



Anthropological Narrative Inquiry on Antony Hinton and Fr. Stan Swamy: A Comparative Case Study

¹V. Sabarinathan, ²Dr. N. Lakshmi Priya

¹Research Scholar in English PG and Research Department of English G.T.N Arts College. (Autonomous)
(Affiliated to Madurai Kamaraj University) Tamil Nadu.

²Assistant Professor of English GTN Arts College (Autonomous) Dindigul, Tamil Nadu

Abstract: “Being imprisoned for a crime you did not commit is a serious public health issue,” says CHJ Fellow James Causey. This study discovers the existing practices of unjustly incarcerated persons through a cultural-narrative umbrella, employing anthropological approaches to inspect how narratives of wrongful imprisonment are formed, interpreted, and transferred beyond cultural and national margins. Unjust incarceration endures a universal concern internationally, inexplicably influencing the marginalized populations and frequently overlooked in intellectual and policy discourses. Though lawful and statistical studies have thrown light on the prevalence of wrongful convictions, this research claims that cultural narratives individual and combined stories engrained in sociocultural backgrounds are critical to completely comprehending the human significance of unjust incarceration. By assimilating transnational viewpoints, this paper travels outside countrywide contexts to expose common patterns, differences, and connections in the experiences of those wrongfully imprisoned in various societies. It highlights the value of identifying cultural and historical contexts in forming individual narratives, institutional responses, and social stigmas. Using a narrative-centered anthropological approach, the study appeals to in-depth discussions, dialogues, life histories, and ethnographic exploration steered in numerous countries. Information was analysed over theme, discourse analysis, and comparative cultural viewpoint to reveal recurrent themes and culturally specific expressions of injustice. This research adds to anthropological scholarship by foregrounding the importance of cultural narrative as both a method and subject of inquiry in understanding injustice. The psychological trauma of the incarcerated individuals are the major concern, because it can never be empathised by others. It is up to the victims to fight and overcome the trauma.

Keywords: Incarceration, Cultural Narratives, Black Panther, Apparatus, Incarceration

1. Introduction

1.1 Racial Disparities in U.S. Incarceration

According to the US Bureau of justice statistics, the data delivers amounts of prisoners under the jurisdiction of state, federal, and military correctional authorities. In 2021, there were 1,186 Black prisoners per 100,000 Black adults, compared to 222 white prisoners per 100,000 white adults. This information would give a view of how the black people could be the convict and went to prison than the white people.

For a decade, incarceration disparities between Black and white youth have remained stubbornly high. As of 2021, Black youth were 4.7 times as likely to be placed (i.e., detained or committed) in juvenile facilities as their white peers, according to nationwide data collected in October 2021 and recently released. This disparity has hardly changed over the past decade. Forty-two percent of youths in placement are Black, even though Black Americans comprise only 15% of all youth across the United States.⁵ Among all states with a population of at least 8,000 Black youth, (between 10 and 17), a cut off that allows for meaningful comparisons, Black youth are more likely to be in custody than white youth. Black and white youth have similar juvenile placement rates in the District of Columbia. (Joshua Rover, The Sentencing Project)



Adding to this The Sentencing Project, a report published by Joshua Rover, The data given here highlights a long-standing and persistent racial disparity in the juvenile justice system. The percentages also would shock the readers that the total black youth population in the US is lesser than the youths who are in jail. To eradicate this uneven and unjust system, all the citizens must have a collective consciousness. Another important reason for this discrimination would be the peer pressure and lack of people's knowledge on finding the real truth behind anything that has been projected by the media. They write, show and discuss according to the minimal fact that they receive. Some might be true and some may not, when it comes to any sort of issue related to the Black people the media largely project against the black people.

A new report from the Center for Health Journalism at USC, based on data from the National Registry of Exonerations, exposes a deliberate racial disparity in wrongful murder convictions in the United States. The innocent Black Americans are about 7.5 times more likely to be unlawfully imprisoned of murder than their white people. These shocking numbers emphasize the universal racism rooted in the criminal justice system. Black perpetrators are more likely to be beleaguered in the time of inquiries, face prosecutorial misbehavior, obtain insufficient legal representation, as the law of America every citizen must have their basic rights of representation before the court. Also, the report displays that almost half of all wrongful convictions for murder involve Black defendants, although Black Americans encompass only about 13% of the U.S. population. These results echo a pattern of prejudice that not only falsifies justice but also erodes public trust in legal associations, stressing the immediate need for restructurings in policing, prosecution, and public defense.

