

Storytelling in the Time of Hate

Deciphering Law(s) through Literature

KALPANA KANNABIRAN

From laws on sedition and censorship to the vitality of resistance literature in times of struggle, creative writing and performance have played a critical role in shaping the public conscience. The ways in which law weaves into and through creative writing as also the ways in which literary criticism and literary debates cross-pollinate ideas of law, consciously or implicitly, need to be better understood. Where does justice figure in relation to law in literature? Do literatures constitute the commons? And what are the boundaries and limits of literary commons, and who are the keepers of these boundaries?

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Kalpana Kannabiran (kalpana.kannabiran@gmail.com) is at the Council for Social Development, Hyderabad.

1 Introduction

This paper attempts to trigger some thoughts on the relationships between law and literature. From laws on sedition and censorship to the vitality of resistance literature in times of struggle, creative writing and performance have played a historically critical role in shaping public conscience. Importantly, there is a large corpus of writing and oral literature across regions and languages that speak to law and ideas of justice with its multiple resonances.

The shifting relations between laws and literatures, and the ways in which literatures have historically been in a contentious relation with the law—sedition, the banning of literatures, performance and film, for instance—are well known. The framing of questions of justice by Indian courts with recourse to English literature as also the performance of literature in courts to demonstrate the urgent restlessness of free speech in times of political turmoil (as was the case during the Emergency in Andhra Pradesh) effect the interpretation of law, indeed the Preamble of the Constitution, through literature. One of the ways literature figures in law is evident in the Supreme Court judgment in *Nandini Sundar vs State of Chhattisgarh*, where the Court referred to Joseph Conrad's *Heart of Darkness*.¹ The engagement of law with literature remains much older, though very halting in India. However, it springs up in the constitutional era, in most unexpected ways. In the 1970s, for instance, arguing for the remission of a man convicted of rape, Justice Krishna Iyer observed in what is a derogatory reference to homosexuality, “no one is too old to become good and *De Profundis* was written in prison by a sex pervert who was also a literary genius.”²

It is apt therefore to begin with a quote from Oscar Wilde in *De Profundis*:

All trials are trials for one's life, just as all sentences are sentences of death; and three times have I been tried. The first time I left the box to be arrested, the second time to be led back to the house of detention, the third time to pass into a prison for two years. Society, as we have constituted it, will have no place for me, has none to offer; but Nature, whose sweet rains fall on unjust and just alike, will have clefts in the rocks where I may hide, and secret valleys in whose silence I may weep undisturbed. She will hang the night with stars so that I may walk abroad in the darkness without stumbling, and send the wind over my footprints so that none may track me to my hurt: she will cleanse me in great waters, and with bitter herbs make me whole (Wilde 1905).

What is poignant and stunning is Wilde's juxtaposition of law (“Society”) and literature (“Nature”).

The question of whether the mention of literature takes law out of context and if law can legitimately cite literature and

debate around it remains contested, especially in a context where the four corners of the law are inflexibly signposted through a black letter reading/interpretation of the constitution. Yet, judges and lawyers with a love for literature have argued exactly the opposite: that literature opens up the horizons of the mind, and opens up illimitable worlds of understanding and knowledge. Justice Stephen Breyer, speaking about his fascination for Proust, observes that it is not useful to study law as an undergraduate:

We are only allowed to live one life: it's the human condition, there's no escaping it...[W]hen you are a judge...it's important to be able to imagine what other people's lives might be like, lives that your decisions will affect. People who are not only different from you, but also very different from each other. So, yes...[r]eading makes a judge capable of projecting himself into the lives of others... And this empathy, this ability to envision the practical consequences on one's contemporaries of a law or a legal decision, seems to me to be a crucial quality in a judge (Breyer 2013: 32).

Despite providing the window to other lives and our own, despite creating clefts in the rocks and secret valleys and conspiratorial winds that inhibit discovery, or perhaps *because* it does this, literature has also been the subject of the greatest anxiety in the law. But there is also a more straightforward relation that law bears to literature, especially in times when movements have thrown the legitimacy of the state into crisis. In his monumental work on the proscription of writing in British India, Gerald Barrier provides a painstaking listing of materials banned for reasons of “religious controversy,” “nationalist, secular politics,” and “patriotic poetry, songs,” the last of which constituted the largest single category of printed matter confiscated by the British (Barrier 1974). This last category is marked by the invocation of the moral, the lawful, and the unlawfulness of the legal. And this is a little explored dimension of the law–literature dyad—the figure of justice in literature that is proscribed.

There is yet another little explored dimension of the relationship between law and literature—what are the ways in which literature speaks to an idea of justice through an almost seamless storytelling? Where there is no overt engagement with law, or even a suggestion of it, it is still possible to tell the story of justice, injustice, normativities and law, in the most powerful and memorable ways. It is to this last mode that I will turn in the rest of this paper.

Through the sections that follow I will present some preliminary arguments on the events around the recent censoring of the novel *One Part Woman* by contemporary Tamil writer Perumal Murugan before moving to an elaboration of a few key signposts of law that present themselves in three novels by Perumal Murugan in English translation—*Current Show* (2004a), *Seasons of the Palm* (2004b) and *One Part Woman* (2013).

