

Original Article

Law, Justice, and Marginalized Voices in Arundhati Roy's Azadi: Freedom Fascism Fiction

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Abstract

Arundhati Roy's Azadi: Freedom. Fascism. Fiction. (2020) is a significant intervention in the political and literary discourse of contemporary India. More than a collection of essays, the text functions as a critique of authoritarian governance, the erosion of democratic institutions, and the silencing of marginalized communities. Roy examines how law, which ideally safeguards equality and freedom, can also be transformed into a mechanism of repression through sedition provisions, security legislation, and exclusionary citizenship measures. At the same time, she foregrounds the experiences of Kashmiris, Dalits, Muslims, and political prisoners, whose voices are frequently excluded from official narratives. This paper explores Azadi as a multidisciplinary text located at the intersection of law, literature, and activism. It argues that Roy redefines literary nonfiction as a space of ethical resistance where political critique and imaginative engagement converge. Drawing upon law-and-literature studies, postcolonial theory, and human rights discourse, the paper demonstrates that Roy's work expands the role of the writer into that of a public intellectual committed to justice and democratic sustainability.

Keywords: Arundhati Roy, Azadi, law and literature, marginalized voices, democracy, dissent, social justice, activism

Introduction

Literature has long served as a medium for questioning authority, preserving collective memory, and imagining more just futures. During moments of political crisis, writers often move beyond aesthetic production to become witnesses, critics, and participants in public life. Arundhati Roy occupies such a position in contemporary India. Internationally recognized for her Booker Prize-winning novel *The God of Small Things* (1997), Roy has also emerged as one of the most influential political essayists of the twenty-first century. Her collection *Azadi: Freedom. Fascism. Fiction.* gathers essays, speeches, and reflections that address urgent questions of democracy, nationalism, dissent, and justice (Roy 1). Published in 2020, *Azadi* appeared in a climate marked by rising authoritarianism, shrinking civil liberties, and intensified hostility toward minorities and dissenters. The title itself—*Azadi*, meaning “freedom”—had become a politically charged slogan associated with student protests, anti-discrimination movements, and struggles for self-determination. Roy reclaims the term not as an abstract ideal but as a living demand voiced by those excluded from state power (Roy 7). Through this framework, she asks what freedom means in a society where the law can punish protest, where justice is delayed or denied, and where vulnerable communities must struggle merely to be heard. This paper examines *Azadi* as a multidisciplinary text situated at the intersection of law, literature, and activism.

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It focuses on three major dimensions: first, Roy's critique of legal mechanisms such as sedition laws, the Unlawful Activities (Prevention) Act (UAPA), and citizenship legislation; second, her amplification of marginalized voices, including Kashmiris, Dalits, Muslims, and political prisoners; and third, her innovative literary form, which blends essay, memoir, reportage, and manifesto into a language of resistance.

Literature as Public Intervention

The relationship between literature and politics has long been debated. Some critics defend the autonomy of art, while others argue that literature cannot remain detached from historical realities. Roy's work belongs firmly to the latter tradition. For her, writing is not an escape from politics but an intervention within it. She rejects the division between aesthetics and ethics, showing that language can either expose injustice or conceal it (Roy 15).

In *Azadi*, Roy uses literary prose to engage issues usually confined to legal documents, parliamentary debates, or journalistic commentary. Yet unlike official discourse, her writing restores human experience to political questions. She does not discuss laws merely as technical instruments; rather, she examines how they shape fear, belonging, exclusion, and survival. In doing so, she reminds readers that legislation is experienced in bodies, homes, prisons, and streets.

Roy's essays also challenge the speed and superficiality of contemporary media culture. Where news cycles move rapidly from one crisis to another, she insists on depth, memory, and context. She links present events to colonial histories, caste hierarchies, neoliberal economics, and global power structures. Terry Eagleton similarly observes that literature is inseparable from ideology and material history (5). In this sense, literature becomes a method of sustained ethical reflection in a time of manufactured urgency.

