

Harmful Speech and the Politics of Hurt Sentiments - Economic & Political Weekly (Mumbai, India) - November 5, 2016

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The forms of censorship in India, which are based on the assumption that the text or film in question hurts the sentiments of some members of society, are analysed. Drawing on Michel Foucault's discussion on the shift from sovereignty to governmentality and the rise of biopolitics, it is argued that the academic critique of censorship has to take its productive aspects more into account. A close examination of two cases of censorship-regarding the short story "Dudh ka Dam" by Premchand and the film Haider by Vishal Bhardwaj-illustrates the importance of questions of territoriality as well as the significance of dispersed forms of power for the biopolitical project. The politics of hurt sentiments, thus, become discernible as a powerful tool for the production and organisation of discursive, and at times even physical, forms of violence that are aimed at eradicating the roots for potential threats to the alleged unity of the nation and its population. For this, equating criticism, or deviant behaviour, with intentional assaults thus legitimises the restriction of speech by representing it as a necessary act of self-defence.

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It is dangerous to be perceived as dangerous.

-Sara Ahmed (2015)

The claim by members of a community (whether formed along cultural, religious or ethnic lines) that they feel offended by certain statements or that their religious, cultural or national sentiments have been hurt by the publication and circulation of a book or a film is probably one of the most often used argument to justify censorship in India. As Rajeev Dhavan has argued, censorship usually either falls in the category of state censorship or into the category of what he calls "social censorship," that is, censorship within civil society, for the refusal to publish certain books by publishers, especially when some sort of pressure (by threats, protests, lawsuits, etc) by parts of

the civil society is involved. According to Dhavan, both forms often work together, but they follow a different logic: "Censorship by the state is imperative, threatening and punitive. Censorship by society is personal, domineering and ostracising" (2008: 1).

When "hurt sentiments" are used as an argument or justification of censorship, however, the distinction between state censorship and social censorship becomes porous and ultimately collapses. Censorship that invokes the need to avert hurt sentiments becomes a biopolitical instrument of the state, whose power is no longer limited to the paradigm of disciplinary sovereignty, but extends to and emphasises the paradigm of productive control over the whole body of the population. The politics of hurt sentiments provide one way for fear to become an instrument of power which, although used for a specific and apparently circumscribed purpose (such as the prohibition of a publication with a politically adverse content), has to be understood as a technique of governmentality; as an important part of the process of producing and maintaining a strong, healthy and governable population. Fear, in general, and more specifically, fear of potential (emotional) injury through utterances of others, thus, becomes absolutely essential for the functioning of the modern state. As Francois Debrix and Alexander Barder, in reference to Michel Foucault, assert,

[F]ear (and the power relations that flow from its production) is actually not something that the modern state and its agents ever want to do away with or be free from. Rather, fear is what must be produced and reproduced by governmental agents in order to establish the control, supervision, or enhancement of the social body through multiple mechanisms of measurement, calculation, improvement and preservation of life. Thus, Foucault intimates, fear must be made productive and reproductive in and of society, not only to allow the sovereign state to mobilise death, terror, or endless destruction through a recourse to war and warriors, but also, apparently, to enable life-or a certain conception of what it means to have live bodies in society-to thrive. (Debrix and Barder 2011: 50f)

If censorship that relies on the politics of hurt sentiment (and I am concerned with this particular form of censorship here) has to be seen as part of a biopolitical technique of governance, two important things follow. First, censorship and the politics of hurt sentiments cannot be adequately understood by (only) looking at the content of censored publications or, in other words, by looking at what is and what is not allowed to be said. Since the production of fear itself is one of the main objectives of this form of censorship, the question of the cause of this fear-that is, the forms of speech that might pose a threat and thus have to be censored-becomes astonishingly irrelevant. Second, the distinction between forms of social censorship and state censorship that Dhavan proposes can no longer be upheld, because the functioning of the biopolitical state itself relies on the corrosion of the distinction between the state and society. Debrix and Barder clarify that the "biopolitics of fear"

disables the state's central monopoly on power. This pluralisation of fear and power in governmentalised modernity further encourages all sorts of public agents/agencies to mobilise the specter of danger, threat, insecurity, and enmity. Far from mastering the conditions of production and reproduction of fear [...], the sovereign is actually made to depend upon a wide array of decentralised 'executive,' sometimes public, and generally administrative procedures and mechanisms (or dispositifs, as Foucault would call them) that bear the mantle of social order and security. (Debrix and Barder 2011: 51)

