



By ALBERTINA ALMEIDA

Freedom of Speech and Expression: Caste, Creed, Cringe!

Recently, with the killing of Gauri Lankesh, the controversy over Sudirsukt and the death threats to writers such as Kancha Ilaiah Shepherd, certain facets of freedom of speech have come under sharp scrutiny, making one question who cringes about what speech and expression, what is the ambit of freedom of speech that we value, and who does so at what times.

If one delves, what surfaces is a motley mix of what the establishment and of the dominant non State actors/vigilantes feels challenged by. It could be the reach of those who use the vernacular. It could be the powerful way of expressing thoughts that disturbs the entrenched casteism, communalism and corporate capital, it could be the very fact that those who speak out and the people whose support and solidarity they enjoy, are not ones to buckle under any pressures. It could be that the writings of those under scrutiny or attack are transgressions on what is considered 'normal' writing, that is, the writing that has the stamp of the dominant forces.

Moreover, society conditions people especially women who are considered the pall bearers of whatever it understands as culture. Part of the conditioning includes scorn for any behaviour of individuals who are considered members of 'other' communities and adulation for the conduct of one's 'own' caste or community. This includes conditioning of the attitude to the sexual behavior of individuals of communities other than one's own. There is an unwritten rule for instance, that if upper caste women will conform to the community's codes of othering, they will be protected by the dominant males of the community. On the other hand, women from the depressed castes have to endure caste prejudices and discrimination from the dominant castes and discrimination from amongst their own as well.

Who was Gauri Lankesh?

Journalist Gauri Lankesh, who was shot dead at her door step last month as she was entering

home, was prolific in her writings mainly in the vernacular, but also in English, against right wing forces and particularly against casteism and the role it plays in fomenting communalism. In that sense, she would obviously have been also in conflict with the caste and business mores of the powerful Lingayat community that she belonged to, that runs some key businesses in Karnataka.

A fearless journalist, Lankesh wrote about and ridiculed the rise of authoritarian, patriarchal nationalism and human rights violations committed against religious minorities, different genders, persecuted people like the Rohingya refugees, sexual minorities; as well as oppressive traditions, caste politics, and the nexus between environmental destruction and corruption, a statement by the Asia Pacific Feminist Forum organized by the Asia Pacific Forum on Women Law and Development aptly stated.

We in Goa may recall that Gauri Lankesh was part of a fact finding committee investigating communal violence that took place in Sanvordem- Curchorem during the first week of March 2006. Lankesh was included precisely because she was known to be an active part of the movement against communalism in Karnataka and was known to take courageous stands on political issues. The Report that was brought out by the Fact Finding Committee in April 2006, called *Broken Peace*, sharply highlighted, what the members felt, were the root causes of the violence. It minced no words in stating that the violence, which had been dubbed as the first communal violence in Goa, was not in fact an aberration, but part of a continuum of a process of communalization. The Report pointed out that no interventions on the issue of communalism can be effective unless we recognize that Goan society is divided along lines of community, caste, and religion.

At that time, the Report was ridiculed, along with the writers, primarily by the people from the dominant caste who were seemingly forward, and a reference specifically made about Lankesh that she was a little-known obscure journalist. But those whose lie stood exposed sure knew where the shoe pinched. They knew that her writings had a significant outreach in the vernacular and that she wrote in easy understandable language that brought global politics and its inter-linkage with Indian/local politics to the fore. Her writing had the potential to create deep rumblings. That is what was, then and now, found most threatening.

We are aware that lay people are mobilized through rumour mongering and distorted presentations of reality to become foot soldiers in vicious campaigns. Therefore if anyone writes in the vernacular in an easily understandable language that breaks down and exposes the doings of the forces in power, it is especially threatening, because nobody can then easily be made into a tool to (mis)use. That, in my understanding, was what did Gauri in.

