

It's Martial Law

IROM SHARMILA IS HISTORY. She seems to have galvanised human rights groups across the world by her decade-long hunger strike demanding the repeal of the Armed Forces (Special Powers) Act, 1958 (AFSPA). Last November entered the 10th year of her hunger strike. She resorted to this very Gandhian way of non-violent struggle to protest against the massacre of ten civilians in Malom, Manipur, by the Indian Army. On 6 November 2000, she was arrested by the Manipur police and charged with attempt to commit suicide under section 307 of the Indian Penal Code. Ever since her wrongful incarceration she has battled severe deterioration of health. She didn't accept a single drop of water from the authority except being forcefully fed by nasogastric intubation.

AFSPA grants the Indian Army special powers throughout North-East India and Kashmir to : Arrest citizens and enter their property without warrant; Shoot and kill anyone on mere 'suspicion'; and Enjoy immunity against legal action.

Even according to the government appointed Justice Jeevan Reddy Commission 'the Act has become a symbol of oppression, an object of hate and an instrument of discrimination and high-handedness.' The United Nations Committee on Racial Discrimination has urged the Indian government to repeal the law. But it is unlikely for New Delhi Sultans to see reason.

AFSPA is one of the most draconian legislations that the Indian Parliament has passed in its 60 years of history. Under this Act, all security forces are given unrestricted and unaccounted power to carry out their operations, once an area is declared disturbed. It is the army, rather than any civilian authority, which decides that in order to 'maintain the public order', one must shoot to kill.

It was first applied to the North Eastern states of Assam and Manipur and was amended in 1972 to extend to all the seven states in the north-eastern region of India. They are Assam, Manipur, Tripura, Meghalaya, Arunachal Pradesh, Mizoram and Nagaland, also known as the "seven sisters". The whole of Manipur has been under AFSPA since 1980. The enforcement of the AFSPA has resulted in innumerable incidents of arbitrary detention, torture, rape, and looting by security personnel. In Manipur alone, security forces kill on average one to two persons per day, according to non-governmental sources.

The Armed Forces Special Powers Act contravenes the Indian constitution and law standards.

The 'mainstreaming' of the North East had come to mean imposition of economic exploitation and cultural dictations from the 'mainstream'. This is what led to increasing resistance, and the decades of AFSPA have increased further, rather than decreasing violence. The recurrent sexual violence on women by the armed forces (highlighted after the murder of Thangjam Manorama) must not go unpunished, though, given the refusal of the government to prosecute the army for acts committed under the AFSPA, no case has ever been brought to court.

It is in this context that the heroic struggle of Irom Sharmila has been taking place.

Sharmila has exposed this sham democracy better than any political party on the left. In reality it is lega-lised martial law that is in operation in the Northeast.
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