Additionally, if the politics of hurt sentiment are intrinsically connected with the biopolitical project of the modern state, their widespread emergence and use in connection with attempts of censorship cannot be attributed solely or even primarily to the rise of the **Hindu** right in recent years, as some commentators have tended to do. Instead, it seems necessary to analyse the history and genealogy of the politics of hurt sentiments, which can be traced back to the colonial era. As William Mazzarella argues, British colonial officials regularly justified the censorship of books and films by referring to the high sensibility of public opinion, therefore conveying a "sense of a volatile diversity, perpetually on the brink of combustion" (2013: 16). The trope of the "easily offendable native" provided a way for corroborating the importance of the civilising mission of the British empire and the inferiority of the Indian subjects vis-a-vis their colonial masters. The orientalist assumption of the sensibility and emotionality of the Indian subjects (and especially the "uneducated masses") led to the consolidation of the notion that Indian society was constantly threatened by potentially harmful forms of speech.

Protecting the Indian population from such forms of speech, however, was inherently contradictory. Poonam Arora argues that, although "the colonial regime claimed that film censorship needed to be instituted with a view to the sexual 'innocence' of the natives" (1995 : 41) and was thus portrayed as a necessary form of protection for the Indian population, censorship, in fact, functioned much more as a measure of protection from the Indian population. The colonial regime had a big interest in a strong regime of censorship, since the cinematographic representation of morally dubious White characters, alcohol-consuming women and, most of all, the abduction and rape of white women by brown men-available for everyone to see in public cinemas-sparked the colonial fear of the "native gaze" that could penetrate the colonisers' innermost spheres, unveil their secrets and anxieties and start to question the assertion of the colonisers civilisational (and/or racial) superiority (Arora 1995 : 39).

Moral and Spiritual Capacity

Since emotions were directly connected to the physical body, and thus racial difference, the ways of ensuring emotional and mental health and purity followed the models developed for the

propagation and protection of physical health. David Arnold (1993: 241, 280) shows that the overarching importance of the colonial discourse on medicine and disease was so strong at the beginning of the 20th century that it decidedly influenced almost all other discourses and was also adopted by the nationalist movement, which tried to use it for its own purposes. This was similar to measures for "the better prevention of the spread of dangerous epidemic diseases" (the Epidemic Diseases Act, 1897; Arnold 1993: 204), which gave the colonial government sweeping powers of control and the claim of the protection of the mental purity of the population allowed for the introduction of far-reaching measures of censorship. Regardless of whether they came from the colonisers or the reformist Indian elite, attempts for the improvement of the health of the population often had strong racial undertones. These racial and culturalist connotations added to the notion that mental or spiritual purity was regarded as even more important than physical health, since it was the moral and spiritual capacity that set Indians apart from the West in the eyes of many Indian and European intellectuals.

The idea of the spiritual superiority of the Indian people—which has a long orientalist history of its own—was propagated by Vivekananda and others, but reached its full potential as a biopolitical argument par excellence with Gandhi, who diagnosed the ills, not of individual people, but of the entire population, or even the nation, as such. The "treatment," however, was not the task of a doctor (or any sovereign figure), but—in a truly Foucauldian turn—the duty of the people themselves, as Arnold's (1993: 286) account illustrates very well:

For Gandhi, good health did not mean having the services of a good doctor but rather, by being able to control bodily desires, to prevent disease and nurture one's spiritual well-being.

The root cause for many of the ills of Indian society, in Gandhi's eyes, was Western civilisation, which he, according to Arnold, saw as "a disease that does not seem to cause much 'apparent hurt' but which, below the surface, progressively undermines health and strength" (1993: 287; Gandhi 1921: 34).

It is precisely these kinds of diseases, termed "endemics," that biopolitics is concerned with, according to Foucault. In contrast to epidemics, which are rare, but all the more severe and cause numerous deaths in a short period of time, endemics are

illnesses that were difficult to eradicate and [...] sapped the population's strength, shortened the working week, wasted energy, and cost money, both because they led to a fall in production and because treating them was expensive. In a word, illness as phenomena affecting a population. (Foucault 2003: 244)

