

Ten Year Armed Conflict and Its Impact on Children Education

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ABSTRACT

The ten year armed conflict has numerous consequences for school going children. They are mentally and physically affected even after the armed conflict. Considering this aspect, the study was proposed with the how did school going children experience their education and life during the ten years long armed conflict. To explore the experience of them, a phenomenological case study was carried out in Gorkha district with two male and two female children of aged under 18 during the 10 years armed conflict in Nepal. In depth interview was carried out and the information from in depth interview was analyzed by exploring the themes. The findings of the study showed that several reasons like extreme poverty, social exclusion, and discrimination, parental involvement in CPN (Maoist), parents' profession, and torture from both the state security and the CPN (Maoist) compelled the research participants to get affected by the conflict. For the involvement of their parents in arms conflict, they had the responsibility of their home that resulted them into being out of formal education.

Keywords: Abuse, desperation discrimination, traumatized

The decade-long armed conflict ended after the Government of Nepal and the then Communist Party of Nepal (Maoist) signed the CPA on 21 November 2006, (Government of Nepal 2012). The country wriggled extensive loss of human life and property during the period of the armed conflict. It affected the all aged people livelihood during the period of armed conflict and after the peace agreement. School going children were in specific extremely negative impacts because of ten years armed conflict. However the actual statistics on conflict affected children are yet to be definite due to the changeable political situation and unstable government in the country. We can find some data on CAAC and CAAFAG which were provided by some organization, development partners and report. According to The National Human Rights Commission Report (2005), "500 children lost their lives, approximately 40,000 children were displaced,

hundreds of children were wounded, and more than 8,000 children were orphaned or separated from their families in the course of the armed conflict since February 1996" (Devkota, 2017).

Similarly, Central Child Welfare Board (2009) stated that "Information received from 53 districts suggests that there are at least 19,980 CAAC. Of this figure, almost 50 percent (9,691 children) have been displaced with their parents and almost 20 percent (3,930 children) have lost either their mother or father" (Mowcsw, 2012). The report restated that 1,657 children have lost both parents and 671 have been disabled during the period of ten years armed conflict. Furthermore, this report highlighted that the number of children with one parent disappeared is 671 and with both parents disappeared is 149. Parents of 96 children have been disabled. The condition of almost 14 per cent of CAAC is unclear. Similarly the records of the Task Force, which was

made by the Ministry of Peace and Reconstruction to gather information on individuals, families and structures affected by the armed conflict, presented that over 78,600 people were recorded as displaced to mid-June 2010. However, the number of displaced children is not available till now.

Not only killed and displaced the school going children during the period of armed conflict were also used as per the need of both sides (CPN – Maoist and state security force). According to Gautam (2007), both the State and the CPN (Maoist) had used and affected the school going children, recruited the children as a fighter, cook, message taker, porter etc. even those children were under 18 years. During the period of ten years armed conflict, the rights of the people, especially children were ignored (Shakya, 2006). It means children were used in the armed conflict in Nepal, ignoring the child convention and other child protection rules. They used them as their protective measure rather than protecting them from the armed conflict. Shakya further highlights that CPN (Maoist) party recruited children somewhere enforced and pressured, or duped children into joining armed conflict and state security force also charged the children as a CPN (Maoist) supporter and tortured regularly even in school going time in ten years armed conflict in Nepal.

Not only the forceful recruit of the children in conflict was the reason, there were other several reasons of involving children in the armed conflict. Further, Neupane (2003) emphasized that the social and political agenda of the CPN (Maoist) and the unsatisfactory circumstances that surrounded them motivated young people to get involved in the armed conflict even though they were below 18 years. And they joined in CPN (Maoist) party without explicit coercion, although their decisions could not be regarded as voluntary because they were nearly always bounded by desperation and survival needs; so this situation lead them to get involved in the armed conflict (Shakya, 2006). It means, voluntary participation being motivated by the agenda was one factor whereas the family problems and parents were the other reasons. As said by Bhattachan and Webster (2005), some

children were enforced to get captivated in the armed conflict because of the lost of their parents due to conflict. These conditions forced them to leave their academic career and get involved in the armed conflict. Among them, some were recruited as combatants and some were recruited as cooks, laborers and messengers (Gautam, 2007). On the other hand, the armed conflict was fatal to the livelihood of the children, most children were killed in the armed conflict, some remained injured, some uprooted from their homes and communities, some internally displaced or became refugees, orphans or got separated from their parents and relations (Pherali, 2011). They were mentally and physically traumatized as a result of being exposed to the violence. They were also deprived of their right like health, education etc. and were neither protected by the state nor by any revolutionary party.

