**75 Years of Justice**

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The Indian Constitution, which celebrates its 75th anniversary this year, is no ordinary legal document. It took three years to overcome the controversies and fulfil expectations since India’s independence in 1947, and finally establish itself as a guiding force for the nation. Today, it represents a collective aspiration of a diverse population.

The preamble made it clear that India will remain ‘secular’. But the present political forces seem to stretch things so far that we sometimes become skeptical whether the country will remain secular for long. Freedom of speech is a fundamental right enshrined in the constitution. But do Indians really believe that they can express themselves without any fear of repercussions? Even social media today is guided by the digital media ‘ethics code’ of 2021 – something which is clearly ‘unconstitutional’- to say the least.

One often takes a critical view of the Indian constitution. Some say it is a ‘borrowed’ document: a copy of the British 1935 Act. It’s ‘sources’ are taken from the constitutions of at least 10 different countries. Its preamble reads like that of the US; the parliamentary structure comes from the UK; its quasi federal structure is borrowed from that of Canada; the ideas of Republic comes from France; the emergency provisions come from Germany (Weimar Constitution); and the later incorporation of fundamental ‘duties’ from the USSR. But in the true Indian spirit we can say we Indians have assimilated several cultures and ‘unity in diversity’ is our hallmark.

But could the constitution really ensure unity and equality among our own people in the last seven decades of independence? Inequality of wealth in India is perhaps one of the highest in the world. The differences between the founder of the constitution, B R Ambedkar and the father of the nation Mahatma Gandhi are too well known to be elaborated. Many of Gandhi’s ideals - like equal remuneration act, decentralisation of governance through panchayats were relegated to the ‘directive principles’ (which is advisory has no legal status in the constitution) till late 1980s. The constitution has often been criticised as being ‘unGandhian’. The Right to Education came much later in 2009 (and that too only upto the age of 14), after much agitation.

Today’s social media is said to have ‘empowered’ the common citizen. But has our constitution really empowered the common man? Social activist Aruna Roy had to fight hard against the official secrets act to establish the ‘right to information’ in 2005. Against the wall of the British secrecy act ( which yet not abolished) the poor marginalized farmers were being cheated of their wages till the RTI act was established. It is said, the government is still neglectful in handling the provisions of the RTI.

True, the enactment of the constitution was a landmark in inclusivity giving recognition to the marginalized groups like women, minorities and the disabled. But the authority of the state and the power of the elite are still on the rise. Swearing by the constitution is not enough. In order to actualize its principles of justice, liberty, equality and fraternity, everyone needs to be alert and contribute, each in his/her own way, to bring the people into the mainstream.

The constitution was created to become a tool of inclusion, not exclusion. Some people are not meant to be more equal than others here. Politicians might differ in their ideology. Let them fight it out in the parliament. But all warring groups need to acknowledge the constitution and not resort to extra constitutional methods – like the ordinances on emergency brought by Indira government or the stealthy introduction by the present government of the digital media’s ethics code during the pandemic when the parliament was not in session.

**The Story Ends Here.**