

India: Shrinking Freedom of Expression - Taslima Nasreen, MF Hussain and a growing list of victims

Friday 15 February 2008, by [Coalition of Muslims and Tamils for Peace and Coexistence \(Sri Lanka\)](#), [DEVI Mahashweta, Forum For The Protection of Free Speech and Expression](#), [JAISING Indira](#), [NANDY Ashish](#), [NAQVI Jawed](#), [ROY Arundhati, SAHMAT](#) (Date first published: 13 February 2008).

As this SACW compilation goes out the Indian media has reported that Taslima Nasreen's visa which was due to expire on the 17th February 2008 has been extended for a period of six months, but that she will remain confined to her state run 'safe house' somewhere in Delhi. All SACW subscribers are requested to keep writing to the Indian authorities to grant here Indian citizenship and to remove all restrictions on her freedom of movement.

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Public Statement by Forum For The Protection of Free Speech and Expression
February 9, 2008

At a time when India is projecting itself on the world's stage as a modern democracy, while it hosts international literary festivals and book fairs, the Government of India, most mainstream political parties and their armed squads are mounting a concerted assault on peoples' right to Free Speech.

It is a matter of abiding shame that even as some of the world's best-known writers were attending the Jaipur literary festival and prestigious publishers were doing business at the World Book fair in Delhi, the exiled Bengali writer Taslima Nasrin was (and is) being held in custody by the Government of India in an undisclosed location somewhere in or around Delhi in conditions that amount to house arrest. Contrary to misleading press reports stating that her visa has been extended, her visa expires on the 18th of February, after which she is liable to be deported or remain confined as an illegal alien.

Taslima Nasrin is only one in a long list of journalists, writers, scholars and artists who have been persecuted, banned, imprisoned, forced into exile or had their work desecrated in this country. At different points of time, different governments have either directly or indirectly resorted to these measures in order to fan the flames of religious, regional and ethnic obscurantism to gain popularity and expand their 'vote-banks'. Every day the threat to Free Speech and Expression increases.

In the case of Taslima Nasrin it was the CPI (M) and not any religious or sectarian group who first tried to ban her book *Dwikhondito* some years ago. The ban was lifted by the Calcutta High Court and the book was in the market and on bestseller lists in West Bengal for several years. During those years Taslima Nasrin lived and worked as a free person in Calcutta without any threat to her person, without being the cause of public disorder, protests or demonstrations. Ironically, Taslima Nasrin's troubles in India began immediately after the Nandigram uprising when the people of Nandigram, mostly Dalits and Muslims, rose to resist the West Bengal Government's attempt to takeover their land, and tens of thousands of people marched in Calcutta to protest the government's actions. Within days

a little known group claiming to speak for the Muslim community asked for a ban on Dwikhondito and demanded that Taslima Nasrin be deported. The CPI(M)-led government of West Bengal immediately caved in to the demand, informed her that it could not offer her security, and lost no time in deporting her from West Bengal against her will. The Congress-led UPA Government has condoned this act by holding her in custody in Delhi and refusing, thus far, to extend her visa and relieve her of her public humiliation. They have once again played the suicidal card of pitting minority communalism against majority communalism, a game that can only end in disaster.

Inevitably, hoping to make political capital out of the situation, the BJP is publicly shedding crocodile tears over Taslima Nasrin, going to the extent of offering her asylum in Gujarat. It seems to expect people to forget that the BJP, VHP and RSS cadres have been at the forefront of harassing, persecuting, threatening and vandalizing newspaper offices, television studios, galleries, cinema halls, filmmakers, artists and writers. Or that they have forced M.F. Husain, one of India's best-known painters, into exile.

Meanwhile, in states like Chattisgarh, Andhra Pradesh and Karnataka, away from the public glare of press conferences and television cameras, journalists are being threatened and even imprisoned. Prashant Rahi from Uttarakhand, Praful Jha from Chattisgarh, Srisailum from Andhra Pradesh, P. Govind Kutty from Kerala are a few examples. As we speak Govind Kutty, who is on a hunger strike in prison is being force-fed, bound hand and foot. Scores of ordinary people, including people like Binayak Sen have been arrested and held illegally under false charges.

