

Art: Faked | Stolen | Censored

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The portfolio of images on pages 1–9 features art that has allegedly been faked, stolen or censored, set against a collage of the sensational news it makes.

Freedom *After* Speech: Art and the Indian State

AKHIL SIBAL

1-4
M.F. Husain, 1993.
Photographs: Parthiv Shah.

This series of photo-portraits of M.F. Husain was created by Parthiv Shah in 1993 on the occasion of Husain's exhibition *Let History Cut Across Without Me* at the National Gallery of Modern Art, New Delhi. These photographs were later shown in 2008 in an exhibition at the India Art Summit organized by Sahmat to protest the exclusion of the artist's works. The three-day exhibition was vandalized by the Sri Ram Sena who smashed the framed photographs and a television showing Husain's films.

AS I WRITE THIS ESSAY, THE *HINDUSTAN TIMES* (NOVEMBER 12, 2017) REPORTS that more than 100,000 Rajputs gathered in poll-bound Gujarat's capital Gandhinagar, while thousands took part in the protest march in Surat to demand a ban on *Padmavati*, an upcoming Bollywood movie directed by Sanjay Leela Bhansali, based on the legend of Rani Padmavati, a Hindu Rajput queen. According to the report, Mansinh Rathod, who is leading the Gujarat chapter of Karni Sena, a Rajput community group, alleged that Bhansali had distorted historical facts. He is quoted as saying, "We have learnt that there is a dream sequence in the movie wherein Rani Padmavati has been shown romancing Allaudin Khilji. We condemn such a heinous portrayal [of] our queen. Karni Sena will never allow such movie to hit the theatres." Karni Sena is reported to have warned of violence if the film were released, and said the government would be responsible for the law and order situation. Virendrasinh Bhati, also of the Karni Sena, reportedly accused Bhansali of going back on his promise to show the movie to the community to get its clearance first. The same outfit is previously alleged to have attacked the filmmaker and vandalized the sets of *Padmavati* at Jaigarh Fort in Jaipur (*Hindustan Times*, January 27, 2017).

The gravest danger to the freedom of expression of artists, filmmakers and writers in India presently arises, not from any legal restrictions on the fundamental right enshrined in our Constitution, but from the assault on speech, through intimidation and violence, by non-State actors who insist on silencing creative expression they find offensive. These widely reported controversies, such as with the movie *Padmavati*, generally appear to be manufactured by groups with political and/or religious agendas. Rarely are the attacks based on any genuine, spontaneous expression of popular sentiment. Significantly, the movie *Padmavati* is yet to be released,¹ and the so-called "protest" is therefore based on speculation rather than fact, since the members of the public are yet to view the content that is allegedly objectionable.

This distinct threat to freedom of expression is not recent, but it does appear to be growing in recent times. Legal protection through the courts is cumbersome and