2 Proscription, Censorship and ‘Literary Death’: Perumal Murugan and the Invincibility of Free Speech

Censorship may be examined in this instance in three fields. The first of these fields is the proscription of social practice, the criminalisation of social conduct for instance (through the medium of law—constitution, special legislations, executive

orders and so on), and the writer’s relation to such criminalisation; the second, the proscription of writing on the subject of social practice (through the medium of law); third, proscription of writing through “popular” fiat (the mob, the “community,” “people”). My interest is in examining the question of injustice and uncovering the layers of the ideas of justice. In relation to the question of “offending sentiments,” specifically, when does “popular sentiment” get offended, and when it does not, why not? What sentiments merit offending, and when does writing that opens out the underbelly of injustice (already unlawful and proscribed by law) circulate seamlessly causing no disruption in the consciousness or sentiments of the perpetrators of structural violence, so to speak? Importantly, what are the moral terrains on which sentiments rest, and what does this tell us about morality, immorality, the legal, illegality, justice, injustice, the moral and the lawful?

Let me begin with the declaration of his own death by the writer:

Friends, the following announcement will be on this Facebook page for two days. After that Perumal Murugan will withdraw from all social networks. Thanks to all those who supported him on social networks.

This is P Murugan on behalf of writer Perumal Murugan. *Writer Perumal Murugan is dead.* He is not god so he will not rise from the dead. He does not believe in rebirth. Hereafter only the *ordinary teacher* P Murugan is alive. Thanks to all the magazines, associations, readers, friends, writers and human beings who supported Perumal Murugan and fought for his freedom of expression. The issue will not end with ‘Madhorupakan’. *Other associations and individuals can raise a question about any of his works.* Therefore Perumal Murugan has come to the following decision. He announces firmly that:

- (1) Except for the edited and collected works by Perumal Murugan all his novels, short stories, essays, poems and other writings are withdrawn by him. No books of his will be available for sale.
- (2) The publishers of Perumal Murugan’s books like Kalachuvadu, Natrinai, Adayalam, Malaikal, Kayal Kavin are requested not to sell his books. Perumal Murugan will fully compensate the loss incurred.
- (3) All those who have bought his books are free to burn them. Any loss incurred will be compensated.
- (4) I request that Perumal Murugan is not invited to any literary programmes.
- (5) As he is withdrawing all his books he requests organizations based on caste, religion or party not to indulge in any agitation.

Leave him alone.

Thanks to all.

P Murugan

For Perumal Murugan³

This status message on Facebook came after a sudden turn of events that targeted Perumal Murugan for variously casting “Hinduism” in poor light, dishonouring Gounder women and thereby caste honour through his writing, some demanding a ban of his book, others demanding that the offending pages be expurgated. Scholars of Tamil literature have, in their defence of Perumal Murugan, opened out the context of his writing, his “complex oeuvre” (Geetha 2015: 16) and his unique contribution to Tamil literature. Solidarity poured in from across the country and abroad in defence of his right to free speech. All of this is too well known to require recounting here.

A closer look at this post opens to view a creative resistance to censorship. It tells us that Perumal Murugan is dead *and* that he proposes to disappear, both, alongside conveying decisions

that invoke his future actions, ending with a direction to “leave him alone.” The anguish of censorship sets up a deliberation through which Perumal Murugan and his other, P Murugan resist censorship through the declaration of death—not merely a literary death, but the imagined physical death of the writer and the proclamation of the writer’s afterlife as an ordinary teacher. This declaration of death involves a series of physical removals—of his works of literature (as distinct from his other writing), his person in literary gatherings and his person from his village and college to the capital Chennai. The life of the mind will continue through his vocation as a teacher.

The status message reproduced above provides an inaugural moment for the exploration of the interstices of culture, law and literature. Perumal Murugan’s “veering between dejection and resolution” (Geetha 2015: 16) his strong words mirroring “the intensity of emotional devastation he seemed to have undergone,”⁴ moves quickly and resolutely towards a sharp interrogation of that very infringement of his right to free speech and his right to freedom as a writer.

The writer may either acquiesce to the untrammelled power of the mob (whatever the specific character of this mob may be); or s/he may hold literary ground while agreeing to/allowing for a divestment of fundamental freedoms, notably the freedom of residence and mobility; or s/he may reset the terms of the shrill debate by divesting the state and the mob of the power to ban—a declaration of death with its enormous costs to the writer, is nevertheless his victory over the mob. In doing this he also holds literary ground by a refusal to write and taking a retrospective view of the assertion of free speech by withdrawing all writing of the past and the present.

With this one literary move—the status message on Facebook—Murugan has rendered the mob action meaningless. Without doubt, the mob will keep reproducing its menacing outrage as it is wont to do—paradoxically enough, by reprinting the offending pages so that it may burn them, or by keeping a physical threat alive even when the reason for the threat has been emptied out, forcing flight and exile, inducing fear of contact causing a social boycott—but the fact remains that through the singular act of declaring the death of the writer, P Murugan/Perumal Murugan (conjoint twins, in a manner of speaking) set up a stunning defence of the writer’s right to free speech, ending with an unequivocal “leave him alone.” The twinning itself is a strategic move to ventriloquise dissent rendering it inaccessible to the mob-state.

