

The Eyeless in Raipur

Miscarriage of justice? Or one may describe it as a mockery of justice ravaging this society at every level. For the human rights groups, both here and abroad, it was a perfect Christmas Gift—the Binayak Sen judgement that a Chattisgarh lower court in Raipur delivered on December 24, after a prolonged hearing in which all sorts of tricks and manipulations were applied by the police. Rights Activists were lucky in the sense that the punishment award for the crime of championing human rights was not announced on December 10—World Human Rights Day. All of them were shocked to see, and quite justifiably, Sen getting convicted of sedition and criminal conspiracy charges under Sections 124A and 120B of the Indian Penal Code and sentenced to life-imprisonment. This sedition business was a handy tool of the British to imprison the ‘dangerous people’ threatening the Raj but their successors—brown sahibs—find it equally rewarding to silence any potential voice of dissent.

Right from the beginning it became clear that the arrest of Sen in May 2007 in Bilaspur on charges of acting as a courier between jailed Maoist ideologue Narayan Sanyal and businessman Piyush Guha was a political decision, taken, maybe, at a higher level as all national and international efforts to release him proved futile. And his bail petitions in different courts including the apex court, were rejected several times without showing any valid reasons. Finally he was released on bail by a vacation bench of the Supreme Court in May 2009, living in a hell hole for two years as an undertrial prisoner. The US-based Global Health Council Award for his work in Global Health and Human Rights was no consideration for the authorities. Nor did a group of 22 Nobel Laureates succeed in getting him released though charges against him were totally fabricated, flimsy and baseless. Now the situation is back to square one. Renowned intellectual Noam Chomsky and 81 other noted scholars and academics protested against the brazen injustice meted out to Sen. Allegations were wrong. He met a Maoist in the jail for his medical treatment and he met him several times as a civil rights activist in presence of jail authorities. But the eyeless in Raipur were hell bent to brutalise and criminalise a generation.

A regime change at the centre as also in Chattisgarh state where Dr Sen worked for the betterment of the poor and marginalised, won't be of much help for the rights bodies to make their case heard. Both Congress and its main opposition Bharatiya Janata Party are united in curbing rights because they think people in this biggest functioning democracy are enjoying too much democracy. Maybe, it is a case of surfeit of democracy. Despite periodic and localised protest movements organised by several civil liberties groups gross violation of human rights by governments and their police forces continues unabated. Those who are at the receiving end never get justice while policemen get rewarded for the crimes they commit. While addressing the annual conference of DGPs and IGPs, organised by the Intelligence Bureau on August 26, 2010, Mr Justice K G Balakrishnan, Chairperson of National Human Rights Commission went on record that ‘during the past three years the Commission received 212 complaints of deaths and alleged fake encounters by the police’. There is no court to punish the police. Only human rights bodies are fighting for those who are gone, they are fighting for those who are behind bars under trumpeted charges, only they are raising voice of conscience urging the establishment to stop brutality.

It's a calculated ploy of the centre and state governments, irrespective of the parties that run them, to treat all civil liberties and human rights organisations as frontal platforms of Maoists. It's one way to tell the world that they don't deserve justice because maoists and people who are fighting for social justice can be degraded, demeaned and brutalised in a

thousand ways—tortured and kept in jails in huge numbers, treated as animals, not human beings.

Raipur Trial as it would go down in history as the most obnoxious piece of injustice and victimisation in post-independent India, evoked in a small measure though, no less polarisation among academics and intellectuals than what the historic Moscow Trial did decades ago.

That the Moscow Trial won't go against the Kremlin dispensation at that time was a foregone conclusion. So was the case with the Raipur Trial of Binayak Sen. Even those who are not even remotely sympathetic to the Maoist cause can be easily framed under false charges. In India today, if someone is to be immobilised socially and politically he has to be identified with the Maoist movement by hook or by crook. Then he may be hanged easily without being accountable to any authority. Any voice of dissent even if it is in line with Gandhian tradition, now runs the risk of being dubbed Maoist inspired. Autocrats who are now ridiculing Sen's innocence may have to bite the dust not in the distant future. Those who attempt to spit at the moon, end up spitting at their own faces, runs an old saying. □□□