

RIGHT TO DISSENT UNDER FREEDOM OF SPEECH AND EXPRESSION

Abstract

Dissent is one of the fundamental pillars of democracy. The concept of democracy as a political organization in which everyone has a voice may be realized *via* dissent. Dissent involves presenting novel viewpoints. If everyone has a voice, disagreements and fresh discussions are inevitable. These differences can only be resolved *via* discussions. At its helm, democracies have legislative institutions, such as the Parliament, which are deliberative chambers. They make every attempt to accommodate opposing viewpoints. In India, the right to dissent is a constitutionally protected and fundamental aspect of freedom of speech and expression. This right is enshrined in the Indian Constitution under article 19(1)(a), which guarantees the freedom of speech and expression to all citizens. This paper will be analyzing the importance of dissent in democracy and at the same time the right to free speech does not give a license to speak anything and everything that goes against the country as it hits hard at the unity and integrity of the nation and dignity of individual which is collectively the fraternity of the country.

Dissent is the highest form of patriotism.

-Howard Zinn¹

Patriotism means to stand by the country. It does not mean to stand by the President.

-Theodore Roosevelt

I Introduction

DISSENT IS a philosophy, an opinion, or a feeling of disagreement or resistance to a prevalent belief or policy enforced by a government, political party, or other body or a specific individual. Dissent is a strong difference of opinion on a particular issue, especially regarding an official notion or plan or the prevailing viewpoint. Dissent is the act of disagreeing with someone on a matter, which leads to a discussion. Dissent involves presenting novel viewpoints.

Dissent is one of the fundamental pillars of democracy. The concept of democracy as a political organization in which everyone has a voice may be realized *via* dissent. Dissent involves presenting novel viewpoints. If everyone has a voice, disagreements and fresh discussions are inevitable. These differences can only be resolved *via* discussions. At its helm, democracies have legislative institutions, such as the Parliament, which are deliberative chambers. They make every attempt to accommodate opposing viewpoints.

1 Howard Zinn (Aug. 24, 1922 – Jan. 27, 2010) was an American historian, playwright, philosopher, socialist thinker and World War II veteran. He was chair of the history and social sciences department at Spelman College, and a political science professor at Boston University.

II Recognition in Indian Constitution

In India, the right to dissent is a constitutionally protected and fundamental aspect of freedom of speech and expression. This right is enshrined in the Indian Constitution under article 19(1)(a),² which guarantees the freedom of speech and expression to all citizens. This freedom includes the right to express dissenting opinions, criticize the government, and engage in peaceful protests and demonstrations. The right to dissent is firmly grounded in the Indian Constitution. Though, this right is not absolute and can be subject to reasonable restrictions under article 19(2)³ in the interest of various factors such as public order, security and morality. India has a rich tradition of peaceful dissent and non violent protest.

Figures like Mahatama Gandhi and other leaders of the Indian independence movement used civil disobedience and non violent resistance as powerful tools to dissent against British Colonial rule. The Indian Judiciary has consistently upheld the importance of the right to dissent in numerous judgements. Courts have often ruled in favor of individuals and groups exercising their right to dissent, provided it is done peacefully and within the bounds of the law. The right to dissent often involves the right to peacefully assemble which is also protected by the Indian Constitution under article 19(1)(b). Citizens have the right to gather peacefully to express their dissenting views and opinions. Despite legal protections, there have been instances where the right to dissent in India has faced challenges and controversies. These include debates over the handling of protests and demonstrations. Dissent and public debate are integral to India's vibrant democracy. They play a crucial role in shaping public policy, raising awareness about important issues, and holding those in power accountable.

India's score on the 2022 World Press Freedom Index⁴ has plummeted to 150 out of 180 nations, according to the most recent assessment by the international media watchdog Reporters Without Borders (RSF). India's ranking of 142 in the report for the previous year is pretty dismal for a democracy. But the shutdown of internet and phone services in Kashmir in 2019 when Article 370 of the Constitution of India was repealed and the special status of the state of Jammu and Kashmir was revoked could have worsened India's score, so this ranking should not come as a surprise to

2 The Constitution of India, 1950 art. (19)(1)(a)- All citizens shall have the right-(a) to freedom of speech and expression.

