

## **Free Speech is the Cornerstone of Constitution**

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I strongly condemn the notice issued by the police on the advice of an Assistant Public Prosecutor to Professor Kancha Ilaiah and the editor and publisher of a Telugu daily that published his article titled "Is God not a Democrat." This move was on the basis of the complaint received by two individuals under Sections 153A and 295A of the Indian Penal Code.

Professor Ilaiah is a well-known, highly respected and erudite scholar who has challenged conservatism, orthodoxy and social exclusion in unprecedented ways. It is extremely important in a democracy to be able to disagree, dissent and debate contrary thoughts and ideas without fear of police action, intimidation or state repression. While the move by individuals filing the complaint is undoubtedly ill advised, it is even more serious that the police have thought it fit to register an FIR against him under these sections.

Free speech and the resistance to censorship have a long history in this country – and it is our right as citizens under the constitution of India to speak our minds and trigger debate especially on politics and social injustice. It is no accident that the complainants belong to the VHP – but that is beside the point. Speaking out against caste and speaking of the rights of dalits and the oppressed classes can never be interpreted as creating enmity between castes in this country. The enmity is perpetuated without respite by the dominant castes through concerted efforts at subjugating dalits through gruesome violence and discrimination. And matters of religion have historically been at the centre of animated debate and questioning. Can we forget Kabir?

Speaking for the self-respect and dignity of dalits is a fundamental right under the constitution and a cornerstone of justice. Can we afford to forget the figure of Ambedkar in the constituent assembly? While citizens belonging to the dominant social groups might forget the primacy of the constitution, can policemen in a constitutional democracy afford to think outside its framework?

On what basis did the police officer in Sultan Bazar police station satisfy himself that the complaint had substance enough to merit an arrest warrant converted while being served into a notice of appearance? The biggest mistake that the political elite, law enforcers and governments make is when they begin to believe that fear can be induced so easily into the defenders of democracy that threats, intimidation or even arrest will dissipate protest and disappear radical ideas and dissent in this country.