Threatened by Kancha Ilaiah's outreach in Telugu

Prof. Kancha Ilaiah Shepherd, has also been systematically and boldly mounting a challenge to the Hindutva forces. Ilaiah, the Director, Centre for the Study of Social Exclusion and Inclusive Policy, Maulana Azad National Urdu University, Hyderabad, has received a death threat from an Arya Vysya leader, an MP of the Telugu Desam Party, an ally of the BJP at the Centre, via a press conference. This death threat has been issued, to use Ilaiah's words, 'for writing a chapter in my book called Post-Hindu India with a title called Social Smugglers, a concept I coined to capture caste cultural and economic exploitation in India, and translating it into Telugu they are attacking me". At the time of writing this, Ilaiah is undergoing a self imposed house arrest, because of the physical threats he has faced.

Vishnu Wagh and the powerful Konkani poetry in Sudirsukt

It is also this same insecurity of the casteist communal and dominant forces, about the outreach and resonance with certain writings, that finds expression in the assault on *Sudirsukt*, a book of poems, by Vishnu Wagh, which I will dwell on a little more extensively, as the debate continues to rage, even as this goes to the press. Wagh, who ironically was the Santo Andre (one of the forty Legislative Assembly constituencies) BJP legislator during 2012-2017, is a well-known literateur, who has been writing extensively in Marathi. This is the language through which the Dalit Bahujan communities have had access to education, but that written language is still not exactly the spoken language of the Samaj, having the overtones of the Brahminical Puneri Marathi. The language of the Hindu Dalit Bahujan which still comes from an intense interaction with Goan soil, is Konkani, but NOT the Koknni that Goa's dominant Hindu caste, the Gaud Saraswat Brahmins, speak or even recognize as Konkani. So when someone from the Dalit Bahujan Samaj writes in his own version of Konkani, it becomes powerful, threateningly so, to the status quo.

The quality and content of Wagh's poetry



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Wagh's poetry is grasped and understood. It is vivid. It is livid against forces of caste oppression. It holds a mirror to the lot of the depressed castes. It has the potential to mobilise more people to speak up, come forth, and challenge the status quo. So much of contemporary poetry is impenetrable. One cannot figure out at all what is in the poet's mind or what they want to say. Not so with Wagh's poetry. The poetry may no doubt be subject to various interpretations. There is also no doubt that it takes away from the touristy narrative about Goa which paints everything in Goa as hunky dory. But so be it.

Assault on the poems in *Sudirsukt*

In this situation, what has happened? The forces of communalism and casteism that predominate, cannot take away Wagh's life. Wagh is rather seriously ill and not even in a position to respond to the criticism. At the same time, they feel the need to consolidate upper caste forces. What better way to do it than to accost a publication of powerful poems, dating from 2013, that is slated for an award, that draws analogies from the land and the culture, and that comes from active engagement with the land and the environment and the people around?

Sanjeev Verenkar, one of the members on the jury for the Goa Konkani Akademi award, leaked out the proposal for the award, through Facebook. The text of a single poem in *Sudirsukt*, and the usage of a particular cuss word in some five of the sixty odd poems, was isolated from the entire book and termed as obscene, and inciting social tension, and therefore not meritorious of the award. The poem was a conversation, apparently by a Bahujan community person with an upper caste woman which actually brings out the intersection of caste with gender in their sexual relationship. Uday Bhembre also lodged a frontal attack and considered this poem as implying a man flaunting his multiple relationships and likened Wagh to Ram Rahim Sauda. The fracas is actually strangely reminiscent of the State's arguments against *Lady Chatterley's lover*, a book by D.H. Lawrence, published in 1928 in England, which I borrowed and read from the library of Dempo Commerce College, when studying there. Just as the thumping against casteism is the irritant in *Sudirsukt*, in *Lady Chatterley's Lover*, it was not so much the profane language as much as the sexual relations across class boundaries and a critique of class that lay at the basis of the outrage.



Wagh's introduction to the book is itself in the form of a poem that says he finally discovered his mother (tongue), and that his oppressed life flowered into a poem, like a lotus. They only knew to utter mantras, whereas our ancestors lived their lives engaged with nature and our language reflected this, but it was in dissonance with the mantras.... So they discovered the art of writing and silenced and killed our language, so goes the tenor of the first poem *Mhaji Bhas* (My Language). This reference to a different language of the Bahujan community is to be the recurring theme in the poetry.