3 The Constitution of India, 1950, art.19(2)- Nothing in sub clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

4 Reporters Without Borders, "World Press Freedom Index 2022" (2022), *available at*: <https://rsf.org/en/index>.(last visited on mar. 10, 2024).

anyone, as internet services were suspended in the state of Jammu and Kashmir at that time. Article 21 of the Indian Constitution incorporates the right to internet connection within the fundamental rights to life and liberty, as well as privacy. It is a crucial component of the architecture of free speech and expression. The federal government established a committee to enhance India's ranking on the World Press Freedom Index. The committee determined that these indices are the result of "western bias" and do not reflect the actual situation on the ground.

III Importance of dissent

The foundation of India's constitutional democracy is the freedom of citizens to monitor the exercise of official authority. Dissent is a democratic safety valve. If this safety valve is not permitted to work, the pressure cooker will explode, destroying everything. Even at the domestic level, there is no family without disagreement, whether between parents and children or between siblings. A family that learns to deal with disagreement instead of dismissing it authoritatively is more harmonious. In a liberal-democratic social system, dissent and democracy are sometimes regarded identical since it is thought that wherever there is a democracy, there must also be dissent because democracy cannot survive without it.

The right to dissent is fundamental to any democracy, and criticism of the instrumentalities and institutions, such as the administration, judiciary, bureaucracy, and armed forces, cannot be considered "anti-national." All mature democracies encourage citizens to consistently disagree with the establishment, the government, and the party in power. These countries are considered mature democracies precisely because they value dissent. Globally, however, a rising trend against dissent has been seen, despite the fact that the strength of any democracy derives on the diversity of viewpoints and the sharing of essential ideals. A democracy based on the rule of law would be "in grave danger" if "creative voices were stifled or intellectual freedom was stifled or suffocated," because the freedoms guaranteed by Article 19 of the Constitution of India cannot be freely expressed if they are in accordance with a majority viewpoint. The right to dissent or have and voice a contrary opinion about current events or past occurrences is fundamental to a thriving democracy. But it is important to note that while the right to dissent is a fundamental democratic principle, it must be exercised peacefully and responsibly, in accordance with the rule of law. Balancing the right to dissent with the maintenance of public order and the protection of other citizens' rights is an ongoing challenge in any democratic society, including India.

The basic and priceless right protected by the Constitution cannot be curtailed or denied just on the grounds that some may find the viewpoint objectionable. Non-conformism must be allowed to cast a shadow over the right to openly express one's views and beliefs. The freedom of speech and expression as given and guaranteed by

Article 19 of the Constitution must be preserved by the courts unless it can be “shown clearly that the work would violate constitutional or legislative limits on the exercise of that right.”

IV Dissent- a facet of freedom of speech and expression

Needless to mention that democracy means the government by the people, for the people, and of the people. Thus, to question, to challenge, to verify, to ask for accountability from the government that we have chosen for ourselves is the right of every citizen under the Constitution. The right to dissent is a fundamental aspect of freedom of speech and expression in a democratic society. It allows individuals and groups to express their disagreement or opposition to government policies, societal norms or any other issue. This right is essential in promoting open dialogue, encouraging diverse perspectives, and holding those in power accountable. Dissent can take various forms, including peaceful protests, public speeches, written articles, and more. Protecting the right to dissent is crucial for maintaining a vibrant democracy and ensuring that citizens can voice their concerns and grievances without fear of retaliation. It is a cornerstone of free and open societies that value the exchange of ideas and the right to challenge the status quo.

These rights should never be taken away otherwise we will become an unquestioning moribund society, which will not be able to develop any further. Dissent is a significant facet of the freedom of speech and expression. It plays a crucial role in democratic societies and underscores the principle that individuals have the right to express disagreement with established norms, government policies, or prevailing viewpoints. Dissent acts a check on government power. When individuals and groups are free to voice their opposition, it helps prevent the concentration of authority and the potential for abuse of power. It holds governments accountable for their actions. Dissent stimulates public debate and discussion. It invites people to critically examine various perspectives on important issues, which can lead to a more informed and engaged citizenry. Throughout history, many positive societal changes have been driven by dissent. Movements advocating for civil rights, gender equality, environmental protection, and other important causes often began with individuals or groups expressing dissenting views. Dissent fosters innovation and progress by challenging the status quo. It encourages individuals to think creatively, question assumptions, and seek new solutions to existing problems. Recognizing dissent as a fundamental right preserves individual autonomy and the right to one’s own beliefs. It respects the idea that people have different values and convictions and should not be compelled to conform to a single viewpoint. A society that values dissent embraces pluralism, recognizing that diversity of thought is a strength. It acknowledges that no single viewpoint should dominate, and that differing opinions contribute to a richer, more complex understanding of issues. But at the same time, it is important to note that dissent should be peaceful and respectful of the rights and safety of others. It can

take many forms, including protests, demonstrations, writing, speaking out and engaging in public discourse. In democratic societies, dissent is not only protected but often celebrated as an essential aspect of civic engagement and the pursuit of positive social change.