Unified by purpose but following a very different trajectory and reasoning is the legal defence of free speech in this case. The writ petition filed in the Madras High Court in public interest by People’s Union for Civil Liberties (PUCI) sought directions from the court (a) to declare as illegal and unconstitutional the agreement Perumal Murugan was forced to sign by local “leaders” in the presence of the district revenue officer; (b) to issue guidelines on how government officers might conduct themselves in the face of mob attacks on free speech in an increasingly intolerant atmosphere.⁵

Seeking a judicial interruption of an embattled contact between the writer and his public is a dimension that requires

a more engaged reflection. When the state proscribes literature, through a ban, the defence of free speech is straightforward in that the target is clear and defined—the ban must be lifted. In a situation where there is no ban, but a series of acts by a range of actors—private actors and state actors acting outside their jurisdiction, which is by that token a private act, the dilemma before defenders of free speech is, where does action lie? This is a question both for defenders and for courts on the place of law in a contestation over literature.

3 The Contexts

I move now to a consideration of Perumal Murugan’s writing. To sketch very briefly the subject of the three novels: *Current Show* (Murugan 2004a), set in a small town in Tamil Nadu, tells the story of life in the underbelly of the glitzy world of cinema—of Sathivel, worn down and devastated by hunger and marijuana, cobbling together certainty and affection in a void—a present “absence” that ousts them even as he seems to bring them together.⁶ *Seasons of the Palm* (Murugan 2004b) tells the story of the ways in which “untouchable” Chakkiliyar children—Shortie, Stumpleg, Belly, Tallfellow, Stonedeaf and Matchbox—who herd goats for Gounder landlords confront power, humiliation, fear, brutal violence and torture every day, share joys, pleasures, jealousies and fantasies and face annihilation by caste. *One Part Woman* (Murugan 2013) tells the story of Gounder couple Kali and Ponna who are childless and deeply in love with each other 12 years after marriage. In a society where barrenness is a curse, should Ponna step out of the confines of monogamy to beget a child in a *legitimate* and patriarchally sanctioned “transgression?”

In the sections that follow I will look at some of the ways in which Perumal Murugan speaks to an idea of justice, through presence, absence, void, inversion, blurrings, confluences and transgressions. The attempt here is not to graft principles of formal law onto cultural practice (of which writing is part), but to attempt instead to decode expressions of legitimacy, proprieties, improprieties, control and contestations therein. What are the specific ways in which technologies of power are deployed? What are the sites and limits of mimicry and what are the reliefs it offers from the ever-present oppression of authoritarian voice, demeanour, neglect, negligence and violence? Rather than present an exhaustive account of these three works, I will quite arbitrarily pick four themes that are central to an understanding of law (in its broadest sense) and justice.

Caste is the foundational principle of power—absolute power, conjugality, discrimination, exclusion, violence, unfreedom and annihilation—hence the rule of caste runs through the other three themes, ever present and strident.

Food and eating cultures are deeply imbued with the cultural that is already a space saturated with a consciousness of the law. Debates around the relationship between food and justice have been longstanding, from the protracted and intense debates on famine in the colonial period to the definition on the meanings of famine in India, and more recently to the question of starvation deaths, the remedy of the right to food and food security legislation. We have moved from famine

commissions in the colonial period to food commissioners in the constitutional era. Caste proscriptions and disciplining through food and eating cultures—inter-dining, hierarchies of food and of caste, together and intertwined—are constitutive of each other. This is dismantled actively by constitutional cultures through proscriptions in law far more strongly than in cultural practice. We recognise that food, more than anything else perhaps, is at the core about human dignity or the loss of it.

The Voice is the medium of transmission of the command and of obedience. It is also the medium of resistance—however fleeting. Language of course constructs domination and subjugation, but verbal demeanour *communicates, reproduces* and *reinforces* this every day. This is not to speak of verbal abuse as violence and proscribed in the law.

Freedom—from want, hunger, bondage, and violence, of choice—the idea of freedom sits in the core of the idea of justice. They are inseparable from each other, and expressed in a myriad different ways.

4 Literary Habitations of Law

In terms of what the figures or literary habitations of the law may be, it is useful to think in terms of the constitutive character of the different spaces that these three novels present: the complete and fully regulated space where even the space of “transgression” is legitimate, regulated and appropriated subsequent to the transgression as part of the domain of appropriate kinship—to act without speech (Murugan 2013); the domain of regulation which creates a large and all encompassing space of unfreedom and extreme cruelty within which actors wrest fleeting and all too brief escapes to freedom and affection (Murugan 2004b). The space of regulation which also contains within it the pockets that are ousted from the societal—the void, if one may call it that—this space is outside of the law, where the streams of sociality follow a protean logic that is entirely its own (Murugan 2004a). In this last instance, because of its location in the void, there is neither the will to regulate nor a notion of a transgression nor a sense of a sustained sociality that will bring in its own regulatory tools—a twilight zone between cinema (the illusory/the idyllic in its most deeply problematic constructions) and society (the “lawful”).

