

MANIPUR CRYING FOR JUSTICE

'Is Anybody There....?'

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IS ANYBODY THERE? I'M HIT by a bullet" yelled Waikhom Mani Devi, a seventy-five-year old woman on the fateful night of April 2, 2011. Her family members rushed to her room, only to find her lying unconscious on her bed. She succumbed to her injury on way to Thoubal district hospital in Manipur.

Residents of Nongangkhang Bamon Leirak in Thoubal district were caught in a terrifying situation when a volley of bullets hit their homes on that night. One such bullet pierced through the GI sheet roof and hit Mani on the left side of her back.

Minutes after the Indian team had won the memorable cricket match, the Assam Rifles (AR) troops, posted little less than one km from Bamon Leikai of Thoubal, started firing into the air celebrating the Indian Cricket Team's historic victory over Sri Lanka in the ICC World Cup Final match at Mumbai. The used cartridges which were later found stuck either in the courtyard, or the wall or the roof of Mani Devi's residence and the houses in its vicinity causing substantial damages are alleged to be hurled from INSAS or some heavy guns. Ironically Bamon Leirak comes under Thoubal, the home constituency of Chief Minister Okram Ibobi Singh, who also holds the Home portfolio.

The killing of the septuagenarian evoked widespread tension in Thoubal. In protest against the death of the old woman, the local people blocked roads in the area including the Imphal-Moreh road of National Highway 39. The Joint Action Committee (JAC), formed against the killing, has demanded removal of the Assam Rifles (AR) from Thoubal district and a judicial inquiry into the incident. Decrying the incident, a protest demonstration was also staged at Thoubal Mela Ground. The angry villagers took out a long procession in the district raising slogans against the security personnel responsible for the wild firing. The protesters put up placards which read as, "Don't make the public gun targets", "Replace AR with State force", "Repeal AFSPA" etc. They submitted a memorandum to the Collector demanding an inquiry. The family has refused to claim the dead body of late Mani Devi, demanding justice.

A spot inquiry was conducted by a team of Thoubal Police and AR personnel next morning. On the other hand, a press release issued by the Head Quarters Inspector General, AR pleaded that a routine change of security guards and pickets were taking place on the night of April 2, 2011 at the AR post. In course of handing-taking over and checking of weapons, a burst of fire was accidentally discharged. The possibility of accidental discharge by the weapon and the cause of death were being investigated, they added. Police have registered a case. However, no arrest has been made.

With an approximate population of little less than three million (27,21,756 as per Census-2011) various ethnic groups viz., the Meities, Pangals, Nagas and Kukis coexist in Manipur. The people here are ethnically and culturally distinct from the people of mainland India. About thirty different languages and dialects have been identified there.

Since the annexation of Manipur in 1949 Manipur witnessed intermittent extremist movements. The Govt. of India (GoI) responded with a massive deployment of troops at Manipur under the draconian legislation titled Armed Forces (Special Powers) Act 1958 (AFSPA). It is an irony that the AFSPA in independent India inherited the Armed Forces Special Powers Ordinance, 1942 promulgated by Lord Linlithgow, the then Viceroy and Governor-General to suppress the Quit India movement of 1942. In 1958 when the AFSPA was introduced in Parliament it was assured by the Union Home Minister that the Act would be operative in parts of Manipur declared 'disturbed areas' under the Act for a mere six months. Fifty-three years since then the Act is still in force extensively in the north-eastern states and in Jammu and Kashmir. The whole of Manipur was declared 'disturbed area' under the Act in 1980.

The AFSPA empowers the armed forces to shoot to kill (sec.4,a), arrest (sec. 4,c) and search (sec.4,d) without a warrant on mere suspicion of disturbing public order. The AFSPA denies equality before law ensured by article 14 of the constitution and similar provision in the International Covenant on Civil and Political Rights to which India has been a party since 1979. The Act is designed to contravene every norms of a civilized society.

The streets of Manipur had witnessed many incidents of torture and killing of ordinary citizens. Thousands of men, women and even children marching through the streets of Imphal, raised the slogan - "Go Back Indian Army, Repeal AFPSA". The results? Protesters were tear-gassed, baton-charged, forced to cane each other mercilessly and roll on the road by the security forces which would never hesitate at the slightest pretence to open fire indiscriminately with a vengeance.