The Preamble to the Constitution ensures liberty of thought, expression, belief, faith and worship. Clauses (a) to (c) of Article 19(1)⁵ of the Constitution of India promise “*the freedom of speech and expression; freedom to assemble peaceably and without arms; and the freedom to form associations or unions*” respectively.

Dissent can be voiced using these three freedoms as a means. Opposition and conscience rights inherently include a substantial right to disagree. The purest form of democracy is dissent. Every citizen of the nation would naturally possess the freedom to disagree, to dissent, and to adopt an opposing viewpoint. When all of them considered together, it becomes quite clear that the Indian people’s right to dissent is the greatest and most significant privilege guaranteed by the Constitution.

Every civilization has its own set of laws, and societies become less cohesive over time if members just follow the established norms and practices. When someone challenges a society’s widely accepted norm, a new thought is born. It cannot be expected in a diversified country like India where we are provided with numerous rights under the Constitution that the citizens of the country would blindly agree and follow each and every policy and action of the government.

Nobody will construct new roads, undertake new discoveries, or discover new vistas if everyone stays on the well-traveled path. The boundaries of the mind will not broaden and new systems will not emerge if people do not raise doubts and ask questions about established systems. Whether it was Buddha, Mahavira, Jesus Christ, the Prophet Muhammad, Guru Nanak Dev, Martin Luther, Kabir, Raja Ram Mohan Roy, Swami Dayanand Saraswati, Karl Marx, or Mahatma Gandhi, if they had silently accepted the opinions of their ancestors and had not questioned the customs, beliefs, and practices that were already in place, new ideas and practices would not have been established.⁶

5 The Constitution of India, art. 19.- Protection of certain rights regarding freedom of speech etc.

- (1) All citizens shall have the right
 - (a) to freedom of speech and expression;
 - (b) to assemble peaceably and without arms;
 - (c) to form associations or unions;

6 PTI, “Blanket labelling of dissent as anti-national hurts ethos of democracy: Justice Chandrachud”, *The Hindu*, Nov. 28, 2021, available at: <https://www.thehindu.com/news/national/blanket-labelling-of-dissent-as-anti-national-hurts-ethos-of-democracy-justice-chandrachud/article30829420.ece> (last visited on Feb. 10, 2024).

In a democracy, dissension is necessary. Dissent and disagreement must be allowed, in fact, they should be encouraged, if a nation is to develop in a holistic way that protects citizens' civil and economic rights. Better ways to govern the nation can be *via* debate, disagreement, and conversation. The foundation for all development-political, economic, cultural, and social-is destroyed when places for inquiry and criticism are eliminated. Dissent serves as a safety valve for democracy in this fashion. It goes beyond the infringement of individual rights and a dedication to constitutional principles to silence criticism and instill fear in the minds of the public.⁷

Another issue that arises is labelling the voice of dissent as anti-nationals. Patriotism means to stand by our country, stand by our nation. It no where means to stand by the government, to stand by the Prime Minister or to stand by the President. Patriotism is a deep love and loyalty to one's country. When people say "stand by the country, not by the government," they are emphasizing that true patriotism is about supporting the fundamental values, principles, and well being of the nation itself, rather than blindly supporting every action or policy of the government in power. Governments change over time, and their policies can vary widely. Patriotism, on the other hand, remains constant commitment to the collective identity, culture and ideals of a nation. It means being willing to critique and hold the government accountable when it acts against the best interests of the country or undermines its core principles. In essence, patriotism involves a nuanced and critical love for one's country that extends beyond partisan politics and government actions, focusing on the greater good and the enduring values that define the nation. The protests as long as they are done peacefully and raising a voice of dissent against the policies and actions of the Government cannot be termed as anti-nationals. As the Preamble says that we are a democratic republic. So, in democratic republic, the Constitution has given the people rule of law and not rule of majority.