2. The "super predator" myth

Radicalized media have been used to defend severe crime strategies and perpetuate mass incarceration. The super predator or super-predator is a category of criminological concept that developed popular in the 1990s in the United States, which speculated that a minor but significant and increasing population of impetuous youth. The super predator theory was also criticized as many people believed the theory was used to justify disproportionate sentencing of African-American. More recently, the "Ferguson effect" tale has been used to blame Black Lives Matter protests for an increase in crime rates, rather than addressing the systemic issues that led to the protests in the first place.

3. Case study: 1 Anthony Ray Hinton

Anthony Ray Hinton's tragic torment of unlawful incarceration instigated when he was arrested by two white men who falsely demanded to hold a warrant for his arrest. In spite of his innocence, Hinton was unjustly charged with multiple grave offenses, including first-degree robbery, kidnapping, and attempted murder. For all these crimes he had no commitment.

This unjust arrest marked the start of a decades-long miscarriage of justice, stripping Anthony Ray Hinton of his freedom and dignity. He underwent many torments when he was in prison. When the officers detained him, Hinton was puzzled and horrified as well because he had no knowledge of why he was being taken into custody. He repeatedly questioned the detectives, demanding to know the reason for his arrest. Yet they indifferently neglected his pleas, withholding any explanation until much later, when they finally unveiled the baseless charges against him.

The detective coldheartedly said Anthony Ray Hinton that his actual blame or innocence was solely irrelevant, the political and justice system had already decided his fate. He further enlightened that Hinton would be imprisoned solely because he was a Black man and he could not do anything in front of all the white jury, a white prosecutor, a white judge, and the unfavorable testimony of a white victim who falsely accused him. From the detective's words he came to understand the brutal reality of a justice system rigged against him, where racial prejudice, not evidence, would determine his destiny. The detective's report stressed that Hinton's conviction was inevitable due to racial discrimination and the systemic factors working against him, regardless of his innocence.



He spent 30 years on Alabama's death row, under a feeling of deep sense of agitation, helplessness and isolation, particularly in the early years. He felt deceived and angry with God, what else could he do much about it. And he was furious about the justice system, which made him not speak with anyone for a long period. Hinton's viewpoint changed when he heard an old man crying over the death of his mother. He started to reflect on his own life, knowing that he is still alive amongst the system of prejudice and discrimination. Hinton somehow gathers his own strength to stay rooted and so that he may feel alive.

He got an answer for all his prayers from the disguise of Bryan Stevenson. He is a well-known American lawyer, social justice activist, professor, and founder of the Equal Justice Initiative (EJI). He is notable for his work fighting racial injustice, challenging unfair sentencing (particularly in death penalty cases), and advocating for criminal justice reform. He undertook Hinton's case and fought for his release. Stevenson hired expert ballistic witnesses who testified that the state of Alabama had made a mistake in convicting Hinton, eventually helping to prove his guiltlessness. After Bryan Stevenson collected the expert testimony and presented it, Anthony Ray Hinton's conviction was overturned. On April 3rd, 2015, Hinton walked out of Jefferson County Jail after spending 30 years on death row. He was grateful for his freedom but distressed that his mother did not live long enough to see him exonerated. He felt cheated but also thankful to Bryan Stevenson for his unwavering support throughout the years.

4. Case study: 2 Fr. Stanislaus Lourduswamy SJ

In 2021, India experienced a prominent deterioration in religious freedom circumstances. The government deepened its enforcement of policies aligned with Hindu nationalist ideology, which disproportionately targeted Muslims, Christians, Sikhs, Dalits, and other minority communities. Through existing laws, new legislation, and institutional reforms, authorities at both the national and state levels methodically advanced a vision of India as a Hindu-majority state, further marginalizing religious minorities. These measures contributed to a worsening climate of discernment and exclusion for non-Hindu groups.