Law as an Instrument of Power

One of the central concerns of *Azadi* is the gap between law and justice. In democratic theory, law is meant to protect rights, ensure equality, and regulate power. Roy demonstrates, however, that law can also become an instrument of domination when controlled by authoritarian forces. She repeatedly asks what happens when institutions designed to safeguard freedom are turned against citizens (Roy 22).

Roy does not reject the idea of law itself. Rather, she distinguishes between law as a principle of justice and law as a machinery of coercion. A state may claim legality while violating democratic

values. Repression often arrives not outside the law but through it. Her essays expose the paradox of constitutional democracies: rights may exist on paper while being undermined in practice. Arrests without fair trial, surveillance, censorship, selective prosecution, and impunity for violence reveal how legality can mask injustice.

Sedition and the Criminalization of Dissent

Among the legal tools Roy critiques is the sedition law, a colonial-era provision historically used by the British to suppress anti-colonial resistance. In postcolonial India, the continued use of sedition raises profound questions about democratic maturity. If independence was won through struggles against imperial repression, why preserve laws designed to silence political opposition?

Roy argues that sedition has often been deployed not against genuine threats to public order but against students, journalists, activists, writers, and ordinary citizens expressing disagreement with the government (Roy 31). The vague language surrounding "disaffection" permits broad interpretation, enabling authorities to target dissenting voices.

The significance of Roy's argument lies in her historical framing. She demonstrates that colonial laws can survive in independent nations, carrying authoritarian habits into the postcolonial present. Formal decolonization does not automatically dismantle structures of control. Through this lens, sedition becomes a symbol of unfinished freedom.

UAPA and Preventive Injustice

Roy also addresses the Unlawful Activities (Prevention) Act (UAPA), one of the most controversial security laws in India. Framed as an anti-terror measure, UAPA has been criticized for enabling prolonged detention, restrictive bail provisions, and expansive state powers. Roy situates the law within a global pattern in which the language of security normalizes exceptional powers.

Her concern is not with legitimate public safety but with the erosion of due process. When individuals can be imprisoned for long periods without timely trial, punishment precedes conviction. In such cases, legal procedure itself becomes a form of violence. Roy draws attention to activists, scholars, and political prisoners who remain incarcerated under severe charges while awaiting justice.

This critique resonates with broader debates in legal philosophy: can a democracy defend itself by weakening the rights it claims to protect? Roy suggests that democracies damage

themselves when fear overrides liberty. Security without accountability creates conditions for abuse.

Citizenship, Belonging, and Exclusion

Another major theme in Azadi is citizenship. Roy examines legislative measures and bureaucratic processes that redefine who belongs to the nation. Citizenship, ideally a guarantee of equal membership, becomes in her analysis a contested and unequal terrain.

Roy is particularly attentive to how documentation regimes affect the poor, migrants, women, and marginalized castes who may lack formal records despite generations of residence. When identity depends excessively on paperwork, those with the least access to resources bear the greatest burden. Administrative neutrality can therefore conceal structural inequality.

She also critiques the communalization of citizenship, where religious identity influences access to rights or public legitimacy. Such developments threaten the secular and plural foundations of democracy. Citizenship ceases to be a shared constitutional status and becomes filtered through majoritarian definitions of nationhood.

Amplifying Marginalized Voices

A defining strength of Azadi is its commitment to those pushed to the margins of official narratives. Roy uses her visibility not to replace subaltern voices but to create space for them. She repeatedly redirects attention from elite political spectacle to communities whose suffering is normalized or ignored.

This ethical orientation recalls Gayatri Chakravorty Spivak's influential question: "Can the subaltern speak?" Roy's essays attempt not to speak for marginalized communities but to make dominant audiences listen to them (Spivak 271). Her work insists that democracy must be judged by how it treats its least powerful members.