There can be no democracy without dissent. Dissent, which includes the freedom to express differing opinions, critique government actions, and engage in open debate, is essential for a functioning democracy. Without dissent, there is a risk of the government becoming authoritarian, unaccountable, and unresponsive to the needs and concerns of its citizens. Dissent serves as a crucial check and balance in a democratic system. It helps identify and address issues, promotes transparency, and allows for the peaceful resolution of conflicts. In a society where dissent is suppressed or discouraged, the principles of democracy, such as freedom of speech and expression are undermined, and the democracy may become more like an autocracy. The categorization of disagreement as anti-democratic or anti-national goes against our commitment to upholding constitutional ideals and advancing deliberative democracy. A state must therefore make sure that it uses its resources to defend the right to free speech within

7 *Ibid.*

the confines of the law and to thwart any attempts to stifle dissent or impose restrictions on it, as the attack on dissent goes right to the core of a dialogue-based democratic society.

The ability of a democracy to guarantee the establishment and defense of areas where each person can express their opinions without fear of retaliation is its “true test.” A commitment to diversity of opinion is ingrained in the liberal promise of the Constitution. Instead of attempting to stifle political competition, a legitimate government that is dedicated to thoughtful discourse encourages it. Mutual respect and preserving the space for opposing viewpoints are also crucial.⁸ Democracy is measured by the degree to which various voices from various segments of the population can genuinely be heard, respected, and taken into consideration, not only by the institutions that are legally in place. Suppression of differences and silencing of popular and unpopular voices offering alternative or opposing views is the “great threat to pluralism.” The nation’s conscience is suppressed when intellect is suppressed.⁹

A shared cultural value and a dedication to the fundamental ideal of the Constitution—which guarantees everyone the freedom to exercise their rights in a safe and unrestricted manner—are indicative of national unity. The nation’s dedication to preserving “the very idea of India as an oasis to people of various states, races, languages, and beliefs” is highlighted by its pluralism. The reaffirmation our commitment to the idea that the creation of our nation is an ongoing process of deliberation and belongs to every individual by giving spaces to a multitude of cultures and free space to diversity and dissent. There is no one person or organization that can claim exclusive ownership of the concept of India.

When the Constitution of our country was being framed and the basic and fundamental elements were incorporated in it, it does not mean that those fundamental and principal elements were not there in the society and they were newly incorporated. The Constitution and its essential elements are a reflection of what the Indian society is and what it aims to be. The word “secular” was not there initially in the Constitution of India but it was later on inserted by the Forty-Second Constitutional Amendment in 1976. Does that mean that before that India was not secular? India was secular from the very inception. And even if the word “secular” is eliminated from the Constitution, India would remain to be secular. Secularism lies at the core of the people of our country and only because of a few aberrations the feeling of being secular and the feeling of oneness cannot be taken away.

8 PTI, “Blanket labelling of dissent as anti-national hurts ethos of democracy: Justice Chandrachud”, *The Hindu*, Nov. 28, 2021, available at: <https://www.thehindu.com/news/national/blanket-labelling-of-dissent-as-anti-national-hurts-ethos-of-democracy-justice-chandrachud/article30829420.ece> (last visited on Mar. 30, 2023).

9 *Ibid.*

The framers of the Constitution rejected the notion of a Hindu India and a Muslim India. They recognized only the Republic of India. He also said the framers put trust on the future generations to create a common bond of what it means to be an Indian, which “shunned homogeneity and celebrated diversity in what is meant to be an Indian”. Though, India is a country of diversities and varieties but one must not and should not make these differences our weakness rather they should be our strength. Our ability to transcend these differences in our recognition of our shared humanity is a source of our strength.

V Evolution of right to dissent

The word dissent means having or expressing opinions that are different from those that are officially accepted. Freedom of speech and expression is been considered as an essential fundamental human right¹⁰ under the democratic system. Article 19 (1) (a)¹¹ of the Constitution of India recognizes this right as fundamental. The fundamental right of freedom of speech and expression is nothing but negative duty imposed upon the State under article 19 (1) (a)¹² of the Constitution of India. The Constitution of India rejects the doctrine of absolute rights by conferring the powers upon the State to make laws imposing reasonable restrictions. Under article 19 (2) of the Constitution the State may make a law imposing reasonable restrictions on the exercise of the right to freedom of speech and expression in the interest of the security of the State, friendly relations with foreign States, public order, decency, morality, sovereignty and integrity of India or in relation to contempt of court, defamation or incitement to an offence. The word ‘*in the interest of*’ in Article 19(2) of the Constitution of India connotes wider scope for enacting the laws to deny these rights.

