the largest hospital treating the poor in the western suburbs. After investigation, it was found that One Leg herself had put fire on herself as it was her daughter who had stated of having seen her mother do it by herself and went on to wrongly accuse Abdul. She finally died due to the infection caused to her by the burns. The police officers wanted to falsely charge Abdul with IPC 302, which, in the Indian Penal Code defined charges of murder. To come out of this charge, Abdul was asked to pay a huge amount to them, which shows how prevalent corruption is in our society and also shows the never-ending greed of people which further leads to making a big gap between the rich and the poor in India. "The Indian criminal justice system was a market like garbage, Abdul now understood. Innocence and guilt could be bought and sold like a kilo of polyurethane bags" (Boo 132). The combined wealth of the hundred richest Indians was equal to a quarter of the country's GDP. Asha's daughter Manju, who aimed to become the first female Graduate in Annawadi, went to teach children belonging to slums. Manju had no hope of securing a permanent job in a government school as she did not have the money to pay a bribe to an educational hundreds of people who died. The general failure of Mumbai clearance made it important to clear the airport slum to portray the image of India having a slum-free Mumbai. A relatable instance to this text would be the plight of Chikapar village where the villagers were evicted for the third time in the name of development as that land would be used to make a poultry farm or a Military Engineering Service Depot. The authorities claimed that they were staying there illegally and these people were denied their rights and they could never resist these injustices. At the National level less than 25% of people displaced in the name of development have been rehabilitated in the last four decades. One of the victims of that village states that

“They have got their development and the land. We have got no development, not even a proper school, and have lost our land”. (Sainath 81-84)

Later in Annawadi Human Rights activists started making inquiries regarding children who were without underpants and were forced to drink water from the toilet. Times of India went on to further investigate the matter of Annawadi and labeled their condition as “Dongri Home is a living Hell”. The pitiful story of Annawadi can be seen as reflecting the pathetic and torturous life led by these slum-dwellers who were constantly denied their basic human rights and were used as a tool in the hands of the influential and powerful strata of society.

In *Jennifer: One Woman, Two Continents and a Truth Called Child Trafficking*, Nandita Puri portrays the traumatic journey of Jennifer Edgell Haynes, a real-life victim of human trafficking. Child Trafficking was a profitable trade where children who were easy victims were used for the slave trade and sexual exploitation. The largest number of child sex workers in India comes from across the border in Nepal. Many children are adopted worldwide and children mostly from developing and Third World Countries are adopted into First World Homes. The US goes on to adopt the largest number of children from various countries. The first International Child Rights adoption procedure was brought in by United Nations (UN) in 1989. Hague Apostille Convention looks after the protection of children and cooperation concerning inter-country adoption since 1994 and India is also a leading member of the Hague Convention. Inter-Country adoption leads to ignoring the child's future for attaining one's profit. Jennifer, who was also called Pinky, was Wilma's and Bosco's daughter, born in India and was later adopted and her adoption procedure was handled by Clarice D'souza. She was stolen from her family in the name of her better future and after adoption, she went on to face sexual abuse. She had a brother named Christopher. Jennifer's mother Wilma used to take her wherever she went for work as it was very much unsafe to keep a girl child alone in the house. Wilma later got married to Mr. Brown and Jennifer was sent to the Boarding school for education. Clarice went on to produce fake documents in the name of sending Jennifer to the US for her better future and got them signed by Wilma but actually, the document stated that she was unable to take care of the child and so was giving her away for adoption. Clarice went on taking advantage of Wilma, who was ignorant and illiterate. This instance proves how the rich and educated people of the society take undue advantage of the poor illiterate section. Jennifer had a memory of her childhood in which somebody had tried to fondle her private parts and later she realized that she was being raped by her brother Christopher. In the next instance, Jennifer was sexually abused and raped by her adoptive father Blaine as he tied her around the pole, slapped her, and had a sexual encounter while Jennifer screamed in pain. The deep damage caused in her body led to doctors confirming that she would not be able to have children. The sexual abuse she faced led her to develop the habit of bed-wetting, which continued till her teenage. Jennifer was denied the right to make decisions over her body as it was exploited by Christopher and Blaine without her consent. Due to Jennifer's tormented and disastrous childhood, she went on to become disobedient and a rebel. During her traumatic experience, she started taking weed for the first time when she was around fifteen. Jennifer went on to marry Justine, who was also a drug dealer, and had two kids Kadafi and Kassana. Jennifer was proven to be staying in the US illegally as a permanent citizen for all these years and because of that the authorities decided to send her back to her native land, India. She was sent to prison in the US on the charge of being an illegal migrant and Jennifer went on to suffer for a crime she did not commit. Like her mother Wilma, Jennifer was also tricked into signing the papers which weakened her immigration. She was even denied the right to see her children and husband once as she was forcefully taken back to India. After reaching India, it took a lot of time for Jennifer to adjust to the ways of India. She went on to work as an English teacher and in Call centers and used to live a spendthrift life as she wanted to forget her agonies. She continued using weed as it gave her relief from the troubles she was facing in her life. Jennifer's case was fought in the Bombay Court by ACT and Pradeep to send Jennifer back to her children in the US, but the decision did not come in her favor. She also went to appeal to President Obama seeking her case to be considered on humanitarian grounds. Maneka Gandhi, Former Minister of Women and Child Development stated that the adoption laws are cumbersome, and if the child is not adopted within 69 days on the domestic front, then the child can be made available for inter-country adoption, and also the new law will cover the offense against child trafficking. Jennifer goes on to appeal to give her a second chance to secure a better future for herself. Another instance of sex trafficking can be seen in yet another real-life account of Kajri, Saavni, and Sugandhi of Betul district of Madhya Pradesh. These girls went missing and fell into the trap of sex trafficking done by a group of people who were involved in interstate trafficking. Saavni and Kajri, being small kids, were easily tortured and targeted. These people forced Sugandhi to marry an old man named Kallu and he would rape her day in and day out. Later after the return of Sugandhi, a case was filed under the 'immoral Trafficking and prevention act' by the Betul police. (Dubey 60-64). In March 2018, human trafficking was defined for the first time in the amended “Criminal Amended Act, 2013”.

Nandita Puri, in her text, goes on to appeal for the establishment of dignity, the basic human right for Jennifer. Jennifer's dark past always goes on to become her present. Jennifer continues to live in Thane as a paying guest, waiting for a better future.

Conclusion:

This study is an important step in understanding the extent to which Human Rights are violated by the influential and powerful over the insignificant section of society. The study proves that a major population of the country is turned down for their Rights. *Behind the Beautiful Forevers: Life, Death, and Hope in Mumbai* and *Jennifer: One Woman, two continents and truth called child Trafficking*, portray the real slice of life by showing ways in which the people living at the periphery are always the sufferers and are constantly being denied even their basic human rights. This deprivation has been a common phenomenon for ages, due to their ignorance and lack of awareness about their fundamental rights. This elimination of Human Rights in the lives of some people shows the lack of proper functioning of society and also shows the dark side of governance. This study aims to become an eye opener for that marginalized section of society who should now become aware and should gain knowledge about the rights they possess and finally should show their resentment when those rights are denied to them. Such a realization will take the society far ahead and these sufferers and victims will eventually be transformed into responsible citizens, leading to the establishment of an egalitarian society.

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