There is also the question of the ways law is ousted from lives—each story telling us of specific ways in which law is ousted. If *Seasons of the Palm* (Murugan 2004b) exemplifies the expulsion of any notion of justice even in its most minimalist sense, not to speak of unspeakable violence and the law of impunity, *One Part Woman* (Murugan 2013) closes off the space of the formal and customary law through a momentary yet periodic suspension of norms to make space for the hegemonic normative—childbearing with patriarchal legitimacy; in *Current Show* (Murugan 2004a), on the other hand we see a space entirely in crevices between laws and societies—an ungoverned, unregulated void where the ousting of law is in perpetuity. There are no rules here, no proprieties, nothing is illegal or illegitimate—life and sociality is completely as it is lived. Yet stigma in the void points to the fact that the void is not unregulated—exclusion marks the normative (Sathivel’s

leper father whose relation the son denies for fear of exclusion); this sits cheek by jowl with transgressions (the unmarked promiscuity of Karuvachi; the homosexual seduction of Sathivel by the film reel man in exchange for food and drink) and deep emotional bonds—signalling the possibility of affective relationship in the void (between Sathivel and Natesan). This void is distinct from the margins, which the Chakkiliyar children of *Seasons of the Palm* (Murugan 2004b) occupy for instance. And yet, even in this “space,” relationships, proprieties, jocular-ity about improprieties (which are also a vehicle of discipline), and a sense of loss, take root.

If indeed a society holds together different people—men, women, different castes, tribes—each with their clearly designated place in the scheme of work, labour, relationship, friendship, bondage and sociality, along the legitimate and legitimately illegitimate channels of social intercourse, each segment of this society would throw up a view of the other, if, that is, each segment is part of the imaginary of the other. Interestingly, the three works of Perumal Murugan that are the subject of this essay, throw up a telling pattern of the social imaginary: the Gounder Masters, Gounder Mistresses and the Gounders of the neighbouring fields predominate the lives of the Chakkiliyar children in *Seasons of the Palm*, so that play, rest, work, quarrel, and emotions are expressed through and in relation to the figure of the Gounder. The figures in social intercourse in *Current Show* (Murugan 2004a) are transient and random figures that come together quite by accident to occupy the void—the cohabitation throwing up conviviality and aggression, both, but not necessarily reflecting a pattern of sociality beyond flashes that keep rolling.

In the tale about the Gounder family and conjugality—the work, struggles and victories of this community, as also their emotions—Chakkiliyars are entirely absent. The four passing references in *One Part Woman* (Murugan 2013) speak of the location of Kali’s farm in relation to Chakkili quarters; of Kali’s uncle who had a ten year old Chakkili boy “help” him (including cook for him) and countered criticism that “he eats the food prepared by a Chakkili, and still calls himself a Gounder” with “Oh! You find a Chakkili woman fragrant and only a Chakkili boy stinks for you” (p 88); of the route to the chariot festival in Tiruchengode where there were water pandals along the way where everyone could get as much water to drink as they wanted but “[t]he Chakkiliyars, in deference to the upper castes, removed themselves to the other side of the pandals and drank water out of palm-fruit shells” (p 152, emphasis added); or of the play in the Chakkili quarters during the temple festival where “the Chakkili people kept a separate spot for the Gounders to watch the play from” (p 213, emphasis added). The references are fleeting and fade away even as they come into view, but not before they tell us the story of caste even in a story that is *not* about caste.

5 Food

Ambedkar’s observation that begging for food is the only secure source of livelihood open to the Untouchables is borne out in Omprakash Valmiki’s powerful account of the life of the Chuhras:

During the wedding, when the guests and the baratis, the bridegroom’s party were eating their meals, the Chuhras would sit outside

with huge baskets. After the baratis had eaten, the dirty pattals or leaf-plates were put in the Chuhras baskets, which they took home, to save the joothan sticking to them...Sukhdev Singh's daughter was getting married...The barat was eating...When all the people had left after the feast, my mother said to Sukhdev Singh Tyagi...‘Chowdhrijii, all your guests have eaten and gone...Please put something on the pattal for my children. They too have waited for this day.’ Sukhdev Singh pointed at the basket full of dirty pattals and said, ‘You are taking a basketful of joothan. And on top of that you want food for your children. Don't forget your place, Chuhri. Pick up your basket and get going... That night the Mother Goddess Durga entered my mother's eyes...She emptied the basket right there. She said to Sukhdev Singh, ‘Pick it up and put it inside your house. Feed it to the baratis tomorrow morning.’ She gathered me and my sister and left like an arrow...After that day Ma never went back to his door (Valmiki 2007: 10-11).

This excerpt picks up, in powerful ways, Ambedkar's idea that change will come only if thought is compelled through the creation of a crisis in the minds of the dominant castes. And that crisis in minds can be precipitated either by an open challenge as we see in the excerpt above or by a quiet storm that surreptitiously captures the imagination.

Food figures in very significant and eloquent ways in Perumal Murugan's storytelling. What people eat, how they eat, how much, what they share, where they eat, with whom—through all of this he tells us the story of caste, of neglect, of deprivation and of plenty in its different habitations.

To begin with, what is the opening food scene in each of the novels?

Current Show

The young man slumps against a lamp post...