Kashmir: Memory, Militarization, and Self-Determination

Roy has consistently written about Kashmir, and Azadi continues this engagement. She foregrounds the region not merely as a territorial dispute but as a human reality shaped by militarization, surveillance, and contested sovereignty. Mainstream narratives often reduce Kashmir to security concerns or nationalist symbolism. Roy instead emphasizes everyday life under extraordinary control.

By centering Kashmiri voices, she questions the assumption that national integration can be achieved through force. Silence imposed by fear cannot be confused with consent. Her essays

call attention to grief, disappearances, restrictions, and the emotional costs of prolonged conflict.

Dalits, Caste, and Structural Inequality

Although many discussions of democracy focus primarily on elections and state institutions, Roy reminds readers that justice in India cannot be understood without caste. Dalit communities continue to face discrimination, violence, and exclusion despite constitutional guarantees of equality.

Roy's attention to caste expands the meaning of law and justice. Formal rights alone are insufficient when social structures reproduce humiliation and unequal access to education, land, employment, and dignity. Her perspective resonates strongly with B. R. Ambedkar, who argued that political democracy cannot succeed without social democracy. In *Annihilation of Caste*, Ambedkar insists that caste hierarchy is incompatible with liberty, equality, and fraternity (47).

Muslims and the Politics of Fear

Roy also addresses the precarious position of Muslims in contemporary India amid rising communal polarization. She critiques narratives that portray minorities as threats or outsiders, noting how fear can be manufactured for political gain.

When communities are stigmatized, discrimination becomes easier to justify, violence may be minimized, and equal citizenship weakened. Roy challenges such processes by restoring individuality and complexity to those reduced to stereotypes. Literature, in this context, interrupts ideological narratives by making readers encounter lives rather than labels.

Political Prisoners and Carceral Democracy

The figure of the political prisoner recurs in Roy's work as a symbol of democratic contradiction. A state that celebrates freedom while incarcerating critics reveals the fragility of its commitments. Roy writes about imprisoned activists and intellectuals not only to condemn repression but also to preserve their visibility.

Prisons here become more than physical institutions; they represent the shrinking space for disagreement. Yet Roy also portrays solidarity networks—families, lawyers, students, and citizens who continue to demand justice. Resistance persists even within carceral systems.

The Writer as Public Intellectual

Through Azadi, Roy reimagines the writer as a public intellectual. She does not confine literature to private contemplation or entertainment. Instead, the writer becomes a

mediator between events and understanding, between suffering and recognition, between present crisis and future possibility.

This role carries risks. Public intellectuals may face censorship, vilification, or legal pressure. Yet Roy's example suggests that silence also has consequences. When writers refuse to speak during injustice, dominant narratives go unchallenged. Edward Said defines the intellectual as one who "speaks truth to power" (39), a role Roy powerfully embodies.

At the same time, Roy does not present the writer as a savior. Change depends on collective struggle rather than individual heroism. The writer's task is to contribute language, memory, and imagination to broader movements for justice.

Conclusion

Arundhati Roy's *Azadi: Freedom. Fascism. Fiction.* is far more than a collection of essays; it is a sustained intervention in the moral and political life of contemporary India. By exposing how law can be weaponized through sedition provisions, security legislation, and exclusionary citizenship regimes, Roy reveals the distance between legality and justice. By amplifying the voices of Kashmiris, Dalits, Muslims, and political prisoners, she shifts attention toward those who bear the heaviest costs of authoritarian politics. By blending essay, memoir, and manifesto, she transforms literary form into a practice of resistance.

This paper has argued that *Azadi* exemplifies the productive meeting of law, literature, and activism. Roy redefines the writer as a public intellectual who documents state violence, challenges dominant narratives, and imagines alternative futures grounded in equality and freedom. Her work reminds readers that democracy cannot endure without dissent, and justice cannot emerge without hearing those at the margins.

Ultimately, *Azadi* insists that freedom is not a gift granted from above but a continuous collective struggle. In that insistence lies its enduring literary and political power.

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Conflicts of interest

The authors declare that there are no conflicts of interest regarding the publication of this paper.

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