

Op-ed: Does it make sense to pulp books?

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So another book has died a premature death in India. Or, has it?

To be precise, it is only a half death, for the book's digital edition continues to be available to electronic users. A banned book often generates intensely greater curiosity than a book in normal circulation.

In the past, a ban often meant the end of a book's life or a desperate search for it in foreign markets. Today, India has nearly 150 million Web users. If even a small proportion -- their curiosity aroused by the ban and the charges of luridness -- orders the digital edition, thousands more will have read the book. Unless India becomes a China or a Saudi Arabia, digital access to unwelcome materials simply cannot be eliminated. Dinanath Batra, the head of the Shiksha Bachao Andolan Samiti, with links to the RSS, is operating in an old world. Banning a book today is self-defeating, at least in part.

But it is not the technologically induced flimsiness of bans that is the main issue. Nor is the issue that *The Hindus* is written by a famous scholar. It is the very principle of banning a book that needs careful scrutiny.

The ban yet again demonstrates the spectacularly ambivalent character of Indian democracy: an electoral political wonder sited in a rickety liberal legal

order. On one hand, no democracy in the world has survived at low incomes, but elections in a low-income India have developed an enormous capacity to throw out incumbent governments. Despite their control over the bureaucracy and police, the incumbents are unable to resist, or undo, popular verdicts.

Yet, freedom of expression, a sine qua non of democracy, remains precariously perched in India. Politicians, judges and religious leaders can say anything with remarkable impunity, but the intellectuals cannot. A Salman Rushdie can be prevented from speaking and his book banned; an Ashis Nandy can be viciously attacked for speaking his mind and calls for his imprisonment made; but a Mayawati, a Jayalalithaa, a Mamata Bannerjee are rarely so troubled. They worry about electoral, not legal, risks. If only the powerful are free to speak, then the right to free expression is seriously abridged. The concept of rights does not depend on power.

Who, then, is to blame for pulping books? Are publishers overly afraid?

Some indeed are, but others are not. My own experience with Penguin India, in the eye of the storm for withdrawing Wendy Doniger's book, does not suggest cowardice. My volume, *Midnight's Diaspora: Critical Encounters with Salman Rushdie* (2009), was initially to be published in India by Oxford University Press (OUP). However, after signing a contract, OUP wanted some sentences withdrawn for fear of offending some powerful families or political parties, making the press perhaps legally liable. I refused to withdraw the sentences, asking Penguin instead whether it would publish the book. Unafraid and undeterred, Penguin offered a contract within a few weeks. An honorable principle was upheld. No harm visited the press, or me, after the book came out.

If after four years of publication Penguin is withdrawing Doniger's book, our focus should be on laws, not on the courage or timidity of publishers. Publishers will have to pay attention to the law, or the commercial value of a book, or both. They don't function in a legal or commercial vacuum. In this case, the book was doing commercially well. The principal culprit is the law that disallows "offense" to religious communities.

India's democracy is anchored in liberal principles, but many of India's laws are not. That a book offends an entire religious community and India's laws can be used to ban such a book is a thoroughly illiberal idea. One should, of course, note that religions have always been excessively sensitive to critiques. Only in the last two centuries have secular polities begun to rein them in.

But my basic point is not that secular modernity is always right, or religious faith is always wrong. Rather, the very idea of books has been de-sacralized in modern times. Today, we fight a "distasteful" book, even one on religion, by critiquing it, by essaying a better one, by not reading it, or by encouraging others not to read it. A legal ban is a form of coercion on free expression and is awfully retrogressive. It is also partly unworkable in a digital age.

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