The shop: a broken cot with a board nailed to it. Small, fat mangoes heaped in a corner. Bottles of sticky, boiled sweets uncertainly on the edge...Like a palm fan, the old cot-shop woman's thin bangled hand flaps this way and that, trying to keep the flies away.

Peanuts heaped in a cone. He stares intently at them. A still mess of tiny worms, glistening in the lamplight. He feels a mad desire. Brush that thin waving hand out of the way. Grab the peanuts and run...

He tries to swallow the thick gob of saliva pushing at the walls of his cheeks. It is an effort...

His stomach, worn thin like a cotton rag, pulls into a spasm. His limbs feel like straw. He must find something to eat. How long can this go on? (Murugan 2004a: 5).

Seasons of the Palm

Shortie's eyes stray towards his tin lunch pail...

He opens the pail. It is full of kanji, with two plump steamed kambu balls swimming in it. A few long, thin red chillies float on top. His Gounder Mistress probably pounded the kambu early that morning. The balls smell fresh. He draws his breath in, and waits for the aroma from the kanji to slide into his heart...His mouth waters...But then he will have to go hungry in the afternoon. Shortie sighs and shuts the pail tight.

It is not like this everyday. Most days, the Gounder Mistress packs his tin pail with kambu balls from the day before. Thin, shriveled, and smelling faintly of rot, they do not stir his stomach like this. But he waits every morning, resigned and eager, for the rotten balls. Like a dog, he thinks, much like a dog...he waits until his Gounder Mistress calls out, ‘Dai! Bring your pot!’ (Murugan 2004b: 11-12).

One Part Woman

He lay on the cot and closed his eyes...His nostrils could now sense that she was making snacks for him. He even knew what snack it would be.

She woke him up a little while later. ‘Maama, maama,’ she called him affectionately. She was holding a plate of snacks in her hands—hot

pakodas and kacchayam, made with rice. He roused himself as if from deep sleep. A smile lit up her entire face...Kali wondered how Ponna managed to make every part of her face smile. Keeping the plate on his lap, Ponna sat down on the floor. Did you see the tree? he asked. The pakoda melted with a crunch in his mouth (Murugan 2013: 7).

6 Food and Violence

Food-talk sets out the context: destitution, bondage, authority, sensual conjugality—with gender figuring in distinctive ways, marking the context more firmly. In both *Seasons* and *Current Show*—hunger and starvation throw lives in crisis.

The Gounder Mistress never gives him more than two balls. One for the morning, one for the evening, is probably her reasoning. He must have more, at least four. This year when his father comes to claim his dues from the Gounder, he must make sure that they talk this out...If he cannot eat them all up, there are always the crows and sparrows. They will thank him for the food. Then there is the dog (Murugan 2004b: 26).

Belly takes out a thin palm root given to her by her Gounder Mistress and gives Shortie a piece.

‘Oho! Your Gounder Mistress's heart has suddenly grown!’

‘Think she boiled it last night. See, its gone bad. Smell it?’

He rubs his thumb and forefinger together. They feel sticky. He smells his thumb and wrinkles his nose. He shrugs his shoulders and eats up the root (p 32).

There are fleeting moments of light:

‘Bring that bowl of yours!’

Shortie loves this part.

She pours thick, milky coffee into the coconut shell that serves as his bowl and he sits by the kitchen door, leaning on it. He sips from his bowl, carefully, not wanting to lose out on a single drop. He cherishes this moment and wants it to never end. But it usually does, with the sound of the Gounder's slippered feet nearing the kitchen (p 18).

Not so in *Current Show*, where food, and any reprieve from hunger is conspicuous in its absence:

Sathi's feet give way and he sits down in one of the stalls. His stomach is too far gone—it can't even rumble. He must never get up early. It makes him feel hungry like this. Getting up late, he can combine lunch and dinner into one big meal. He wishes he had drunk that tea. That would have quietened his stomach a bit (Murugan 2004a: 45).

Or again

Sathi's stomach is on fire. He grabs a protta and tears at it. It is dry, and sticks to his teeth when he chews. He keeps eating.

Sathi hiccups... (p 81).

The first in the context of caste, the second a neither-here-nor-there terrain, a void, which receives people from society and spews them out every three hours—a transient space for the film viewer, a life eternally transient, protean and without moorings for the inhabitants of this space.

If violence is a concern of the law, this violence travels through practices of degradation in eating cultures and through the construction of entitlement as largesse.

Bastard! God knows why I'm served this fate! Burdened with vermin who do nothing but humiliate me. Don't I feed you well? Have I ever starved you? Mother f***er! You gorge on my kanji thrice a day. Not to mention those buttery kambu balls. My wife might forget to cook for me, but never for you and your wretched Poochi. And what do you do? Go and steal a coconut! I should have finished you off, chopped you up right there (Murugan 2004b: 268).

Stigma of another kind can produce untouchability as well.

The old man unties his cloth—covered pot and holds it out to Sathi.
—Sathi, you know Murthy of Suryampalayam? A bit of beef from his house. I brought it for you. Not even touched it. Eat!
Sathi feels anger forcing its way up his throat...
—You old son of a bitch! You expect me to eat the stuff that you've begged for! Pack up and move on!...
—Dai Sathi, I'm telling you. I've not touched it with these fingers! I'm sure you've not eaten well for days. Come, eat.
The old man's eyes are dark with tears...(Murugan 2004a: 53–54).