I argue that the history of censorship in India is deeply rooted in this discourse of improvement and protection of India's population (mentally/morally, as well as physically) and cannot be understood in separation from it. The focus on the threat from outside and the emphasis of the protection of "truly" Indian values provided a way of forging strong national unity after independence. Such unity is based on the common experience of fear of a potential injury, as Sara Ahmed argues. The possibility of injury caused by others establishes and reinforces the border between these others and those who share the experience of pain or hurt sentiments, thus producing a unity of suffering (Ahmed 2014 : 27). The sense of equality that emerges through such a unification is, however, deceptive, because it emphasises on the injury, or pain, as such, without any regard to different circumstances. Such a "wound fetishism," as Ahmed calls it, ultimately reinforces the already existing norms within the society and further devalues any deviations. This is enhanced by the fact that not every group has equal access to resources that would allow them to make their claims of injury heard. Therefore, the injuries of a specific group can come to stand for the injury of the whole population (Ahmed 2014 : 32f). The politics of hurt sentiments thus strengthens the unity of the nation vis-a-vis the antagonistic other (envisioned as the potential perpetrator), but, at the same time, intensifies the existing differences within the (only seemingly homogeneously) unified body of the Indian population. This illustrates Foucault's assertion that at the core of any biopolitical project lies the production of a racist antagonism (2003: 244ff).

Premchand's 'Dudh ka Dam'

Here I investigate further the underlying logic of the politics of hurt sentiments by analysing the short story, "Dudh ka Dam" ("The Price of Milk") by Premchand, and the debate that led to the story being excluded from a Hindi textbook for Class 11, produced and certified by the National Council of Educational Research and Training (NCERT). The story portrays the life and hardship of a Dalit boy, who grows up as an orphan and relies on the benevolence of an upper-caste family. Following a heated public discussion in the Rajya Sabha, in 2007, during which various members of Parliament (MPs) claimed that the text hurt the sentiments of members of the Dalit community, the NCERT Review Committee recommended that the story be replaced with another one by the same author. In line with the committee's recommendation, "Dudh ka Dam" was subsequently replaced with "Namak ka Daroga," which features no Dalit characters, in all future editions of the textbook (Lal 2006; Outlook 2007).¹

The controversy that led to the replacement of "Dudh ka Dam" largely relied on the argument that Dalits felt offended by the text. My argument here is not that the exclusion of the story from the textbooks is, per se, problematic. There might be good reasons for exchanging "Dudh ka Dam" with "Namak ka Daroga" and they are definitely worth being analysed in detail, but the problem here is that the use of the argument of hurt sentiments—most emphatically made by MPs

from the Bharatiya Janata Party (BJP)-impedes the consideration of these reasons in favour of a production of a diffuse fear of possible injury; a possible injury of certain social groups and, by extension, the whole social body of the nation.

In light of the history of the politics of hurt sentiments, it is clear that the argument used to legitimise the deletion of "Dudh ka Dam" is deeply rooted in the vision of a vulnerable society under siege. But, one might ask as to what in the story is actually so dangerous and powerful to hurt feelings and threaten the supposedly unstable balance of society. It is important to note that the claim that the text hurts the feelings of certain members of the society somewhat precludes the question about the reason for the threatening character of the text. Feelings are commonly regarded as not directly linked to rational reasons, which is why any investigation into underlying causes would either amount to an open contestation of the legitimacy of the feelings of the group or simply be dismissed as irrelevant. The argument of hurt sentiments does not rely on an explanation and cannot rely on an explanation if the authenticity of the feelings of others is not to be doubted. It should not come as a surprise then that the only explanation given for the offensiveness of the story was the repeated use of derogatory terms such as "Bhangi" and "Chamar" (Lal 2006). For the argument of hurt sentiments, any further explanation would be absolutely superfluous.

Likewise, for the biopolitical function of censorship, the reasons for hurt feelings are not important, because the function of the biopolitical project is the production of a population that is looking out for potential threats; the character of these threats is irrelevant for the production and maintenance of this technique of governance. Examining the basis of the alleged harmful character of the short story by Premchand, and representing alternative reasons that could warrant its substitution does not only constitute a critique of the argument of hurt sentiments, but also an act of contestation of the biopolitical logic of censorship in general. The critique of the politics of hurt sentiments does not represent an argument against all forms of censorship, but only against one specific form, and could even be seen as a necessary requirement for the development of more justifiable and transparent approaches to censorship.

