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Benare and “Bare Life”: A Biopolitical Study of Vijay Tendulkar’s *Silence! The Court is in Session*

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This paper attempts to study the condition of Miss Leela Benare as a human being enmeshed in the sovereign power processes of a State and culture, as represented in Vijay Tendulkar’s play *Silence! The Court is in Session*. Vijay Tendulkar (1928-2008) grew as a voice of resistance against the established norms and values of an orthodox society with the production of this Marathi play *Shantata! Court Chalu Ahe* in 1967, which was later translated into English. This play represents a metaphorical trial between the humanists and the anti-humanists. It is in reality a fictional mock trial of a simple school teacher, Miss Leela Benare. She is cross-checked in the court with a sense of mockery, charged of infanticide and having an ‘illegal’ relationship with a married person, Professor Damle. In this manner her life is exposed publicly. All the other actors in the play like witnesses—Mr. Gopal Ponshe, Mr. Karnik Rokde, Samant—and counsel for defence and counsel for the crown Mr. Sukhatme, judge Mr. Kashikar and his wife Mrs. Kashikar all behave in a way of mockery. They hold Benare accused of these offences and meanwhile the mock-trial transforms into a real one.

Through Benare, this paper represents the reduction of human life to “bare life” via the power modules of state judiciary and law. This representation of Benare fractures the discourse that the political systems of a state generally bring about betterment in a ‘citizen’s’ life. It mocks the conventional and arbitrary set up of such systems which are instrumental to put human life under distress and strain. Benare reveals the constriction of a human figure by the various instruments of power in this play within a play. Tendulkar enacts an amazing situation of life in a ‘surprising and unexpected’ mock-trial of Benare and employs her character to stage the ‘management’ and ‘control’ over life within the institutions and agencies of power. So, this paper is a biopolitical intervention of the character of Benare, it employs the theoretical insights of Michel Foucault and the Italian biopolitical theorist Giorgio Agamben.

The study of an ordinary life, which is susceptible to strain, via a biopolitical lens needs a basic knowledge of the contemporary theoretical field of biopolitics. The term “biopolitics¹” has its roots in the Greek words “*bios*” meaning life, and “*polis*” meaning a city-state. So, it is a recombinant term which means life within a state, and designates the interaction between life and politics. But, the main query is what it means in the contemporary scenario. Biopolitics is a theoretical stance that studies the age-old interaction between human life and politics. Thomas Lemke defines it as, “Plural and divergent meanings are undoubtedly evoked when people refer to biopolitics. This is surprising, since it

is quite clear what the word signifies. It denotes a politics that deals with life” (*Bio-politics*, 1). Though, it seems that this interaction of the two stances – “life” and “politics” – has been a smooth going, but in reality it proved out to be a sort of collision making it quite slippery. The encounter between life and politics in due course of time complicated the implications. Lemke argues, “But this is where the problems start. What some people take to be a trivial fact (Doesn’t all politics deal with life?)” marks a clear-cut criterion of exclusion for others. For the latter, politics is situated beyond biological life” (2). But, alongside this collision the various phases of “biopolitics” kept evolving. Leaving the naturalistⁱⁱ approaches and the politicistⁱⁱⁱ ones, contemporary “biopolitics” holds a considerable material for rethought regarding the contemporary world scenario. Inaugurating the fourth lecture of “The Birth of Biopolitics” lecture series, Michel Foucault quotes Berenson, who has said, “ God knows I fear the destruction of the world by the atomic bomb, but there is at least one thing I fear as much, and that is the invasion of humanity by the state” (76). These apprehensions of Berenson seem to be right when actors like Benare act on the political stage of life.

This phenomenon of biopolitics was not complete in itself from the very outset, but got an impulse with the new scientific and biotechnological innovations. A testimony to, what strengthens the race-based concept of European biopolitics is when Foucault notes that the emergence of biopolitics coincides with the rise of life sciences, medical sciences, biotechnological and gene-related studies and the need to use science and technology to ensure better life of a human being. This multidisciplinary nature of biopolitics proves that it is a diverse field which cannot be studied fully in a limited time frame associated with a research paper, so to keep the scope of this study focused and limited it attempts to analyse this theoretical stance in the simplest terms. Biopolitics is the process in which an individual, a community, and a population become a subject of power, rather “bio-power”, because it deals with living people. In this study the focus is on the clash between various political forces which victimize the life of ordinary people in a society. So, it is based on the biopolitical insights borrowed from Foucault, which includes “bio-power”. A few concepts of Agamben, like “bare life” and “state of exception” are also vital to this study. Benare’s life is the focus of this study; it reveals how her life is reduced to “bare life” and how she turns out to be a victim of biopower.

