

Why the Opposition Needs a Dynamic Counter-Narrative to Protect India's Constitution

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Trinamool Congress MP Mahua Moitra (Top-L), Congress MP Priyanka Gandhi (Top-R), Rajya Sabha MP Kapil Sibal (Bottom-L) and Rashtriya Janata Dal MP Manoj Jha during the parliamentary debate on India's constitution. Photo: Screen grabs of video from Youtube/The Wire

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One thing that is certain after hearing the four-day-long debate on the constitution in parliament is that history will continue to horrify the Congress party and, by extension, the INDIA bloc in any conversation around the constitution. Irrespective of their sustained critique of the government by brandishing a copy of the constitution, it is high time that the Opposition tactically acknowledges and strategises how to push the debate beyond history to the present.

If they want to win the narrative war on the idea of the constitution, the challenge to the government must be dynamic and multi-faceted. However, beyond a few leaders like Trinamool Congress (TMC) leader and MP [Mahua Moitra](#) and Rajya Sabha MP [Kapil Sibal](#), this was absent in the speeches of the members of the Opposition in the last four days.

The core of the ongoing 'democratic backsliding' in India is not that there are direct attacks on the text of the constitution, but rather the fact that a slew of silences and design gaps have given space to the entrenchment of a different form of governance pattern that allows the government to use and abuse laws and institutions in non-democratic ways. The problem, therefore, is two-fold: a governance pattern that goes against the ideas and first principles of our constitution and the resultant non-democratic actions. The energies of the Opposition bloc currently seem to be parked against the latter.

The absence of a comprehensive counter-narrative about how the highly partisan and unfair governance pattern is enabling and will continue to enable non-democratic actions will leave the conversations around the dangers to the constitution incomplete and, at times, hollow. One of the most important advances that we must collectively undertake in our conversations around the constitution and to fulfill our aspirations to be a democratic society is to debate and internalise the minimum standards of propriety expected from the web of constitutional and state institutions that function around us.

While political parties must play a significant role in this regard, it is the duty of every citizen to invest their time in reading, understanding, and making sense of our constitution, thereby embarking on this project of constitutional literacy.

Constitutional literacy is a tall task, and as a society, we are several miles away from our constitutional aspirations. This explains why the government could change the law on the appointment of election commissioners, abuse the office of the governor for political gains, stifle parliamentary deliberation, and weaponise laws and law enforcement institutions for political vendetta with impunity and without fearing any electoral backlash.

All institutions, including the media (traditional and new age), academic institutions, parties, and civil society organisations, must join hands, with a crucial focus on developing critical thinking in our everyday functioning. This effort is essential to fostering an engaged and informed citizenry capable of holding the government accountable. So that when the prime minister and the finance minister challenge Jawaharlal Nehru's first amendment that abridged our freedom of speech, we must question the government as to why it shies away from undoing this travesty.

We must collectively ask, why is the government not bringing a constitutional amendment to expand our freedom of speech along with their much desired One Nation One Elections Bill, which ironically, is something that the Nehru government actually practiced until it naturally went out of practice. Rather than constructive conversations around strengthening free speech protection, what we, in reality, witness are constant episodes of crumbling academic freedom, revamped sedition law, and the use of harsh state force to shut up every next dissident and protestor. The Opposition should, in fact, introduce a Bill supporting the government and strengthening our free speech protections, perhaps with strong references to the prime minister himself.

Similarly, when the treasury benches reminded us of the declared emergency of 1975-76, the nation must be quick enough to call out the undeclared emergency of the present, where while we may not have Maintenance of Internal Security Act (MISA), the space is taken over by Unlawful Activities (Prevention) Act (UAPA) and Prevention of Money Laundering Act (PMLA), and several significant laws being passed while the Opposition remains suspended from the House.

The present could not be more reminiscent of the past but for the declared nature and textual affront on the constitution. For this doublespeak to be called out in a way that resonates with the masses and affects the credibility of the government and the prime minister, immense efforts need to be made to develop a collective understanding of what it means to uphold democracy and accountable government.

I am unsure how much of that could be achieved by flaunting a copy of the constitution. Building an effective and impactful counter-narrative about the realities and extent of damage to India's constitutional values demands way more than that. Educational institutions and grassroots organisations have a pivotal role to play here. Initiatives such as public discussions, workshops on constitutional values, and simplified resources on legal principles could bridge the gap between the constitution's vision and its public perception.

The conversations need to move beyond the written text of the constitution and focus on its essence, first principles, and standards of propriety. And it must be done with much clarity and force. As B.R. Ambedkar emphasised, constitutional morality needs to be cultivated in India, and if it continues to fail in this task, the distance between the text of the constitution and the realities may become too big to traverse.

At the same time, rallying around singular issues may perhaps be sound in individual parties' understanding and may even achieve short-term political gains, but the constitution is supremely bigger than that. It indeed is an ideological battle, and this battle must be fought on multiple fronts. No idea, including that of democracy, justice, fraternity, political and socio-economic equality, judicial independence, parliamentary accountability, non-partisan functioning by institutions, and academic freedom, must be left behind.

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