"Dudh ka Dam" tells the story of the young Dalit boy, Mangal, who lives as an orphan under a big tree outside the village's zamindar's house, only accompanied by the stray dog, Tommy. Mangal's mother, although regarded as untouchable, had breastfed the zamindar's son, Suresh, and was thereby forced to neglect the dietary needs of her own son, from which he never quite recovers. After his parents' death, Mangal relies on the "gratitude" of the zamindar's family, eating leftovers and wearing Suresh's old, torn clothes. Mangal is abused by the people in the village and excluded from the group of children who play together. When he tries to challenge his exclusion and demands a minimum of respect, he is further humiliated and forced to accept his subordinate status, once and for all.

Premchand has been repeatedly criticised for the depiction of Dalit characters in his novels and short stories. Their portrayal as pitiful victims of violence, in need of upper-caste benevolence and sympathy, has attracted harsh criticism from Dalit (and non-Dalit) writers, activists and intellectuals (Brueck 2014: 43-60; Upadhyay 2002). "Dudh ka Dam" is no exception here and, in fact, takes the portrayal of the pitiable poor Dalit in need of sympathy to the extreme by depicting Mangal as the eternal child and equating him with his canine companion. In his study of the representation of Dalit characters in Premchand's oeuvre, Shashi Bhushan Upadhyay (2002: 59) writes:

The child and the dog have become one, the human and animal have been united in the great fraternity of discrimination and deprivation. After waiting stealthily near the landlord's house for a long time, they ultimately get the leftovers thrown at them by the servants. It is a great achievement. They start eating from the same plate.

Upadhyay also remarks, though, that Premchand's Dalit characters are not always submissive and ready to accept their oppression, but often assertive and ready to fight and claim their rights. Mangal shows such a rare moment of defiance when the other boys in the village tell him to act as their horse and let them ride on him:

Sceptically Mangal asked, 'Will I always be the horse or will I get to be a rider, tell me that.' This was a complicated question. Nobody had considered it. After a moment's reflection Suresh said, 'Who'd let you get on his back? Think of that! After all, are you a sweeper or not?' But Mangal too stood his ground. 'When did I ever say I wasn't a sweeper? But it was my own mother who brought you up and fed you with her milk. So long as I'm not going to get to be a rider, I won't be the horse. You people are pretty smart! You want to enjoy being riders and I'm supposed to stay just a horse.' (Premchand 2001: 228)

m.gI ne Xa.ka kl-mE. brabr 6oD_a hl rHU>ga, ik svarl wl k+>ga? yh bta do yh p/Xan 3e!_a 4a iksI ne [s pr ivcar n ikya 4a sureXa ne 0k 9Rs ivcar krke kha-tuze kOn Apnl pl# pr ib# ayega, soc? Aaiq_r tU w.gI hE ik nhl.? m.gI wl kD_a ho gya bola-mE. kb khta HU> ik mE. w.gI nhl HU>, leikn tuMhe. merl hl ma> ne Apna dU2 iplakr pala hE jb tk muze wl svarl krne ko n imlegI, mE. 6oD_a n bnU>ga tum log bD_e c6D_ ho Aap to mje se svarl kroge AOr mE. 6oD_a hl bna rHU> (Premchand 1999: 345)

When Mangal physically resists his degradation by bucking off Suresh, who had jumped onto his back, he has to face bitter consequences. Suresh's mother abuses him and then tells him off, adding that he would never get anything to eat from them again. Desperate and hungry, Mangal longs for the days when his parents were still alive. He wishfully watches the zamindari family as

they are happily enjoying their dinner, while he hides in the shadows outside the house. Eventually, one of the servants comes out to throw away the left-over food. As he sees Mangal stepping out of the darkness, he scolds him again, but then relents and tells him to eat the leftovers. Premchand depicts Mangal as obedient and submissively acceptive of his status: "He lifted up the leaf dish and dropped it into Mangal's outstretched hands. The eyes which Mangal turned to him were full of humble gratitude" (Premchand 2001: 232). The story ends showing the child reunited with the dog Tommy under the tree, still deeply hurt by the treatment, but stripped of any power for resistance.

Politics of Hurt Sentiments

Some Dalit critics attribute this lack of agency and readiness to fight one's own oppression in Premchand's characters to the fact that Premchand as an upper-caste writer is necessarily lacking in what they call Dalit chetna, or Dalit consciousness, which Sharankumar Limbale describes as "a revolutionary consciousness motivated by the desire for freedom from slavery" (2004: 77). Others link Premchand's depiction of Dalits in need of sympathy and charity to his admiration of Gandhi, with whom he shared a strong emphasis on national unity. This insistence on unity is seen as the reason for the betrayal of Dalits-typically exemplified in Gandhi's fast that led to the Poona Pact in 1932 (cf Upadhyay 2002: 71; Brueck 2014: 50).