Regarding “biopower” (or *biopouvoir* in French), Foucault says, it “relates to the practice of modern nation states and their regulation of their subjects through an explosion of numerous and diverse techniques for achieving the subjugations of bodies and control of populations” (Farell 1). This term revolves around the intersection between ordinary life and state power. These Foucauldian thoughts proved to be the food for thought to Agamben, who in his book *Homo Sacer*, translated by Daniel Heller-Roazen, Stanford University Press in 1998, puts forth his biopolitical thought by employing a figure called “*homo sacer*”, who is kept in a “state of exception”. *Homo sacer* “is defined as someone who can be killed, but not sacrificed” (“*Homo Sacer*”,1). The figure of “*homo sacer*” lives in a state of life which Agamben calls “bare life, defining this concept Thomas Lemke writes that “the central binary relationship of the political is not that between friend and enemy but rather the separation of bare life (*zoé*) and political existence (*bios*)—that is, the distinction between natural being

and the legal existence of a person” (Lemke 54). Agamben finds “homo sacer” as the human figure where “bare life” is concentrated, so he gives new insights to the diverse and complex field of biopolitics through this human figure. Likewise, Tendulkar in his play represents the human figure of Leela Benare, wherein he brings to stage these biopolitical encounters.

Tendulkar brings to fore the conventional and arbitrary nature of the judicial system by calling the court as “Living Lawcourt” and naming it as “Sonar Moti Tenement (Bombay) Progressive Association’s mock Law” (Tendulkar 8). This is further highlighted when Benare expresses her views about the staging of the play, she says, “Goodness! That is wonderful! Our mock court tonight should go over well! Just like a real one!” (12). These comments reveal the conventional base of the judicial set ups which pounce upon the life of an ordinary human being within the state. Like, Sukhatme says, “you bring a new and imaginary case against someone. Eh? Shall we do that? Let’s have an imaginary case. So Samant here will understand how a court works.” (21). To mock the institutionalization of the judicial systems which strain the life of a human being, Tendulkar employs the term “visual enactment” to point towards the apparent witness-based practice for judging matters (21).

Benare is not only a victim of the judicial machinery, but the cultural norms are also instrumental in constraining her life. Like, talking about her experiences as a school teacher, she reveals the ‘control’ implicated upon her as, “In school, when the first bell rings, my foot’s already on the threshold. I haven’t heard a single reproach for not being on time these past eight years. Nor about my teachings, I’m never behindhand with my lessons!” (5). She goes on to display her victimized life as:

That’s why people are jealous. Specially the other teachers and the management. But what can they do to me? What can they do? However hard they try, what can they do? They are holding an enquiry, if you please! But my teaching’s perfect. I’ve put my whole life into it—I’ve worn myself to a shadow in this job! Just because of one bit of slander, what can they do to me? Throw me out? Let them! (6)

This is not all what Benare receives from the instruments of “biopower”, the force with which her lover Mr. Damle treats her is also noteworthy. Pointing towards it, she complains, “They don’t scratch you till you bleed, then run away like cowards” (6). Living a life of strain and oppression Benare becomes an image of “bare life”, she says, “Forget about Tukaram. I say it—I say it from my own experience. Life is not meant for anyone else. It is your own life. It must be.” (9). The moment Benare is framed into a mock case, Punkshe announces, “Miss Leela Benare, you have been arrested on suspicion of an extremely grave nature, and brought as a prisoner before the bar of this court.” (24). Benare becomes a victim of the patriarchal judicial system of a culture, her mock trial gets changed into a real one and she is charged of infanticide. Mr. Kashikar represents the charge as, “Prisoner Miss Benare under Section No. 302 of the Indian Penal Code you are accused of the crime of infanticide. Are you guilty of the aforementioned crime?” (24). This crime is not only a judicial breach of law, but has also a social and cultural taboo associated to it. It has the notions of cultural “biopower” associated to it, regarding this process Mr. Kashikar says, “Did you notice, also, Sukhatme,

that this charge is important from the social point of view? The question of infanticide is one of great social significance.” (26).

