

# Who's Afraid of the Truth of Literature?

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In the second half of the 1980s I was working at “Radio Student”, the most popular independent radio station in Slovenia. It was known for broadcasting a unique schedule of programs, which included alternative music, unusual anti-commercials, and, most importantly, free content while striving for democratic changes in Slovenia and Yugoslavia. At the beginning of my career, the Polish general Wojciech Jaruzelski was planning to visit Ljubljana. I was working that day, and we broadcast the song titled *Jaruzelsky* by the group Laibach. I made the cynical comment that we were dedicating this song to his visit, and with that I apparently offended the general. I was to be charged by the Yugoslav government, but with help from my colleagues at the radio station I avoided any charges.

In 1988, we were invited to “Radio Brač,” on the Croatian island of Brač, to broadcast our program. We were scheduled to stay there for one month, but after an unexpected event we had to leave two weeks early. This was because as an announcer I again offended the personality and work of Josip Broz Tito. I paraphrased a partisan poem by Vladimir Nazor, a Croatian poet, born on the island of Brač. The poem begins as follows “Our comrade Tito rides by a narrow mountain path,” and so forth. Then I presented listeners along the coast with a dilemma and asked them who was actually ridden by whom: a horse by Tito, or Tito by a horse? Telephones began to ring. People, most of them Serbian, that had apartments and houses on the island were upset. Of course we were charged, and a few months later we had to visit a local judge, but we were not convicted. On the eve of the collapse of Yugoslavia, censorship was only verbal and operated by means of threats. We did well. After World War II that kind of offence would have gotten you sent to Goli Otok, an island prison with the worst possible reputation for its treatment of political prisoners. It seems that at the end of the 1980s, the repressive political system was becoming weaker and civil initiatives for democratic changes stronger and more successful.

Then, at the beginning of the 1990s, as democracy was finally established in Slovenia, writers wrote the constitution for the infant republic,

which later proved to be ironic. As it happened, I continued my career as a writer – and also as a poet – with the ambition of writing a novel. I accomplished this eight years later when my first novel, *The Blue E*, was finally published. It's about a boy growing up and life in Yugoslavia after Tito's death. The same year, in the autumn of 1998, a retired policeman recognized himself in my novel just because of a character's nickname, Petard, but not because of his actions. He accused me of causing suffering due to "mental pain". The very next year – which was very soon, considering the usual practices of our courts – the judge convicted me of offending the policeman, although not by intent, but by carelessness. Still, carelessness should not be enough. In this type of case the accuser should have had to prove, as in the US, that the writer had some intent to offend, or to cause damage to the accuser and to make a profit. But we can't compare literature and newspapers. The papers tell us real stories, whereas literature gives us fiction. By chance, I became the first convicted writer in independent Slovenia. The process lasted for eight years. I had to pay the policeman almost €11,000. Only then could I appeal to the Constitutional Court, and eventually I was successful. The court established that my constitutionally guaranteed freedoms to write and to create were violated. It's a pity that the court sent my case back to its beginning. They would have had to annul the previous judgments, as they did later in the case of my fellow writer Breda Smolnikar. I decided not to go to court for another eight years, as the accuser said and the judge threatened. When I gave up the case, he told me the story of why our greatest poet France Prešeren did not attain the profession of barrister. It was not because there wasn't a post available for him, but because he offended the chief of the Ljubljana police department when returning home drunk one evening. Besides, he cynically added, I wouldn't have to pay for the court stamps if I gave up. So I did.

I had met with repression by chance again, although I had no reason to. I thought that I had every right to write what I wanted and that the novel was an infinite field of freedom, as Kundera said and as I learnt at school. I was wrong and naïve. The court didn't listen to my argument that my only purpose was to write a novel and to express myself aesthetically. Not in the least did it listen. It didn't consider the words of the president of our Writers' Association, or even the experts on literature. They treated me as though I were a criminal, and not an author. They treated my literary work as if it were a chronicle, and not fiction. In short, they denied me the autonomy of my literature and my freedom to create. Our greatest contemporary writer, Drago Jančar, wrote that it was a matter of provincial morality, an opinion with which I agreed, until the main court

in Ljubljana charged my fellow writer Breda Smolnikar. They showed me and my peers the power of a repressive system that hadn't changed since France Prešeren's era. The worst part of this whole case is that my fellow writers told me that, after my judgement, they were afraid to write what they wanted; they censored themselves. If the threats in the 1980s were just verbal, verbal expression itself became threatening for authors in the 1990s. Nowadays, censorship is more material. The author has to actually pay for his offence, despite the difference between a writer's salary, which is miserable in Slovenia, and the average earnings in our society. The court should take this into account. In short, censorship is more sophisticated now even though its purpose is the same: to frighten and punish free-thinking authors and intellectuals in a society that considers itself democratic. This brings us to the paradox that today it is not only the people that have read a book or two in their lives, but sometimes even the litterateurs that are afraid of literature.

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My friend once made a witty remark that everything would be different, had I only written "policeman Retard" instead of "policeman Petard"