A call for unity can serve to cover up and actually increase social differences, if it is not supplemented with an analysis and critique of the existing differences and their reasons. Not only does Premchand equate the suffering of street dogs with that of Dalits, but by asserting that any form of injury or injustice is universally intelligible and subjected to the same conditions, Premchand also implies that any cure or solution can follow the recognised social norms and thus denies the possibility of a specific agency rooted in the experience of oppression, whereby he furthermore normalises the existing social hierarchies and modes of institutional discrimination.

All these various aspects of the story-the problematic portrayal of the main Dalit character and the complex history of such a portrayal-are of no significance for the argument of hurt sentiments. Instead of facilitating an engagement with the text (or more generally, the object of censorship) the argument of hurt sentiments relies on a simplification that covers the underlying complexity of the issue at hand and masks the power dynamics at work in society. The problematic aspects of Premchand's text get reduced to the fact that he uses a term that is regarded as offensive by many members of the society. It is this simplification that allows the allegations to become politically useful for the BJP, which can portray itself as the sole party that guarantees the protection of Dalits, thereby integrating them into a national **Hindu** community.

The argument of hurt sentiment is problematic also, precisely because it can be dismissed too easily as an empty claim in a purely political game that has nothing to do with the content of the story at all (Mazzarella 2013: 137). As I have tried to show, though, it is important to pay attention to the story and the way Dalits are portrayed in it. Since mere demands for a discussion and heightened awareness or sensibility of the politics of representation of Dalits in literary texts, schoolbooks and the society, at large, are much less likely to lead to any form of progress than the appropriation and utilisation of the very established and firmly historically rooted politics of hurt sentiments, it would be more than cynical to criticise members of the Dalit community for their appropriation of these politics.

Acknowledging that there are good reasons that might warrant the deletion of "Dudh ka Dam" from NCERT textbooks, does not mean, however, that such a deletion cannot be called censorship anymore. Rather, such an acknowledgement would ideally lead to the conclusion that censorship is not automatically something that is to be avoided under all circumstances, but rather constitutes the unavoidable precondition for any utterance and discourse at all, as Raminder Kaur and William Mazzarella (2009: 4; referencing Judith Butler) remind us:

[B]y considering censorship only as a matter of silencing and of denial, we risk missing what several scholars have identified as its productive aspects. [...] [A]ny kind of utterance or discourse, indeed the very possibility of language, depends upon a kind of constitutive foreclosure [...]. In this sense, censorship does not act upon a sovereign subject from 'outside'; rather, it is one of the very preconditions of subjectivity itself.

This point might be so obvious, indeed, that it is routinely overlooked or sidelined in discussions about censorship in India (and elsewhere). Accepting the irreducibility of censorship can thus be seen as the prerequisite for moving from a discussion of the legitimate objectives of censorship, or the simple repudiation of the institution as such, to a debate about the underlying logic or ideology of specific cases as well as the politics of regimes of and arguments for censorship as a whole.

Rather than only focusing on the content of an act of censorship, it is at least of equal importance to look at the argument that is used to legitimise a particular act of censorship. In the case of the argument of hurt sentiments, censorship is concerned with the biopolitical production of a homogeneous and self-protective population through the continuous emphasis on the possibility of threats from outside, and the detection, identification, differentiation and mitigation of such specific threats, that is, terms like "Chamar" in the case of "Dudh ka Dam."

Although censorship certainly always has an element of protection and defence, censorship also includes productive and enabling elements. The substitution of a text from a textbook for students could be seen as productive, when it leads to a discussion about the problematic aspects of the text and to a reconsideration of the various themes and teaching methods appropriate or favoured for **education**. On a more abstract level, it is also true that any form of utterance is necessarily preceded by an act of censorship, which determines what is said and what is not. The controversy around "Dudh ka Dam" provides an example of the practical implications of this. Including a certain story in a textbook means that others have to be left out. Censorship is inevitable. Rather than simply rejecting it absolutely, it thus seems more helpful and politically viable to come to terms with the fact of censorship and try to unveil, and by extension, critique the underlying logic of various censorship regimes, so that this can facilitate a more conscious (and maybe even responsible) way of deploying mechanisms of censorship.