The reasonable restrictions try to protect the interests of the nation as well as societal interests. Hence it invites tussle between individual interests and nation’s, society’s interest. But to what extent there is chance to balance these conflicting interests is another question that arises. These reasonable restrictions under article 19 (2) are the grounds, constitutionally valid, to limit the scope of exercise of this fundamental right. The judiciary has the constitutional duty to adjudge validity of imposed restrictions. In doing so the judiciary has articulated the freedom dynamically and has also widened its interpretation.

The freedom of speech and expression includes freedom to propagate ideas which is ensured by freedom of circulation of a publication, as publication is of little value

10 Universal Declaration of Human Rights, 1948 art.19- Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

11 The Constitution of India, 1950 art. (19)(1)(a)- All citizens shall have the right-(a) to freedom of speech and expression.

12 *Ibid.*

without circulation.¹³ In *Anand Patwardhan's*¹⁴ case court opined that, “one may not agree with the view of the film maker. But in a democracy, it is not necessary that everyone should agree upon the same melody.” This clearly shows how the judiciary has viewed the scope of freedom of speech and expression i.e. freedom of disagreement and dissent under democracy. In *Bennett Coleman & Co. v. Union of India*¹⁵ the court opined that the press serves as principal vehicle to the expressions of views of citizens. It further said that the “freedom of the Press is the Ark of the Covenant of Democracy because public criticism is essential to the working, of its institutions. Never has criticism been more necessary than today, when the weapons of propaganda are so strong and so subtle.”¹⁶

In *Romila Thapar v. Union of India*,¹⁷ Justice DY Chandrachud voiced a dissenting opinion, saying that people who disagree with the government are the true symbol of a vibrant democracy. Liberty and freedom are defining values of our Constitution. They should have the freedoms guaranteed by the constitution. This shows us that the courts acknowledge that right to dissent as a part of article 19 under the right to freedom of speech and expression.

The court further declared that one of democracy's fundamental tenets is the freedom to dissent. Citizens' rights in a democratic system extend far beyond the ability to vote; they also include the freedom to express their own opinions, which remain valid even if they differ from the majority's. Thus, these rights to dissent should be sufficiently acknowledged and protected.¹⁸ The Indian Constitution's Article 19 mentions the right to dissent. It is inherent in both article 19(1)(b), which addresses the right to peaceful assembly, and article 19(1)(a), which addresses the freedom of speech and expression. The Supreme Court has acknowledged the right to dissent in a number of rulings. The entitlement to dissent is explicitly delineated within article 19 of the Indian Constitution. It is intrinsically embedded in article 19(1)(a)¹⁹, pertaining to the entitlement of freedom of speech and expression, as well as article 19(1)(b), which addresses the right to engage in peaceful assembly. The prerogative to dissent has been judicially acknowledged by the Supreme Court through various pronouncements. In the matter of *Shreya Singhal v. Union of India*,²⁰ the apex court articulated that an innocuous expression should not be deemed fundamentally

13 *Romesh Thappar v. State of Madras*, AIR 1950 SC 124.

14 *Anand Patwardhan v. Union of India*, AIR 1997 Bom 25.

15 1973 AIR 106; 1973 SCR (2) 757.

16 *Ibid.*

17 (2018) 10 SCC 802.

18 *Ibid.*

19 The Constitution of India, 1950.

20 (2013) 12 SCC 73.

erroneous merely on the basis of contentions asserting its gross offensiveness or propensity to cause inconvenience.

Dissent constitutes the foundational cornerstone of democratic governance. For a democracy to flourish, it is imperative that its constituents are afforded the freedom to express dissenting opinions. While a democratic polity may be governed by an elected majority, the ethos of majoritarianism stands in direct contradiction to the principles inherent in democratic governance. Critiques directed towards the executive, judiciary, bureaucracy, and the armed forces ought not to be categorically denominated as “anti-national.”

VI Dissent and anti-nationalism

Dissent is an essential element of any democracy, allowing citizens to express their views, criticize government policies, and engage in public discourse. In India, there have been historical and contemporary instances of dissent on various issues, such as social, political, economic, and environmental concerns. However, the term “anti-nationalism” is often used subjectively and can be a point of contention. What some view as dissent and a valid expression of free speech, others may label as anti-national activities, especially when they involve actions that challenge the state’s authority or sovereignty. It is important to remember that in any democratic society, striking a balance between safeguarding national security and upholding the principles of free speech and dissent is a challenge. The interpretation of what constitutes dissent and anti-nationalism can vary widely, and these discussions continue to evolve in India’s dynamic socio-political landscape.