Stan Swamy, Indian Catholic Jesuit Priest was a citizen of India, who at the time of his detention was 83 years old. He usually resided at the Bagaicha training centre for Adivasi youth, Ranchi, Jharkhand, India. Father Swamy was a Jesuit priest, social analyst and activist for the rights of indigenous people. He had spent decades defending civil rights and the right to self-determination of the indigenous Adivasi and Dalit people, working mostly on issues of displacement. According to the source, Father Swamy was an important mentor for generations of human rights defenders in Bangalore, Tamil Nadu, Jharkhand and other parts of the country. (Human Rights Council, Opinion No. 57/2021 concerning Stan Swamy (India))

Father Stan worked as the director of the Indian Social Institute, India's leading Jesuit institution, in the southern Indian city of Bengaluru, from 1975 to 1990, where he empowered young people from marginalized communities across the Indian subcontinent alongside educationist Duarte Baretto. Through ideas of social justice and liberation theology, Father Stan and the Indian Social Institute trained a generation of young leaders among communities including Dalits, indigenous communities (Adivasis), fishing communities, agrarian communities, and labour movements. In the year 1991 Father Stan moved to Chaibasa, in Jharkhand there he worked for Jharkhand Organisation for Human Rights, and worked tirelessly with the Adivasi people to protect their lands and homes from the state and mining corporations. During these times he raised voice for the marginalised Dalit people of Jharkhand, he provided many basic amenities and the basic rights for those people.

He brought the PESA Act, or Provisions of the Panchayats (Extension to Scheduled Areas) Act, according to this law enacted to extend the Panchayati Raj system to Scheduled Areas. In the year 2006, Father recognized the rights of forest-dwelling communities to forest resources, through which even people living in remote forest areas can access their basic rights. In 2013 he gathered many people and formed a self-governance group called the gram sabha, by this community Father Stan brought many revivals in the Dalit marginalized communities. Adivasi



people protested against the land acquisition for many years from 2014 & 2015, since the heated protest those people involved in the protest were arrested and imprisoned without any information. Father Stan formed the Persecuted Prisoners Solidarity Committee, to expose the illegal imprisonment of Adivasi activists, and filed a case against the state of Jharkhand on behalf of at least 3,000 Adivasi youths languishing in jail. On January 1, 2018, violence erupted near Bhima Koregaon, a village in Maharashtra during the 200th anniversary celebrations of the Battle of Bhima Koregaon, where Dalit soldiers fought alongside the British against the Peshwas. Clashes broke out between Dalit groups and upper-caste Maratha groups, leading to one death and widespread unrest. Several activists associated with Bagaicha including Stan Swamy were accused of being part of a Maoist conspiracy to incite the violence and arrested by Unlawful Activities (Prevention) Act allows indefinite detention without bail. He was incarcerated in Taloja prison from October 9, 2020 until May 28, 2021, which provoked a gradual deterioration in his health.

Even though he had some severe health issues he was ill-treated by the police and the government, denying bail and handcuffing him all the time even after he was affected by COVID-19. According to the United Nations, the octogenarians in prison have the right to humane treatment, access to adequate healthcare, and protection from discrimination based on age. However, Father Stan denied all, from the research of Sentinel One's it revealed ties between the hackers and the Indian police agency in the city of Pune that arrested multiple activists based on the fabricated evidence, including Father Stan. He passed away at the age of 84 on July 5, 2021, at Holy Family Hospital, Mumbai, and while still in custody of the Indian state.

5. Conclusion

Findings reveal that cultural narratives of incarceration not only reflect personal psychological trauma but also illuminate larger structures of power, marginalization, and resistance. Across contexts, themes such as loss of identity, social rehabilitation, legal betrayal, and collective memory emerged. On the other hand transnational dynamics such as immigration, colonial histories, and global human rights discourses significantly helps in shaping both the environments leading to wrongful imprisonment and the paths for confrontation and recompense. The study also offers practical implications for legal reform, mental health interventions, and international advocacy efforts, calling for policies that are informed by culturally nuanced understandings of injustice. Future research directions include longitudinal studies on post-incarceration reintegration and the role of digital platforms in amplifying subaltern voices across borders.

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