Whereas there is a known, clearly identified location of the perpetrator in *Seasons of the Palm* (Murugan 2004b), despite the anonymity of “circumstances” in a void that has no name, the rejection of food and relationship with a leprosy father marks *Current Show* (Murugan 2004a). Food in plenty—aromatic, not food to satiate hunger but sumptuous snacks that signal status and leisure—marks life and relationship in *One Part Woman* (Murugan 2013). This, to make a connection between the three, is the other end of the food continuum, the end that consumes also gives, degrades and denies—and the continuum is indeed also the continuum of caste with authority, power and plenty situated at one end and degradation, negation and denial at the other.

7 The Voice

The voice is the medium through which command, subservience, affection, sensuality and resistance travel. It also communicates control, and conveys fine distinctions between benevolent control, authority, contestations of authority between peers and absolute control. And of course the normalisation of abusive language sits cheek-by-jowl with the criminalisation of abusive language in the law. However, no amount of case law can demonstrate the specific ways in which power is deployed through verbal conduct in a way that creative storytelling can. In a sense therefore, this is also a story about the life of law.

'Her voice is merciless...Shortie dreads her call, a stinging whiplash that cruelly peels the sleep off his body. A tone he cannot ignore, that torments him into getting up' (Murugan 2004b: 14).

Or again,

'Dai! Shortie!
The voice never fails to startle him. Everyday. It grabs him by the neck and shakes him up' (Murugan 2004b: 14).

Belly loves to mimic her Mistress and often entertains Shortie for hours with her Mistress's voice,

head cocked on one side like a garden lizard, right hand at her hip...
'Chakkili whore! What a time to come! Can't get up? Of course you'll snore into the day if you gorge yourself like a pregnant sow!... Deaf Owl! Arrogant bitch!' Shortie watches Belly open mouthed as she throws these words about (pp 33–34).

Watching the goats, Shortie feels like testing his power over them. He hears his Mistress's harsh bellow in his ears.

Filled with resolve he clears his throat...
'Dai! Veera!
His voice slashes the air, harsh and sharp, like the sting of the midday sun...Veera jerks his head up. He looks at Shortie, his eyes anxious. Shortie feels the darkness in his head dissolve, sheer happiness courses through his skull and down his back.

What next, though? Shortie has really nothing to say to Veeran... (pp 13–14).

The voice can also communicate tenderness and affection—but what are the preconditions for the expression of affection? All relationship is trapped and regulated by the normative and by notions of stigma—both central to the idea of law.

Sathi...dai...Sathi, my child...
Heavy toned, the voice drifts in clearly from far away and strikes his body. Sathi shivers. He feels himself melt in that voice's warmth...

...
The voice has hands held high over ageing eyes...The voice is a person—white hair hangs loose covering his neck...

...
Why the f*** did you come here? To tell everyone 'I'm Sathi's leper father, I wander and beg for a living'?

...
Why cant the old dog die? Why must this demon father pursue him like this? (Murugan 2004a: 48–52).

It is important to allow the “voice” to guide us through the thorny fields of regulation, swinging between benevolent authority, violent absolute control, interspersed with the jocular mimicry which overturns authority in the imagination and offers reprieve from the oppression of the Mistress's voice if only for a moment far out of earshot in the fields. It also guides us through the thickets of emotion—affection, disgust, rejection, anger.

8 Freedom

This was a man she loved. They shared an extremely sensuous conjugal relationship—tender and intense. There is a sense in which even the stigma of barrenness was not of their thinking, content as they were to be a complete world in themselves. There are accounts of Kali's forays into sexual experience prior to his marriage—escapades that he shared with Ponna's brother, who in fact initiated him into the world of sexual pleasures, which included trips to the Tiruchengode chariot festival on the 14th day. Marriage completes his sexual experience in a manner of speaking, having already tasted freedom and sexual pleasure. For Ponna, the experience of the chariot festival comes after 12 years of monogamy—freedom thus far being circumscribed by endogamous marriage. While the hope for a child opens out a possibility, hedged as it is in the thick traps of normativities and legitimacy, the path leads to an unimagined freedom:

Everything was new to her...She felt that...she had abandoned what she was accustomed to and was standing firmly in what was new. She had a sudden desire to run and jump amidst the crowd. She wanted to explode into laughter. There was nothing to stop her...Good lord! How many paths she could take!... She could not decide which path to take. But she was delighted at the sheer number of options she had! Without jumping to a decision immediately, she savoured the happiness of simply having options (Murugan 2013: 202–03).

What are the other habitations of freedom and how is this freedom encircled by unfreedoms? Can flights of freedom situated in an enclosure be called freedom at all—especially freedom in its constitutional sense of personal liberty and freedom from extreme and chronic violence?