Similarly, the state security force also harmed and affected the school going children. According to Gautam (2007), the government security person constantly stressed and harassed the students for supporting CPN (Maoist) party and sheltering those overnights and providing food to. It charged children as CPN (Maoist) supporters and also accused them to be the CPN (Maoist) activists, and thus detained and subjected them to ill treatment and even torture during interrogations (Pradhan, 2012). And there has been a widespread pattern of losses by security forces, including children under the age of 18, as part of the government's counterinsurgency operations (Gautam, 2007). In one hand, the school going children were tortured as their parent were involved in political parties other than the CPN (Maoist). On the other hand, the children whose parents were involved in or supported the CPN (Maoist) party were being tortured (by the state force). This way, most of the children were affected during the conflict.

Purpose of the Study

The purpose of this study was to explore how the school going children have experienced their education and life during the period of ten years armed conflict.

Research Questions

How did school going children experience their education and life during the ten years long armed conflict?

Significance of the Study

As a researcher, I have raised the issue of the experiences of the school children, especially the conflict affected children, during the ten years long armed conflict in Nepal. It has a great significance for me and for the society in different aspects.

Firstly, it has been a good reservoir of information for me to understand the exact situation of the conflict as my schooling was also during the era of the conflict. I had heard some rumors of the conflict but this study has been helpful for me to understand how the education of the conflict affected children was and how they are making their living after peace agreement. This study would be helpful for the people who want to know the reality about how the children were compelled to be affected in the conflict era. Also it would be helpful for the educators who really want to know the educational status of the conflict affected children. This study would also be helpful for the policy makers, who really could add some policies to address the issues of conflict affected children in Nepal.

Research methodology, site, participants and tools and technique of data collection

Arguing with Tesch (1994, as cited in Gray, 2014), phenomenological research is more focused on the human experience of the life-world" (p. 24). In this study, I wanted to explore the school going children's' experiences of education during the ten years armed conflict. Moreover, I was more interested in developing a more in depth study about how the school children experienced their education during the armed. Thus, to explore school going children experience and coping adversities I used phenomenological case study in my study.

This research was carried in Gorkha district as it is highly conflict affected district during the period of armed conflict (United Nations Office of the High

Commissioner for Human Rights, 2012) and carried among four participants of the district as the small size is useful for analyzing the data properly in a qualitative research (Creswell, 2003, p. 18). Although the total sample size was relatively small, the selected number permitted me to generate sufficient variety and depth of data. Onwuegbuize and Leech (2007) also focus on the importance of using small size sample in the qualitative research. They focused on, "Sample sizes in qualitative research should not be too large that it is difficult to extract thick, rich data" (p. 242).

The scope of the study was to explore the present situation of ten years armed conflict affected children and their academic life and this study was limited to those children who were under the age of eighteen in the era of ten years armed conflict (1996-2006). Particularly those school going children were the participants who were directly affected by the ten year armed conflict due to the fact that their family members were engaged in it, or were killed by either side (the state security force and the CPN-M of that period). Therefore, the participants of this study confined to those conflict affected children.

The three participants were selected on the basis of purposive sampling, which focuses more on criterion purposive sampling that involves searching for cases or individuals who meet a certain criterion (Cohen *et al.* 2000) and one participant was selected through snowball sampling.

I conducted the interview with the affected children during the ten years armed conflict and I considered such participants as "key informants" (Patton, 1990). I have used in depth interview with the participant to obtain the information in line with my research questions (Cohen *et al.* 2007).

LITERATURE REVIEW

International commitments, conferences and declaration on child right

There are different rules, regulations, laws and protocols to address the issues of rights of the children during the conflict. Many efforts were

introduced for the protection of children right and their development afterward the First World War and at the beginning of the 1920s. Different organization had started their work on advocating and protection of children. Among them, Save the Children issued the Five-Point Declaration on the Welfare and Development of Children in 1923. Likewise significant declarations and world conferences were committed to protect children's rights and protection like, Declaration on the Rights of Children 1924; Universal Declaration of Human Rights 1948; Declaration on the Rights of the Child 1959; and the International Year of the Child 1979 etc.