Manipur has a rich heritage of people's struggles, with women as the vanguards. From 1980 onwards, these women carrying flaming torches called *Meira Paibis* came in the forefront of the movements against military excesses. Often in the past women have been sexually abused by the so-called protectors of law. The infamous case of Thangjam Manorama still haunts liberals and democrats across the country. It was a do-or-die situation for the Manipuri women. Their humiliation was beyond endurance. Twelve elderly women disrobed in public, outside Kangla Fort to stage an unprecedented protest against this barbaric act. Their protests electrified the masses and within no time the protests against the army reached new heights.

Over the last ten and a half years one woman has devoted herself to non-violent struggle against the vile wickedness of the army and the violent act of insurgency that have caused havoc to her homeland Manipur. She is Irom Sharmila Chanu, the world's longest-running hunger striker.

The people of Manipur have done whatever is humanly conceivable to fight against AFSPA over the years - mass conventions, meetings, demonstration, memorandum to the governor, petition to the Supreme Court and complaints to the United Nations, self-immolation by student, Irom Sharmila's fasting, continuous relay mass hunger strike and nude protest by mothers. But the bottomline remains the same - AFPSA prevails in Manipur.

Human rights activists in India and from abroad viz. the National Alliance of People's Movements, the UN Committee on the Elimination of Racial Discrimination, the High Commissioner for Human Rights and the Amnesty International urged the Gol to repeal the Act. The government, however, refused to change its rigid stand.

Where does the feeling of impunity come from, if not from the AFSPA? Section 6 of the AFSPA contains "No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the central government against any person in respect of anything done or purported to be done in exercise of powers conferred by this Act."

In 2004, following the death of Manorama Devi and the indefinite fast undertaken by Irom Sharmila Chanu, the central government accordingly set up a five-member committee under the Chairmanship of Justice B P Jeevan Reddy, a former judge of the Supreme Court to review the provisions of AFSPA. The Reddy committee submitted its report in June 2005 asserting "the Act, for whatever reason, has become a symbol of oppression, an object of hate and instrument of discrimination and high handedness..... It is highly desirable and advisable to repeal the Act altogether". A careful perusal of the report, of course, reveals that despite its recommendation for repealing the AFSPA the committee simultaneously suggested incorporation of the same in the Unlawful Activities (Prevention) Act, 1967. The government, however, remained unmoved.

For people who are fortunate enough to reside in less disturbed regions in India, it is hard to conceive the extent of commotion, agitation and violence the people of Manipur put up with. Interestingly not many Indians outside Manipur have any knowledge about the political developments in north-east. There is no doubt that if the same brutal atrocities by the security forces in Manipur would have been perpetrated anywhere in 'mainland India' it would have become a cause of national outcry. It is highly derogatory for a democratic state to look the other way feigning as if all is well when violence ravages in one's homeland.

Why the AFSPA has been in force for more than half a century in the region? Why the Indian army is up in arms against its countrymen in the region? Why equality in the eye of law is denied to them? Why the general laws in the country like the Indian Penal Code, Criminal Procedure Code etc. are not sufficient to ensure law and order in the region? Why people all over India do not come across the struggle of the people of Manipur on the national news network? The questions remain unanswered.

More than five decades since AFSPA was promulgated to combat the Naga movement in 1958, violence and insurgencies have grown manifold in Manipur. Whimsical detention, mysterious disappearances, despotic executions, torture and rape are routinely reported. The security forces resorted to unleash firing indiscriminately during counter-insurgency operations killing innocent civilians. No one in the security forces has ever been taken to task for obvious violations of human rights. Many innocent young men, who had no tie with the rebels, were also apprehended by the authority and tortured. The Act has almost ruined the lives of successive generations in Manipur by censoring their free thinking and restricting their free movement. In a state like Manipur killing of anyone by Assam Rifles' bullets will have no excuse although the firings were part of celebrations over Indian team's victory over Sri Lanka.

What could have been a moment of joy and celebration over the heroic victory of the Indian cricket team in winning the ICC World Cup 2011 on Saturday night April 2, 2011 turned to be a moment of grief and anguish for the people of Manipur. □□□