We the undersigned do not necessarily agree with, endorse or admire the views or the work of those whose rights we seek to defend. Many of us have serious differences with them. We agree that many of them do offend our (or someone else's) religious, political and ideological sensibilities. However, we believe that instead of making them simultaneously into both victims and heroes, their work should be viewed, read, criticized and vigorously debated. We believe

that the Freedom of Speech and Expression is an Absolute and Inalienable Right, and is the keystone of a modern democracy.

If the Indian Government deports Taslima Nasrin, or holds her as an illegal alien, it will shame and diminish all of us. We demand that she be given a Resident's Permit or, if she has applied for it, Indian citizenship, and that she be allowed to live and work freely in India. We demand that the spurious cases filed against M.F. Husain be dropped and that he be allowed to return to a normal life in India. We demand that the journalists who are being illegally detained in prison against all principles of natural justice be released immediately.

Signed:

Mahashweta Devi, Arundhati Roy, Ashish Nandy, Girish Karnad

Press Statement on Taslima Nasrin

SAHMAT

13.2.2008

It is a matter of great anxiety that the exiled Bengali writer Taslima Nasrin is still being kept in an undisclosed place by the Government of India. It is learnt that she is not allowed any visitors and cannot move freely. Her visa expires on the 18th of February, after which she is liable to be deported. While we may or may not agree with the views or the work of Taslima Nasrin, we believe that her right to freedom of speech and expression is inviolable. We demand that her visa be extended with immediate effect and she be provided a congenial atmosphere to live and work.

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Taslima lives somewhere in Delhi, Hussain in Dubai

by Jawed Naqvi

Dawn, February 11, 2008

Raj Thackeray doesn't like Bihari migrants in Mumbai to practise their way of worship, for example their native Chhat Puja or water worship. His mentor Bal Thackeray had similar issues with ethnic Tamil immigrants. That was way back in time, before he turned his benign gaze upon the Muslim and Christian communities of Mumbai even if they happened to be Marathi speakers.

Narendra Modi in Gujarat too doesn't like Muslims or Christians in his state. In fact he doesn't like secular Hindus either. Renowned artist MF Hussain whose studio in Ahmedabad was destroyed under Modi's watch now lives in exile for fear of his life and danseuse Mrinalini Sarabhai is stoically coping with the full blast of the state's ire. Any Hindu would face it in Gujarat if they spoke for an equal law for the minorities as Sarabhai did.

But minority groups are not far behind in championing their own narrow mindsets. They have played havoc with Muslim women's rights. They have hounded Bangladeshi fugitive writer Taslima Nasrin, on at least one occasion physically assaulting her and threatening to have her killed for alleged blasphemy. The state has done one better. It has put Taslima Nasrin under an undeclared house arrest. Women writers who spoke to Taslima say she fears she would be deported. Her visa expires on 18th February. The government

it seems has falsely claimed that it has been extended. If the virtual house arrest is the state's way of keeping her secure from rightwing Muslim rabble-rousers who could harm her, it is tantamount to the cure being worse than the ailment. If Taslima has written something blasphemous, as perhaps she has in one of her books, a democratic state should be able to intervene to deliver fair justice without compromising on its commitment to either free speech or religious freedom.

The idea of India as the founders envisaged it was to have such a complete democracy in this country that it would give every single citizen, or a fugitive, or the casual visitor each and every freedom conceivable in a civilised world. That idea was enshrined in the Constitution of India. It remains the only bible the state is authorised to consult to resolve a substantive difference of opinion it may have with the people or to end a dispute about a matter of principle between them.