Similarly, United Nation General Assembly named a special session on children and adopted the Convention on the Rights of the Child on 20 November 1989 and that assembly espoused the action plan, "First Call for Children. Two Optional Protocols to the CRC—'Against the Sale of Children, Child Prostitution and Child Pornography' and 'Against the Use of Children in Armed Conflict'—were adopted in 2000" (Devkota, 2017). "The 1989 Convention on the Rights of the Child (CRC) is legally binding on all members of the United Nations, excluding Somalia and the United States of America as they have not ratified the Convention" (Catherine *et al.* 2008, p. 8). CRC has further described some child rights related policies as:

In the article 1 and article 4 of CRC, there is a clear rule that States Parties shall take all feasible measures to ensure that members of their armed forces who have not reached the age of 18 years do not take a direct part in hostilities and states parties shall ensure that persons who have not reached the age of 18 years are not compulsorily recruited into their armed forces and also armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years. (International Crisis Group, 2011, p. 11)

It is taken as one of the most important international legal instruments for the child rights and their protection in the conflict and post conflict situation.

Likewise UN general assembly held another important session on child right and also adopted the declaration, A World Fit for Children. That declaration advised the State parties role and responsibility. According to that declaration, "the state parties need to promote the rights of the child and pay particular attention to a child's healthy life and the provision of free and compulsory basic primary education, including quality education; to the elimination of abuse, exploitation and violence against children; and to the introduction of campaigns against HIV and AIDS. State parties were also implored to develop a 10-Year Plan of Action. Nepal's 10-Year Plan of Action 2004–2014 was drawn up in 2004, and is currently being implemented" (Government of Nepal. 2012).

In 1997, UNICEF organized a meeting in Cape Town which adapted the Cape Town Principle. Specifically Cope Town Principle had addressed the problems and issues of Children affected by armed conflict (CAAC). Another, the Paris Commitments is taken as an important commitment to Protect Children Unlawfully Recruited or Used by Armed Forces or Armed Groups (The Paris Commitments). Another complementary document which incorporated the principles and guidelines on Children related with Armed Forces or Armed Groups (The Paris Principles) were ratified by a ministerial level meeting in Paris in February 2007.

The Paris Principle endorsed by 95 countries in 2010 focus on the protection of the children in armed conflict" (Doek, 2011, p. 9). It highlights on the stoppage of illegal recruitment or use of children. Furthermore, it deals with the release and reintegration of the child soldiers and children who have been involved in the conflict. Similarly, United Nations General Assembly 1974 has also adopted the Declaration of the security and protection of Women and Children in Emergency and Armed Conflict (Nilsson, 2005). It has focused on children and women as they are the vulnerable groups in the conflict and their rights should be protected (Harvey, 2001).

In this way, the internal affected of the conflict are given more priority. Equally, the rights of the

children who are under the age are protected differently. According to Harvey (2001), the responsibility and accountability of the State parties and the government to save the children in armed conflict are very fundamental and crucial. So the reports and conventions highlights on the protection of child rights during the armed conflict and the state should bear the responsibility.

National commitment, policy and provision

Nepal is a State Party to the International Bill of Rights and many international human rights laws including the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966) and the Convention on the Rights of the Child (UN CRC, 1989) as well. It has also ratified the Optional Protocol to the CRC on the Involvement of Children in Armed Conflict 2000. The Right to education as mentioned in articles 13 and 14 of the ICESCR and in article 27 of the UNCRC made states obliged and accountable for availability and accessibility to quality education along with equality for all school-aged children in Nepal without any discrimination (ICG, 2011). Therefore, it has expressed its commitment at the international level to comprehend and protect the rights of children. In this regard, it has developed and applied 10-Year Plan of Action for protection of children (2004–2014).

After the CPA, both parties (CPN-Maoist and Government) are committed to respect the international conventions and other protocol which are advocating ensuring the protection of children in the armed conflict and providing the necessary program to those children and other people who were affected in the ten years armed conflict. Similarly, through the Interim Constitution of Nepal, the government has enacted various laws and policies to ensure its commitment to the right to education and address the conflict affected students, helpless, orphaned or mentally retarded children, displaced, at risk and street children, highlighting that they shall have the right to receive special privileges from the State to ensure their secure future (as cited in CRC Reporting Coalition 2014, p. 38).