This ‘control’ and ‘management’ of human life within a cultural and judicial set up gives rise to a resistance. The constrained condition of Benare as an entity symbolizing “bare life” also shows signs of protest and resistance when she says, “Or how infanticide really works? Really, I don’t like your word at all! Infanticide Infanticide! Why don’t you accuse me instead of—um—snatching public property! That has a nice sound about it, don’t you think? Sounds like ‘snatching’!” (28). At another instance, when Mr. Kashikar says,

You’ve forgotten one thing. There’s a Sanskrit proverb, *Janani janmabhūmishcha syargadapi*

‘Mother and

The motherland.

Both are even

Higher than heaven.’ (30)

To this, Benare as a sign of resistance speaks out, “That is all straight out of a school composition book.” (30).

In the play within the play, Tendulkar brings forth a term of judicial register as the title of his play to make a powerful debate on a society with a patriarchal disparity that makes justice impossible and that converts the judicial system into an instrument of oppression for the women and the marginalized sections of the society. In it, Benare becomes a target of the sadistic instincts of his male counterparts. The audience witnesses a mere enactment of what is a rehearsal of sorts of a “mock-trial” to be staged later on. The way Benare is accused in a surprising and amazing manner shows the malfunctioning of the biased patriarchal system. Regarding this strained condition an anonymous writer argues about Benare:

The accusations against Benare are based partly on conjecture, partly on hearsay. It is suspected that she is a coquette and that she has an illicit love affair with Prof. Damle, whose son she is bearing. Even Samante who is innocent and ignorant reads out a passage from a novel and the details seem to fit Benare’s case. What begins as a game evolves into a hunt. Benare is the quarry and the group, accuser and judge rolled into one. Kashikar, the judge, comes down to the witness-box to participate vigorously in this woman-hunt. Mrs. Kashikar, despite being a woman takes side with the sadist and hypocrite men. It is indeed an irony that a woman becomes the enemy of woman. All present with the exception of Samante bring out their personal equations like fangs. They defend their evil in the name of social justice, ideologies, and tradition. (“SILENCE THE COURT IS IN SESSION”, 1)

Benare is robbed of the rights that have been reserved for her under the terminology of freedom, liberalism, and sovereignty. She becomes a mere spectator of her judicial trial within the spectacle of a legal system. Apart from this, the cultural bias hits her quite harder. This treatment of Benare at the hands of the cultural discourses of biopower and at the hands of the sovereign judicial system is summed up as:

The sentence meted out to her is savage. The infant in her womb must be destroyed and she must be dismissed from her job all in the name of purifying the society and glorifying the lofty ideals of motherhood. There is no mention of the 'intellectual' who abandoned her, the absent Damle. When Benare wants to protest she is ordered to be silent because the court is in session. Again when she keeps silent she is ordered to break the silence in the name of law and threatened with contempt of court. When she wants to leave Ponshe blocks her way Mrs. Kashikar, catching hold of her drags her to the dock. Everyone relishes her victimization. She is driven to despair and attempts suicide. (1-2)

Miss Leela Benare turns out to be a prey for the cultural and the sovereign discourses of "biopower", which hem in her life from all sides and reduce it to a "bare life", wherein she gets killed like a "homo sacer". The staging of Benare's character mocks the hollow core of the promises for betterment, equality and freedom made by the state-culture sponsored discourses. And, it also reveals the fate of human life, with newer developments in the categories of power and knowledge, in the project of modernity.

Endnotes:

- ⁱ Although the concept of biopolitics has now become familiar, it may not be widely known that it has a hundred-year history. The term was coined by Rudolf Kjellén (a Swedish political scientist) in the 1920's, who also coined the term geopolitics. In contemporary US Political Science Studies, usage of the term is mostly divided between a postmodernist group using the meaning assigned by Michel Foucault (denoting social and political power over life) and another group who uses it to denote studies relating to biology and political science. ("Biopolitics" 1)
- ⁱⁱ Naturalistic approaches take life as the basis of politics. This spectrum runs from organicist concepts of the state in the first decade of the 20th century through racist modes of reasoning during National Socialism to biologicistic ideas in contemporary political science.
- ⁱⁱⁱ Politicist concepts conceive of life processes as the object of politics. The politicists take biopolitics to be a domain of practice or a sub-discipline of politics which aims to regulate and steer the life processes.

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