Haider and the Question of Territoriality

Let us return to one of the central premises of biopolitics: the dispersal of centralised power or, in Foucauldian terms, the shift from a model of sovereignty to a model of governmentality. The politics of hurt sentiments are so widespread and successful in the achievement of their biopolitical goal-the production and maintenance of a seemingly homogeneous and self-protective population through the constant reminder of potential threats from outside-because they go hand in hand with a situation in which power is dispersed between different actors rather than being centralised in the hands of a sovereign state.

The state itself can and does make use of the argument of hurt sentiments; most commonly in the role of a guardian that ensures the protection of an injured/threatened part of the society (a minority group, for example). This guardianship and protection is indeed the classical understanding of the role of institutionalised forms of censorship, such as that carried out by the Central Board of Film Certification (CBFC) in India. The Cinematograph Act of 1952 (including subsequent amendments) allows the board to demand the deletion of scenes or refuse to certify a film if it is

against the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or involves defamation or contempt of court or is likely to incite the commission of any offence. (Section 5B[1])

Even though it is apparent from this that the scope of the act is extremely wide and it seems to

strengthen the sovereign power of the state, the provisions of the act are so open that they not only allow a political mobilisation of the act, but also invite and even require it, which reinforces the importance of individual agency and advances the dispersal of power (Dhavan 2008: 151). An act of censorship always requires an impetus from the society (even if this impetus consists of an assumed future action of some of its members). This is even more apparent when the censors make use of the argument of hurt sentiments, because this requires that somebody actually gets hurt/injured (or at least that there are reasons to assume that such an injury would be a probable consequence of the publication or exhibition). Individual agency is therefore much more important than what the language of sovereign state power in the Cinematograph Act might make it look like.

The complexity of the relationships between state power, individual agency and national unity- which is the relationship that could be said to define biopolitics- presents itself paradigmatically in the case of the 2014 Bollywood hit *Haider*, by director and producer Vishal Bhardwaj. *Haider* is an adaptation of Shakespeare's *Hamlet*, set in Indian-administered Kashmir in the 1990s. It tells the story of the young Haider, who returns from university to take revenge for his father, who was abducted, secretly imprisoned and killed by the army, all due to the betrayal of his own brother, who needed the support of the army in order to win the regional election. For a mainstream Bollywood film, *Haider* is exceptional in its bold portrayal of a politically sensitive issue and manages to touch upon many controversial aspects of the daily life and struggles of Kashmir in the 1990s, for which it has generally been lauded by the critics (Yasir 2014).

Haider was approved by the CBFC and given a U/A certificate (unrestricted public exhibition-but with parental guidance), but only after possibly a record-breaking 41 cuts had been carried out. At least 35 of them, though, Bhardwaj claimed, were done "voluntarily" to "tighten the script" (Firstpost 2014).

The rejected scenes included swearwords, nudity and extreme violence, but also depictions of torture of an alleged terrorist by members of the Indian army. The lines between censorship, self-censorship, and a politically "balanced" depiction of such recent and politically charged events are very thin here and the issue has become even more relevant at a time when the state and its agencies have proven that they are either unable, or unwilling, to actually "enforce" the freedom of speech that it grants its citizens, which would include an active protection of directors, authors, publishers and their works from threats and assaults.³

Between Censorship and Self-censorship

In the case of Haider, the film-crew was not physically assaulted, but threatened with legal proceedings. The film did draw a lot of criticism from various political sides though. Liberals argued that the film did not capture the hardships of the ordinary population adequately and did not go far enough in criticising the atrocities committed by the Indian army. **Hindu** activists denounced the "desecration" of a 7th century **Hindu** temple due to its use as the background scenery for the key dance scene, while some members of the Muslim community in Srinagar reprimanded their own Imam for appearing in the film as an extra, which they regarded as un-Islamic. The Pakistani CBFC banned the film altogether, and referred to it as being "against the ideology of Pakistan" (Yasir 2014; Shaikh 2014). The most severe attack, however, came from the **Hindu** Front for Justice, a group of lawyers, who alleged that "Haider harmed the sovereignty, integrity and unity of India," hurt the religious feelings of Hindus, and those of patriotic Indians through its "unfair" depiction of the Indian army. They filed law suits against the producers and actors, the CBCF and the Union of India and state governments (India Today 2014; Pandey 2014). Haider is thus identified as a threat to national unity. It is no longer perceived as an instance of free speech, worthy of constitutional protection, but rather as an act of violence.