The state's commitment to the right to education in Nepal has been evidenced in the Interim Constitution of Nepal, the School Sector Reform Plan, the National Plan of Action for Children, the three years Development Approach Paper and the engagement of civil society and the private sector in enhancing accessibility and quality of school education system with inclusive participation of all the people of the society. Similarly, the Interim Constitution of Nepal (2007) advocates that "the government should provide relief to the families of the affected who were subjected to disappearance during the course of armed conflict based on the report of the inquiry commission constituted in relation to such persons".

Likewise, there is a strong commitment of both sides (State and CPN-Maoist) to provide the relief to the families of the affected both in CPA and the Interim Constitution of Nepal (2007). As per the provision of CPA and the Interim Constitution of Nepal (2007), Investigation Commission constituted to investigate the cases of persons who were subject to for the forceful disappearance during the course of the conflict, conduct special program to rehabilitate the displaced persons, provide compensation for damaged private and public property, and rebuild infrastructure destroyed during the course of the conflict. (as cited in International Human Right Clinic, 2013, p. 28)

It is also mentioned to constitute the high-level Truth and Reconciliation Commission to investigate the truths about those persons involved in serious ruins of human rights and crimes against compassion committed during the period of the ten years' armed conflict, to create an atmosphere of settlement in the society who is really deprived due to the ten years armed conflict.

FINDING

Cross case analysis and data interpretation

The CRC was ratified by Nepal on September 14, 1990. Nepali government has the commitment to keep children away from becoming delinquent and affected. As an associate country of CRC, Nepalese

government had ensured the guarantee of no any children shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Although the political party's manifestos clearly included the commitment of the protection of child rights, the documents seem that the child rights will be protected and children will have good environment to get education.

The interviews with the participants have concluded that practically, the commitment is not implemented. Both the government officials and the CPN (Maoist) have heavily affected the school going children during the period of ten years armed conflict even if they were under the age of eighteen. Social discrimination, family involvement in the armed conflict and parent's death, etc. led the school going children to deprive of his/her liberty unlawfully or arbitrarily in Nepal during the period of ten years conflict. After taking interview with participant of this study, I came to know that the government and the rebel party (CPN -Maoist) broke the child convention and protection in Nepal during the era of ten years conflict. And neither the government nor the CPN (Maoist) party had respected the CRC and seen responsible to protect the right of the children. So, whatever the right to children was widely recognized in inter/national law, in practice it was often overshadowed by the state and the CPN (Maoist) party in ten years armed conflict.

Experiences of School Going Children

Sarada faced several kinds of social discrimination, caste based discrimination, gender based discrimination, poverty, domination from so called elites, upper castes people in her school, society, and community. She has seen the programs of CPN (Maoist) party where she has known about the political agenda of that party which was addressing the problems and discrimination that Sarada has faced. She was inspired by the ideas and was compelled to accept the agenda of the CPN (Maoist) party with the theme of change in the society and get freedom from that discrimination. The interest of Sarada was to participate in the programs of CPN (Maoist) party; she was made a member and later

joined in PLA before the age of 18, though it was her school going age.

Similarly, Khim Bahadur was another affected. He was affected as his father was participating in the CPN (Maoist) party. He was tortured by the state security forces most of the time. He has seen the panic situation of his family members when his sister in law was raped and family members were beaten heavily but he was unable to do anything. From this moment he became an enemy of the state security forces and wanted to take revenge of the unsocial works of the security forces, he was unable to concentrate in education. There was no good environment for studying at home and in the surroundings. So he couldn't continue his education and joined in the CPN (Maoist) party.

Likewise, Mahadev was another affected but differently from the above situations. His father was a school teacher. His father was threatened and was asked money from the CPN (Maoist) party as he has different political ideology. He denied supporting them so he was killed. After the death of Mahadev's father, Mahadev was the one who has to support for his family and find the criminal of his father's death. His education was in shadow as he has other major responsibilities to perform in the family. He has to help his mother, provide education of small brothers and sisters, and provide sympathy to them. So, he started working in an office and has little time and he joined for private education. The time which he has to spend on education with his family was destroyed by the death of his father and he was compelled to left education and does some income generating activities. After some time, he joined private institutions and continued part time education.