The founders neither desired nor offered room, in their delicately crafted idea of a nation state, for religious, regional, linguistic or ethnic mindsets to be entertained by the state's representatives. This of course did not mean that they had failed to observe a few of these slants blossoming and flourishing in their time, but these were not given any space in what we generally know as public affairs. Of course the founders were aware that with a surfeit of regions, religions, languages and ethnicities co-existing cheek by jowl there would be differences or disputes that needed to be handled with care and special firmness.

Most of the biases India has inherited are chronic and cultural in their origin with a history of at least a few hundred years. In some cases, tendencies bequeathed by the hidebound caste system go back a few thousand years in history. All these have been found difficult to wish away. However, other forms of mistrust evolved meanwhile from modern classes and social groups thrown up by colonial and post-colonial economic quests. Consequently, India is currently divided between the worldview cherished by 20 to 30 per cent of its citizens who are destined to

enjoy the fruits of its economic policies and the 70 to 80 per cent of those who are condemned to wait with fading hope for their space under the shining sun since 1991. The tussle of the rich and the have-nots acquires the form of irrational prejudices too which erupt occasionally like in Raj Thackeray's sermon to the Biharis who are otherwise a poor hardworking lot.

The main political parties who had hitherto lived by taking money from the rich and the vote from the poor with the promise to protect them from each other are being compelled to consider more surgical methods to keep the 30:70 apartheid intact. Since in a democracy 70 per cent can easily vote out all policies that favour a mere 30 per cent, a method had to be evolved to break the brute majority of the have-nots. The staple so far has been to woo votes from among the 70 per cent by playing up their parochial prejudices. Muslims make a large and readymade vote bank here. Hindus are a lot more difficult to weld together as a voting lobby. We know of 'AJGAR' and 'MY' factors in Indian elections, representing Ahir, Jat, Gujar, Adivasi and Rajput in parts of north and western India and Muslim-Yadav in Bihar. These are all predominantly Hindu groups but usually at loggerheads with each other. Yet the overwhelming majority of India's Hindus, Muslims, Buddhists and Christians belong to the 70 per cent of the have-nots. This should ideally pit them against the 30 per cent predominantly Hindu interest groups who are ruling the roost. Such a democratic coup would be unacceptable to the Indian state as it has evolved. Therefore, Messrs Thackeray and Modi are assigned a pivotal role to sort out the mess.

The imageries of Taslima and Husain are useful in this respect. Taslima, it is said, has hurt Muslim sentiments with her blasphemous writings and Hussain, we are told, has hurt Hindu sentiments with his supposedly offensive paintings of goddesses. But Taslima has been in Kolkata for years after she wrote *Dwikhandita*, the evidently objectionable book. So what has happened suddenly to bring her alleged apostasy into the mainframe of Muslim ire? The answer comes from a direction that is surprising. It has been suggested by a growing number of respected

intellectuals that the communist government in West Bengal, hitherto regarded as the repository of secular virtues, is quite a lot responsible for targeting Taslima. Her criticism of the violence, which communist cadres had unleashed on the impoverished Dalit and Muslim residents of Nandigram is said to be a key reason for Taslima's current misery. So it is a sad day indeed that the left also appears to have acquired the methods of "bourgeois" rule it had so far fought tenaciously. The left's apparent culpability in the Taslima affair, and its willingness to use Muslim communalism even though it has been the target of Muslim obscurantist groups in the past, is a new development in the equation.

The anger, if not complete disillusionment, with the left seems to have outraged large swathes of left sympathisers and ordinary democratic opinion-makers across India. Implied in their criticism is the call to the left: stop behaving like the Congress and the BJP. Eminent writers such as Mahashweta Devi, Arundhati Roy, Ashish Nandy and Girish Karnad have called a major meeting this week to demand the release of Taslima Nasrin and the safe return of Hussain from Dubai, among other issues. But the most interesting message in this meeting to my mind will be a word of caution to the Left Front to distance itself from the brand of politics that breeds mediaeval prejudices.