A closer look at the film shows that some parts of it could be read as attempts for a pre-emptive defence against the accusation of being an "anti-national" film. Most notably, these portions include two full-size captions at the very beginning and the end of the film. The first sets the place of the story and reads "Srinagar, India." This is noteworthy because other Bollywood films in the past circumvented the question of whether Kashmir forms an integral part of India by simply setting the story in "Srinagar, Kashmir."⁴ The caption at the end of the film "salutes" the efforts of the Indian army in saving the lives of hundreds of Kashmiris during/after the disastrous floods in the Autumn of 2014. It has no apparent connection to the plot of the film and seems to serve the sole purpose of assuaging viewers who thought the portrayal of the army to be too one-sided. Both captions appear to give a definitive and irrevocable answer to a question that is persistently asked again and again throughout the film: what is the essence of the unity of the nation and where are the boundaries of its territory? This question is probably most persistently asked in one of the central scenes of the film, in which Haider, acting as a fool, highlights the repressive character and absurdities of the infamous AFSPA (the Armed Forces (Special Powers) Act) and encourages the assembled masses to vociferously demand azaadi (freedom) (Bhardwaj 2014).

It is certainly no surprise that the captions at the beginning and the end of the film seek to affirm the unity of the nation and its territory. After all, from the perspective of the biopolitical project, challenging or questioning this unity poses an existential threat. The reactions to Haider have to be seen as part of the "anxiety with territoriality," which, according to Rupal Oza, is at the heart of any quest for an "Indian image" (2006: 56). Any discussion on national unity has to touch upon the question of the boundary between the inside and the outside of this unity, and thus upon the question of territoriality. However, in the case of Haider, the "cartographic anxiety" of defining the concrete and abstract borders of the nation, becomes the all-pervading topic, since "Kashmir" is the definitive locus of this anxiety, as Sankaran Krishna argues (1996: 196).

As a threat to the national unity, Haider, though an exclusively Indian production, becomes the symbol for an external and foreign threat. Since "censorship came to be understood as the legitimate and effective manner with which to deal with the unfamiliar, the outside, and the foreign" (Oza 2006: 76), calling for a ban on the film appears as the natural duty of any patriotic Indian. Thus, the **Hindu** Front for Justice has to be understood as a form of citizen-organised patrol of the immaterial borders of the nation. Although they do rely on legal institutions and state structures themselves (not necessarily only to enforce a ban, but also to make their demands heard), their endeavour is absolutely vital for the protection and preservation of the nation state in an era of governmentality.

One of the most controversial scenes in Haider, and the main reason for the accusations of the unpatriotic and unfair portrayal of the Indian army, shows Indian army officers using various methods of torture on their prisoners (Bhardwaj 2014). Although it was never formally acknowledged by the Indian government, it is widely recognised and hardly ever repudiated that security forces did indeed use such methods during the 1990s (Agniveer 2014; Mishra 2000; Burke 2010). At first, it may thus seem difficult to understand that the film director and not the persons responsible for human rights abuses are being accused of anti-patriotic behaviour. From the perspective of its critics, however, the film does much more than just stating an already well-known fact. By revealing what is publicly known, but has to stay secret nonetheless, the film commits a crime that is equivalent to treason, because it questions the accuracy of the self-image of the nation.

The territory of the state and the unity of its population has to appear as natural, static and everlasting. Haider, however "reveals" that this unity is, at best, wishful thinking and far from an established fact. Even the borders of the nation are suddenly less clearly defined than people might have thought, when we see a sizeable part of the population demanding freedom from the nation of which they are supposed to be an integral and natural part. It is this revelation that is perceived as offensive and threatening to the very unity of the nation whose imaginary character is revealed in the film. "Secrets" such as those that Haider discloses are called "public secrets" by Michael Taussig. He defines them as "that which is generally known, but cannot be spoken" (1999: 51). The revelation of the public secret thus becomes a defacement, in Taussig's terms. Worse than just revealing an actual secret (the misconduct of army personnel, for example), the defacement points out that the act that appears as a moral and/or legal transgression (that is, torture of prisoners or suspects) is actually necessarily built into the very order that is supposedly transgressed (that is, the nation state) (Taussig 1999: 39).