Were you born in my house or I in yours, *tuklya?*, is the resounding point made through the second poem titled '*tuklya*', referring to the 17th century Bhakti poet Saint Tukaram. The poem '*farak*' talks of difference - where both the dominant castes and the Bahujan Samaj eat fish, consume alcohol, have sex with women, bathe, and yet social constructions cause the difference.

There are abounding references in the poems to the toil of the Bahujan community in reproducing human beings, including and particularly those from the dominant castes, and the utter dissonance of this toil with the holdings of land by the dominant castes and their ownership and control of people and their language. There is even a poem called '*galli*' (bad words). It seeks to drive home the point that the deepest feelings of the Bahujan community were expressed through abuses, and that the civilization that has come through education has taken away the language of expression, and rendered the Bahujan powerless.

What about the abuses?

In the poem *zati* (castes), Wagh goes, "Does man require caste or does caste require man? There is no caste for hunger, but does caste have hunger?" Poignant questions, these, that ring right through the book. In the same poem ensues an abuse for those/the one who created the caste system. It is true that that the particular abuse is sexist in nature, and has been used in four or five poems, to strongly come down on the dominant castes. Wagh's creativity should have transcended these abuses, given that he has the capacity of powerful writing which comes through in his whole book, and he, at least, could abuse, but did not

need the crutch of any sexist abuses to convey the deepest angst. Unfortunately most, if not all writing/abuses in this day and age suffer from being ableist, casteist, ageist, animal-insensitive, gender insensitive, and it is indeed a challenge to craft abuses that will respect the growing consciousness of different axis of marginalisation, moreso when the mediums/avenues, as well as acceptance for certain sections of society, are limited. Taking on that challenge is however also seriously necessary.

The embedded handing down of information as to who belongs to what caste, the social and economic challenges of those who till the soil and perform dramas, the dreams of erasing the *rangolis* of the dominant castes, and coming into a new life, discovering one's identity are the linked themes in the collection of poetry. The sarcasm and the powerful metaphors hit home. Sample this: Like oxen you rounded us up/And yoked us/And after the harvest was brought in/You kicked us in the arse/In the fields we expended sweat/You counted the cash/Even your piss is sweet/Our blood is bitter!

Giving Sudirsukt bad press

Opinions were sharply divided on the book as well as on whether or not Verenkar should have leaked the information. This discussion on Facebook spilled over into a news item by Navhind Times, which stripped its own veneer of providing unbiased reportage. The NT Report decided for itself that the book flouted the government guidelines, which stated that a book considered for an award to be given from the public exchequer, should compulsorily refrain from making any casteist statements or using offensive and insulting language against a particular caste.

This is where we might need to interrogate freedom of speech and expression from the lens of substantive equality, which is the model of equality emphasized in the Constitution of India. If there is a critique of casteism and its practitioners, does it amount to a casteist statement? What constitutes offensive and insulting language? From whose lens? Which yardstick? If one attacks men for their rank expressions of patriarchy, is the person doing so sexist?

pointed out that “What seems to be at the core is that those who have for long controlled the description and use of Konkani, and enjoy hegemony over the state apparatus and its cultural organs, want to prevent the validation and legitimization of the book that the award could bestow upon it. Why so? Because it expresses the pain, revolt, revulsion, angst and anger towards the age-old caste system that persists and is going strong”.

Double Standards of Government

Ordinarily the State would have itself taken offence to a leakage by a Government Award committee. But not so in this case. No step is yet known to have been taken against Sanjeev Verenkar. This is not to suggest it should be. Perhaps this is also a freedom of speech one should uphold – to discuss a book in the public domain, bringing out the urgency of discussing it by stating that it calls for a discussion because it is scheduled to get an award, and the one leaking has disagreements, but what does the world think about this book.