The sun is climbing its way into the sky. Shortie picks up his pail and walks to the neem tree... He...hoists himself up on one of its branches. Sitting with his legs on either side of the branch, he rocks up and down. A while later, he swings from the branch, back and forth, back and forth. Then hangs upside-down, until he feels a dizzy madness in his ears. He jumps to another branch and does the same. And then to another and another... Shortie is a baby once more, wrapped tight in his cloth cradle, moving gently with the wind, letting it take him where it will. He laughs out loud (Murugan 2004b: 12).

The open field and neem tree offer him liberating freedom from the oppressive and vengeful taunts of mosquitoes in the goat-shed where he slept with its mud floor “always wet with goat piss and shit” (p 15) and the Gounder Mistress’s whip landing on the sole of his foot—thwack!—when he rebelled against her voice and “tried to steal an extra minute of sleep” (pp 14–15). Shortie loves watching the mynahs. Their loud chatter reminds him of the chatter and happiness in the chakkili quarter. Some days he chooses a bird and decides that is him. When the sun dips they get ready to fly away together, but “[a]fter a while their wings buckle and they circle until they are ready to alight. They cannot fly long distances...” (p 25). Shortie loves the fields by night. Putting his ear to the earth, he lets in the stories from long ago that the earth has hoarded—stories that the likes of Selvan, his Gounder Master’s son, will never hear, because he never lies on the earth (p 121). And while Shortie sleeps, “the land watches over him tenderly” (p 126).

The rain, the red mud, wet and slippery, sends Stumpleg into ecstasy—he loses his words to the rain (pp 84–85). For Belly, freedom meant playing on “till the brave are defeated and the timid raised from the earth and made to stand tall” (p 92). In a game where she throws fallen flowers into a hollow so that they stand erect, one flower in the heap does not stand no matter what. Belly is annoyed: “Why must a single flower thwart her? Why does it have to fall flat?... Perhaps it is afraid that she will cast it into the lot that has been made to stand erect. Stubborn flower. Scared flower” (p 93).

9 Caste and Annihilation

But playtime on the fields does not always offer freedom. Play itself is a space of coercion—saturated with rules, parts and tenor of voice mirroring the rule of caste. When Selvan and Mani, the sons of two Gounder masters arrive, “the field becomes theirs and the long day slips into their hands before it turns in for the night” (p 102). And when the game turns against them,

Chakkili bastard! Liar! You bloody touched me, and now you lie. I’ll tell my mother. Tell her how you play and don’t mind the goats. I’ll make sure she beats you!

...

‘Master. Don’t! Don’t go! I’ll be the dummy!’

‘Don’t touch me, you dog!’

...

Shortie sits down on his haunches, feeling tired and small (p 115).

Melancholy, humiliation, fear, betrayal and death stalk freedom at all times. If free speech is stalked by censorship and death, storytelling offers other routes to melancholy and the

freedom from life itself. Ponna’s stepping into the liberating space of choice throws into crisis the emotion of love bounded by conjugality—her steps out of monogamous sexuality turn into a raging madness at the loss of fidelity for Kali (Murugan 2013). In sexual economies where female fidelity is the precondition for absolute male proprietary control (embodied in the law for instance through the legality of marital rape), sexual transgression outside marriage, although socially sanctioned, may legitimately be experienced as dispossession by individual men. Therefore, although society provides routes out of the “curse” of barrenness (itself marked in indelible ways by law) to keep a societal norm afloat, it throws individual relationship into crisis. To assume a seamless acceptance of technologies of patriarchal control, therefore, is itself deeply problematic. Also, while stepping out of the circle of monogamous sexuality may be controlled, Ponna’s recognition of the value of being presented with options might signal a rupture of caste. It is not caste honour as the mob asserted, but caste itself that might be threatened with annihilation through the exercise of choice by women—one cannot presume return or *ghar vapsi*.

At the other end, in Chakkiliyar lives, freedom from fear of violence and violent death is death itself—the escape from unimaginable cruelty—witnessed in the tragic end of *Seasons of the Palm*. Shortie has buried deep within himself a smouldering anger that had taken root after he was whipped, tortured and suspended upside-down inside a well for hours by his Gounder master (Selvan’s father) for plucking a coconut from a neighbour’s palm. After a bitter exchange bordering on violence with Selvan at the well he finds his anger pushing through his ribs and enter his blood—“He grits his teeth and lunges down after Selvan...he pushes him down into the water. Deep down, all the way down.” When Selvan does not surface, “A huge sob escapes Shortie’s chest. ‘Master! Selvan!’ He dives into the well. He does not resist the water. He goes down. Quietly...Further than anyone has ever gone. To the end, where there is only thick darkness. Where he cannot see anymore, where he cannot know how deep it is...” (pp 318–19). Annihilation by caste.

10 Conclusions

Storytelling is the most powerful way of speaking of law and lives. All stories contain narratives about law. How do we unravel these narratives? How do we relate the embodied location of the writer to his/her work? Analyses of the genesis of the antagonism towards Perumal Murugan’s writing have pointed to his critique of Gounder society as also his deep understanding of Gounder labour in the political economy of Kongunadu. The analyses have also spoken of Murugan’s location within Gounder society—a location that enabled him to develop a sensitive internal critique that ploughed the depths of Gounder labour and conjugality as well as the complete absorption of gross injustice in an agrarian caste society and its fringes.