By returning to a Foucauldian framework, it can be easily explained why assaults by individuals (physical or legal) on persons who are formulating a critique of the perceived unity of nation, population and territory (even in ever so slight a form as in Haider) are not only tolerated by the state, but even welcomed and promoted. The perpetrator poses a threat that cannot be

understood as a merely political or military threat, but ultimately as a biological threat, since it calls into question the structures of the composition of the population as such. In order to protect the population (and the individuals), the threat has to be eradicated and extinguished, as Foucault (2003: 256) expounds:

[The] reason this mechanism can come into play is that the enemies who have to be done away with are not adversaries in the political sense of the term; they are threats, either external or internal, to the population and for the population. In the biopower system, in other words, killing or the imperative to kill is acceptable only if it results not in a victory over political adversaries, but in the elimination of the biological threat to and the improvement of the species or race.⁵

The shift of responsibility, for the protection of the population, away from the state and to the individuals allows the state to adopt a seemingly neutral and objective stance which lives up to contemporary, international standards of human rights, transparency, and rule of law, without effectively challenging the way the population and the nation is constructed on inherently biased principles and discrimination. Such a shift and its consequences are one of the central developments brought about by the biopolitical paradigm. As such, it is neither limited to any specific country nor to any political party, and the long history of the politics of hurt sentiments attests to that. While it is, thus, important not to link the politics of hurt sentiments in India too readily to the rise of the **Hindu** right, it should also be acknowledged that the BJP has mastered the art of administering the bio political project.

It could even be argued that Prime Minister Narendra Modi can sustain his statesman-like demeanour and present himself as the neutral and secular protector of the values of the modern state, as well as its citizens, only because the task of discriminating between what is considered to be Indian, and what is considered to be a foreign threat to this Indianness, has been transferred to the population itself, which is not hindered by the restrictions based on established standards of human rights, neutrality and rule of law. Haider provides an excellent example for this mechanism. The film was cleared by all official state institutions and was only then accused of being against the interest of the states by the **Hindu** Front for Justice, a group of private individuals. These individuals are, in turn, supported by the BJP, though. Just months ago, the founders of the organisation were lauded by high-ranking BJP officials for their commitment "to motivate others to fight for Hindutva and **nationalism**" (Indian Express 2014; Komireddi 2015). The protection of the nation is privatised and endorsed by the state.

Conclusions

The politics of hurt sentiments serve to make certain social realities unquestionable. They are part of a biopolitical project that seeks to strengthen the unity and resilience of the population by evoking a diffuse fear of a constant imminent threat. Because unity is seen as providing a guarantee for the stability and continuity of the entire population and, by extension, each individual member, questioning of the unity is often perceived as a collective or individual injury.

Censorship that makes use of the argument of hurt sentiments often conceals existing differences within the society because it posits an equivalence between all forms of emotional injuries without addressing the individual reasons that lead to the experience of hurt feelings, or the different social circumstances that determine a person's ability to make their injuries heard. The narration that the argument of hurt sentiment offers is primarily that of a homogeneous society under siege. As such, the society is particularly concerned with the question of territoriality. The politics of hurt sentiments seek to motivate the population to take care of its own protection, in a more efficient and effective way than this could be achieved through the principles of centralised power and sovereignty. This constitutes their biopolitical character. The form of censorship that makes use of the argument of hurt sentiments creates an environment in which the mere deviation from the dominant norm is already dangerous. Since a supposedly homogeneous community has to understand such a deviation as a threat to the very core of its own existence, it has to pursue its immediate and lasting neutralisation. Censorship that makes use of the argument of hurt sentiments could thus be seen as the training ground for biopolitical measures that go beyond mere intimidation of those questioning central social norms. It is indeed dangerous to be perceived as dangerous.

Notes

1. This is not an isolated case. Similar debates have led to numerous changes in NCERT textbooks, with the last such incident in 2014 (cf Statesman 2006; Brueck 2014: 1-4; Times of India 2014).

2.]sn e pT tl ko }pr]# akr mg. l k e flE e Hu0 Ha4o . me Dal idya mg. l ne]skl Aor 0se l Aaq> o . se dqe a, ijsme. dlN k

3. The most prominent cases where adequate protection has not been ensured include Deepa Mehta's film *Water*, the attacks on the Bhandarkar Institute where James Laine conducted research for his book *Shivaji*, the public exhibitions of paintings by M F Husain, and the scholarly book *The Hindus* by Wendy Doniger, among others (cf Dhavan 2008: 141, 152; Indian Express 2015; Taylor 2014: 724).

4. This was pointed out by a former army officer, who served in Kashmir in the 1990s, in an anonymous letter (Anonymous 2014).

5. Foucault explicitly states that "killing" does not have to be understood literally, but also includes "every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people, or, simply, political death, expulsion, rejection, and so on" (Foucault 2003: 256).

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