

Calcutta Notebook

MP

Justice is on trial. And there is no one to judge judges. Not that Binayak Sen is the first voice of conscience who faces unjust and framed up charges of sedition. Since the days of Meerut Conspiracy case, sedition has been a powerful weapon to silence and terrorise people who refuse to kowtow to the dictates of autocrats. In the yester years alien rulers violated human rights with impunity while mocking at the democratic myth of independent jurisprudence and today their brown inheritors apply the same tactic using the same draconian laws that the British enacted to keep control over their evil empire. Forces ranging from people of all walks of life to Nobel Laureate Amartya Sen and Amnesty International have protested Sen's unjust and biased conviction. But hundreds of nameless and faceless people across the country face travail of justice round the year and they never get media coverage because they don't count in money matters.

For quite some time Himanshu Kumar of Vanvasi Chetna Ashram which was bulldozed by the Chattis-garh Police, not very long ago, for his alleged support and sympathy, to the outlawed 'Maoists', has been knocking at the doors of every authority, media houses, human rights bodies to save a tribal girl named Soni Sori hailing from the district of Dantewada, in Chattisgarh. He has been trying to highlight how this innocent and ordinary tribal girl Soni cries in the wilderness because there is none to listen to her complaint about the police highhandedness. As she refuses to oblige a notorious police officer, she now regularly faces death threat. Mr Kumar, being approached by Soni Sori, has been exposing the notoriety and illegal activities of SSP of Dantewada, Kalluri through his pen for the last two months or so. How Kalluri has been consistently harassing and threatening her so that she would bring back her nephew, Linga Kopodi and hand him over to police, speaks volumes about the police raj the people of Chattisgarh are being forced to live in. SSP Kalluri, of late, is said to have trapped her in two new cases, involving the naxalites. In India if someone is to be hanged he is to be branded as Maoist.

"I go everyday to teach in schools, where my attendance is recorded, I go to meet my husband where again I sign in the jail register and yet SSP Kalluri has declared me to be absconding and is looking to kill me". This is how Mr Kumar narrates the agony of Soni Sori in her own words. Incidentally Sori's husband was falsely implicated in a criminal case and put behind bars, ostensibly to crush Sori's will power and family-life as well. In truth caricature of justice is being re-told everybody by the horrific tales of hundreds of Soni Soris day in and dayout both here and abroad.

Nelson Mandela, now a living legend, spent 27 years in jail, just for championing freedom—freedom from slavery and apartheid. And freedom of speech is equally a precious commodity even in the land of liberty—America—where innocents are being frequently terrorised by the security establishment and imprisoned on flimsy charges.

Mumia Abu-Jamal is perhaps one of the best known political prisoners in the world. In a sense he is likely to overshadow Mandela's incarceration as he has already spent 27 years in isolation on death row, after being rail-roaded in a manifestly bogus trial and there is no light at the end of the tunnel. In 2001, a federal court refused to grant Mumia a new trial, but overturned his death sentence. Mumia has continued to fight his conviction, and the state of Pennsylvania has attempted in court to get the death penalty reinstated. What a farce of justice!

A mass movement reaching far and wide in American society and around the world, was a crucial factor in stopping the rulers of America from executing Mumia Abu-Jamal, a radio journalist, in the 1980s and '90s. It is ever more important that people must come together behind the demand to free Mumia Abu-Jamal. Those who are concerned about obnoxious detention laws by the Centre and different state governments in India may take a dig at the American legal system.

Casting a shadow over Mumia's whole appeal process has been the Anti-Terrorism and Effective Death Penalty Act of 1996 (signed into law by Bill Clinton). A big thrust of this law is making it more difficult for prisoners seeking to overturn illegal state court decisions in the federal courts. Under this law, it is not enough for Mumia to show that his death sentence was obtained through a violation of federal law—he has to show that it was obtained through an “unreasonable application of clearly established federal law”. This wording is designed to give state courts “the benefit of the doubt” in punishing through executors. Mumia's crime as a young Black Panther, was allegedly part of a whole movement dedicated to killing cops. Black Panthers were America's Maoists. This is how injustice is being done to the underprivileged who need justice most, worldwide. □□□