What is unusual is the absorbing account of Chakkiliyar enslavement and the opacities of Gounder world views on the

one side, and the rupturing of this opacity through the voices of Chakkiliyar children—presenting a Chakkiliyar narrative on Gounder society and their own place in it, on the other. What Murugan thereby accomplishes is a rupture of the seamless dominance of Gounder world views and life worlds by pointing to the centrality of the margins and the voids in shoring up the Gounder world. In doing this, he is in fact interrogating the rule of caste by positing an idea of justice. He does this by pointing to the habitations of injustice that are rendered opaque in dominant caste worlds.

The opacity has another dimension as well. While *One Part Woman* (Murugan 2013) invites dominant caste ire in terms that are deeply gendered, *Seasons of the Palm* (Murugan 2004b) ruptures the opacity of caste oppression in the upper caste imaginary, and *Current Show* (Murugan 2004a) nonchalantly narrates the episodic sexual transgressions that mark life in the void and invite no scrutiny. Perumal Murugan challenges these opacities, by obliquely inviting attention to his other writing in his Facebook post. This, together then, is also the figure of law in his writing.

In the writing of Perumal Murugan, sensibilities of law and justice (of right and wrong, and indeed of the twilight when one melts into another, or when freedom finds a voice in dense injustice, or even just the indescribability of life in these terms) could be dangling upside down from a twin palm; or spoken through the loud chatter of the mynahs; or hidden deep under the aavaram bushes in the lakebed; or under “a huge clump of palm thorn that sits squarely on the field—like a woman with many hands who squats on the ground, her sari tucked under her” (Murugan 2004b: 74); in the abandoned market stall; in the crevices and desolate corners and dimly lit staircases and verandahs of the theatre; in a card picked by the parrot in the market; on the sixty steps that lead up to the feet of Tiruchengode Murugan; on the streets of Tiruchengode on the 14th day of the chariot festival; or in the Red Munisami’s hunting path...⁷

What are the particularities in the relationship between law and literature in different sociopolitical and economic formations? Do literatures constitute the commons? And what are the boundaries and limits of literary commons, and who are the keepers of these boundaries? How does one undermine dominant ideologies through the crafting of a literary commons that hones radically different sensibilities—a commons that reframes the idea of justice by speaking out to injustice through the telling of stories. We return here to Justice Stephen Breyer’s comment quoted in the beginning of this paper on the ways in which the law opens out the horizons of the judge’s mind—indeed the recall of Conrad and Wilde by the Indian Supreme Court carries this possibility from the mind of the judge to the courtroom. What then might be the possibilities for writings like those of Perumal Murugan in different Indian languages? Accessible as they are to a largely non-English speaking judiciary that with few exceptions works in translation, might writing like these present life worlds of oppression and world views of resistance that nurture a radically different sensibility of justice destabilising public morality in the judicial mind and growing the idea of constitutional morality? What will be the implications of this shift in judicial thinking for jurisprudence and the culture of courtrooms?

At another level, drawing on the work on Perumal Murugan, how does the law weave into and through creative writing? What are the ways in which literary criticism, and literary debates cross-pollinate ideas of law, consciously or implicitly? Where does justice figure in relation to law in literature? Does creative writing necessarily “question and critically examine cultural, social and religious practices?”⁸ Is this *the* site of its relationship to law, or might we open our readings of literatures to a multiplicity of resonances of law that might echo through a body of writing? What are the contours, limits, complexions, and tongues of law that leap out of or seep into literature and therefrom into consciousness? These are questions that will remain with us.

NOTES

- 1 Para 2. “As we heard the instant matters before us, we could not but help be reminded of the novella, ‘Heart of Darkness’ by Joseph Conrad, who perceived darkness at three levels: (i) the darkness of the forest, representing a struggle for life and the sublime; (ii) the darkness of colonial expansion for resources; and finally (iii) the darkness, represented by inhumanity and evil, to which individual human beings are capable of descending, when supreme and unaccounted force is vested, rationalised by a warped world view that parades itself as pragmatic and inevitable, in each individual level of command.” *Nandini Sundar and Ors vs State of Chhattisgarh*, 2011 All India Reporter (Supreme Court) 2839.
- 2 *Ram Kishan Aggarwala vs State of Orissa*, All India Reporter 1976 Supreme Court 1774, para 6.
- 3 Translated from the Tamil by Vasanth Kannabiran. Emphasis added.
- 4 *S Balamurugan, General Secretary—Peoples’ Union for Civil Liberties, Tamil Nadu vs State of Tamil Nadu and Ors*, Writ Petition No 2668 of 2015, para 9. I am grateful to V Suresh for access to this petition.

- 5 *S Balamurugan, General Secretary—Peoples’ Union for Civil Liberties, Tamil Nadu vs State of Tamil Nadu and Ors*, Writ Petition No 2668 of 2015, para 3.
- 6 I borrow the idea of the “void” from Peter Fitzpatrick (2004).
- 7 All references in this paragraph are from the three novels by Perumal Murugan.
- 8 *S Balamurugan, General Secretary—Peoples’ Union for Civil Liberties, Tamil Nadu vs State of Tamil Nadu and Ors*, Writ Petition No 2668 of 2015, para 5.

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