The writers have taken measures of course to ensure that the BJP gets no succour from their ire against the Congress and the left. They released a statement on Sunday ahead of a public meeting on Wednesday. It says: "Inevitably, hoping to make political capital out of the situation, the BJP is publicly shedding crocodile tears over Taslima Nasrin, going to the extent of offering her asylum in Gujarat. It seems to expect people to forget that the BJP, VHP and RSS cadres have been at the forefront of harassing, persecuting, threatening and vandalising newspaper offices, television studios, galleries, cinema halls, filmmakers, artists and writers. Or that they have forced MF Hussain, one of India's best-known painters, into exile."

The writers also raised an alert about the little

known incarceration of journalists in states like Chattisgarh, Andhra Pradesh and Karnataka. "Away from the public glare of press conferences and television cameras, journalists are being threatened and even imprisoned. Prashant Rahi from Uttarakhand, Praful Jha from Chattisgarh, Srisailum from Andhra Pradesh, P Govind Kutty from Kerala are a few examples."

Why is Taslima Nasreen a prisoner?

by Indira Jaising

Rediff News, February 12, 2008

Taslima Nasreen's incarceration, by the government of India is now an established fact. In a recent article in the Times of India, she describes herself as a 'prisoner'. The truth seems to be, she is being held as a detainee under Section 3 of the Foreigners Act 1946. Strange as it may seem, the government does have the power to hold her in custody under Section 3(e) of the Foreigners Act. However, one would have thought that for a person lawfully in the country, as Taslima is, no such powers could be exercised.

The power is meant to deal with foreigners who commit crimes and are for some valid reason, wanted or needed by the law for extradition or deportation. Taslima is not in that situation and yet she has been in the custody of the government of India since November 2007. Taslima has committed no crime nor has she violated the terms of her visa. On the contrary, crimes have been committed against her.

Her deprivation of liberty is therefore not capable of any rational explanation. Perhaps, the only explanation that could be offered is that she is being held in custody in her own interest, as a measure of protection against criminal elements who assault her for her writings. The question then would be does providing security require her to be in custody at an unknown destination?

She has been in the country for a long time now, with no security problems. Why then this sudden concern for her security, such that it warrants her being at an unknown location? Could it be that the idea of the detention is to make her wait till her visa expires and then deport her? Or perhaps to tire her out to the extent that she leaves 'voluntarily'. Both options are deplorable.

Taslima has a right to know well in advance whether she is being granted an extension of her visa or not, to enable her to make an effective representation against a possible deportation. She and the rest of the nation are being kept in the dark about her legal status in this country.

She has been prevented from disclosing her whereabouts or from seeking legal advice. It is true that she has not taken any legal action against her situation, but she is after all, in this country on a visa which can be cancelled at any time and she can be deported. And she lives on hope that the Indian government will honour its commitment to her and grant an extension.

It is not often understood that foreigners too have constitutional rights, one of most important of them being the right to life and personal liberty. Clearly Taslima's right to life and liberty have been violated by her detention. Unless the government has good reasons to justify her detention, she must be set free. Taslima has been wronged against. She has the right to be informed about her visa status, it is of vital important to her to know if she is a legal immigrant. After February 17 she is liable to be an illegal immigrant, if her visa is not extended. She has a right to meet people of her choice, her publishers, her lawyer and her friends, all of which have been denied.

We as Indian citizens have a right to meet her as much as she has a right to meet us. Many years ago, the Supreme Court held that a journalist has a right to meet people in prison to write about their conditions of detention. We seem to forgotten those rights.

Taslima has applied for Indian citizenship and she has a right to know the status of her application. Her parents were born in undivided India and that makes her eligible for Indian

citizenship. She has not been given any information on the status of her application.

Taslina is a refugee from her own country and has been in exile for the last 12 years and more. It is true that she has a Swedish passport which enables her to travel but that does not make her any less a refugee. She has repeatedly said that she has no links with Europe and would much prefer to be in India, a country with which she and her country share a history, culture and language. She is no less an exile or a refugee who is entitled to be treated by India as a refuge and entitled to refuge in the country of her choice.

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P.S.

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