But then there has to be consistency and there have to be defined criteria. This freedom cannot be selective. I was once questioned by the same ruling dispensation, when, as a member of the Government Family Law Review Committee, in the capacity of being a representative of women as stakeholders, I had sought to take the proposed law, being discussed in the committee, to the constituency for a consultation. This shows double standards prevalent.

Changing the goalposts of criticism

The critique of the book *Sudirsukt* as casteist soon transformed into a critique of the book as derogatory to women, when it became apparent that the first salvo had clearly misfired. Yes, the book uses sexually explicit language. But here one must remember that women are also human beings with sexuality and they do not need to be protected by anyone from writings that speak the language of explicit consensual sex.

It is precisely the lack of sex education, and the taboo in speaking explicitly about sex in society, that leads to sexual harassment, where perpetrators of sexual harassment show their power by talking about explicit sex to a woman, or in her presence, to intimidate her.

Let us also be clear that not all sex is sexual harassment. There is a lot of sex WITH a woman's explicit consent. There may be nothing wrong about that sexual activity.



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Another critique of the book has been about it commodifying women. Why does expressing ideas about sex with women in poems, along with myriad other aspects of life in Goa, suggest that the women are reduced to a body or a commodity?

On the other hand...

Freedom of speech in the Constitution comes with restrictions. Freedom of speech cannot mean the right to instigate patriarchal oppression, class-based exploitation, and majoritarianism, or to maintain caste based discrimination against the depressed castes. The Constitution of India has clearly set out in the preamble that the people of India have solemnly resolved to constitute India into a sovereign, socialist, secular, democratic republic.

But there are people whose acts come within the Constitutional restrictions on freedom of speech, such as the Sadhvi, who on the very first day of the 6th All India Hindu Convention for establishing a Hindu Rashtra, openly incited hate speech saying "we must ALL pick up our weapons to protect our mother! And anyone who dares to hurt her must be hanged to death!". And yet, such incitements enjoy impunity. The venue of this 6th All India Hindu Convention was the Sanatan Sanstha headquarters in Ponda. Vijay Sardesai, a Minister and the leader of the Goa Forward Party, the alliance partner of the BJP-led Government, admitted when speaking to reporters after this statement went viral, that, "By such comments, they are trying to create communal tension and are also breaking the law, as her remarks are unconstitutional".

Yet, even after this admission, one does not know to this date of any action by the State against these open incitements and threats. The people who abuse freedom of speech and expression, by not adhering to the restrictions to speech in the Constitution, enjoy impunity, but those who express their mind against casteism and communalism are vilified like Wagh and Ilaiah, or even killed, like Lankesh.

State cover, patronage and impunity



Incidentally, the Sanatan Sanstha was a co-organiser of the 6th All India Hindu Convention. As Devika Sequeira pointed out in an article appearing in The Wire on 14th September, 2017, “With the needle of forensic findings now pointing to a clear link between the killers of journalist Gauri Lankesh, Kannada scholar M.M. Kalburgi, and communist leader Govind Pansare of Kolhapur, the spotlight is once again on the shadowy Goa-based Sanatan Sanstha”. Two of the sadhaks of Sanatan Sanstha were killed in the 2009 bomb blast at Margao, at the time of the Narkasur effigy parade, when the bombs on their scooter went off while they were riding. It was obvious they were going to plant the bombs during the Narkasur effigy parade, in order to later blame it on Muslims trying to disrupt a Hindu floats parade, in politically-fragile Margao. Despite this, the Government did not cease to place advertisements in Sanatan Prabhat, the publication of the Sanatan Sanstha.

Thus we see both impunity, and active encouragement, of certain organisations through various means, although they are clearly infringing the restrictions on freedom of speech enshrined in the Constitution. To use a translated version of Gauri Lankesh’s words in her Kannada blog, “The Indian democracy is a veil of democracy”. Indeed! And we must lift this veil to expose what lies behind it and force the State to recognise what freedom of speech it needs to uphold and what freedom of speech it abjures, by appropriate action to enforce the law, as per the Constitution.

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