In the same way, Radhika have faced several hindrances in education. Her father was in Army force. In the time of armed conflict, her father was threatened to leave the job and joins the CPN (Maoist) party. But he denied doing so. And this denial became the cause of his death. He was killed when he was going to his office after the completion of vacation. After her father's death, her family was in painful situation. No one was there to help them

Participant	Reasons of not getting education	Involvement
Sarada	<ul style="list-style-type: none"> ➤ Poverty ➤ Social Exclusion (Caste base discrimination) ➤ Teacher/student discrimination in school ➤ Political agenda of CPN (Maoist) party 	<ul style="list-style-type: none"> ➤ Recruit in CPN (Maoist) party ➤ Work as a member of CPN (Maoist) sister organization ANNSU(R) ➤ Join in fighter team (PLA)
Mahadev	<ul style="list-style-type: none"> ➤ Different political ideology ➤ Father death ➤ Breadwinner of family ➤ Enforce to join job ➤ Caring responsibility 	<ul style="list-style-type: none"> ➤ Responsible in house work ➤ Accountable in younger brothers and sister education ➤ Join job to fulfill basic need for family survival ➤ Join private institution as a part time student
Khim Bahadur	<ul style="list-style-type: none"> ➤ Family involvement in CPN (Maoist) party ➤ State security regular harm in family ➤ Poverty ➤ Revenge 	<ul style="list-style-type: none"> ➤ Join in CPN (Maoist) party ➤ Became a fighter (PLA)
Radhika	<ul style="list-style-type: none"> ➤ Father profession ➤ Father death ➤ Main responsibility as a senior member in family ➤ Asking justice ➤ Family caring 	<ul style="list-style-type: none"> ➤ Left the school ➤ Caring on family members ➤ Spend much time in house activities

and Radhika was the one who had to look after them. She had got the opportunity to go to school and study before the death of her father. But after the death of her father, she could not give enough time to education and was not mentally prepared to continue her education. Her time was invested in asking for justice to her family and also in consoling other family members. So the school going age was used for the household activities.

From the study, it can be concluded that the school going children are becoming affected from both the state and the CPN (Maoist). The school going children were arrested by the state security forces for supporting the underground CPN (Maoist) rebels during the conflict and their family involvement in CPN (Maoist) party. CPN (Maoist) party also recruited those school going children by showing their surrounding social exclusion and poverty. Similarly, the CPN (Maoist) party also killed the parents of the children for not giving money, and not supporting them or having different political ideologies. It shows that the school going age are compelled to hold a gun instead of a pen because

of various reasons. Also they are compelled to do some income generating activities, household activities to support the family in the absence of the main person of the family. And some of them are still seeking the justice of their parents. It clearly shows that the child rights treaties, conventions are just in the document not in the practical life of the children in the era of ten years armed conflict. So it is the responsibility of all the stakeholders to provide affected friendly system of justice in order to ensure an efficient restoration and re-integration those conflict affected children into the society.

CONCLUSION

This research paper presented four cases of Sarada, Mahadev, Khim Bahadur and Radhika to delve how the school going children experienced their education during the period of ten years armed conflict. Due to the cause of poverty, being Dalit, Sarada had faced social exclusion in society and school, she was motivated by the CPN (Maoist) political agenda and had left the school and joined in the CPN (Maoist) revolution. Mahadev had lost his father as accepting different political ideology

which was different from the CPN (Maoist) political ideology. He became an orphan and was bound to do labor as a breadwinner of his family. Similarly, Khim Bahadur had left school as being a son of the CPN (Maoist) cadre and the state security forces regularly tortured his family.

So he was compelled to join in the CPN (Maoist) revolution rather than accepting the torture. And Radhika was affected as being the daughter of the state security force. When CPN (Maoist) killed her father, she was forced to leave school and imposed to work for family's survival as a senior family member. It clearly signifies that the involvement of parents in different political ideologies is the driving factor of the children being out of education. After the death of breadwinner, it had been a heavy burden on families and especially on children, who were school going children. So it can be said that neither the state nor the CPN (Maoist) party were seen responsible to protect children's rights. As a result, school going children were deprived of educational rights during the period of ten years armed conflict.

Hence, it was known that the school going children were being affected by both the state and the CPN (Maoist) party. The participants were neither being protected as child when they were school going children nor were they protected after being the affected. Participants were either engaged in the CPN (Maoist) party and or affected for not supporting the CPN (Maoist) party. The reason behind they leave the school were because of the extreme poverty, social discrimination based on caste, gender, parents' profession, different political ideology, torture, etc. Some participants participated in the armed conflict in the CPN (Maoist) party due to their parent's involvement and regular torture by the state security forces. Whereas some participants became the affected as their parents were the government employer i.e. teacher and Nepal army respectively and didn't obey the decision of leaving the job and supporting the CPN (Maoist).

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