The term “anti-national” is not defined in the statutes. However, criminal laws and other court declarations are in place to deal harshly with unlawful and subversive acts that threaten the unity and integrity of the nation. Article 31D of the Constitution (Forty-second Amendment) Act, 1976, which was added during the Emergency, defined “anti-national conduct.” This Article (31D) was later deleted by the Constitution (Forty-third Amendment) Act, 1977. Today, however, all actions of government criticism are labeled as anti-nationalist. It is dreadful that any anyone who criticizes a violation of his or her rights may be penalized under the Unlawful Activities (Prevention) Act of 1967, or UAPA. The Unlawful Activities (Prevention) Act (UAPA) is an anti-terrorism law in India that is designed to combat activities that threaten the sovereignty and integrity of the country. While the UAPA primarily focuses on addressing terrorism and unlawful activities, there have been concerns and debates regarding its potential impact on the right to dissent and freedom of speech and expression in India.

In accordance with section 13 of the UAPA Act, a person who engages in “illegal action” is subject to up to seven years of jail. The phrase “illegal activity” is defined under section 2 of the UAPA. It is claimed that any action claiming or instigating the cession of a portion of India’s territory, or seeking to undermine the sovereignty and

territory of India, or producing or intending to foment disaffection against India, might be considered illegal.

The most notable aspect of the 2019 modification to the UAPA of 1967 is that the government is given the power to label an individual as a terrorist. If the government decides to label a person as a terrorist, that individual has limited to no redress. The government alone may determine if a person is involved in terrorism. Prior to the introduction of this amendment, the government was required to offer justification for labeling a person as a terrorist. With this change, the government is no longer required to produce justification. This is a flagrant violation of the law, and the judiciary must investigate immediately.

A multitude of individuals have been prosecuted under the UAPA for speaking out against the Citizenship Amendment Act, for speaking out against being unjustly arrested in Kashmir, and for supporting the farmers bill. A citizen's right does not end with his ability to vote for the government; in fact, it begins there. He has every right to remark, disagree, and speak up for what he feels is correct, so long as he does not breach the law or incite conflict. Therefore, the freedom to dissent is an inherent right, which the government and other institutions consistently disregard.

As Humans, are obliged to hold divergent opinions on several matters. It is possible that my interests do not align with those of another individual. As soon as one put aside these disagreements and stand united, there will be national integrity. However, nowhere is it stated that one person's viewpoint is inferior to another and should be ignored. In reality, only when individuals have opinions can several viewpoints on a same problem can be appreciated, and this may also contribute to economic progress. The current state of India is pitiful, since citizens are unable to express their opinions. People should be permitted to admit or reject a notion with or without bringing up their own personal beliefs.

Some would have us think that the freedom to dissent is the most vital element of a democratic society, while others would recognize disobedience as a valid form of protest. In these times of automatic blanket deference to the right of dissent from all quarters - conservatives and liberals, teachers and students, the president and marchers, parents and children, editorial writers and reporters - it may seem foolhardy for a person who considers himself committed to democracy to inject a note of caution, but it is necessary. According to the idea of free expression, differing opinions have long been valued. Free speech ensures a path to individual fulfillment. This serves as a safeguard against both the tyranny of the State and the tyranny of social forces. Therefore, it is essential for every democracy.

The idea of democracy cannot be reduced to a single system of government. Democracy is a kind of communal life and shared, communicative experience. This linked kind of democracy is fundamentally an attitude of veneration and regard for

one's fellow citizens. Fraternity and democracy are synonymous terms. In the Preamble to the Constitution of India, the word "fraternity" preserves the dignity of the person as well as the nation's unity and integrity. Fraternity is what ensures social endosmosis. For him, the civilization that assures such social endosmosis is ideal. Under these circumstances, diverse interests are stated consciously. Such a democratic society is both dynamic and movable. Only until there is a sense of fraternity and unity among the nation's citizens can its democratic government function correctly. In a country as varied as India, the concept of unity and the sensation of belonging to a single nation are of utmost importance; nonetheless, fraternity is unachievable if each individual's dignity is not recognized and maintained. Thus, a tight society has no room for freedom and equality, which eventually prohibits the existence of fraternity and, thus, democracy. Fraternity that ensures social endosmosis is a genuine form of democracy. Therefore, democracy cannot be restricted to the (election-oriented) Parliamentary form alone. Democracy is the political commitment to the emancipation of all people by ensuring their equal enjoyment of fundamental human rights. Democracy may be seen as a tool for the eventual liberation of humankind from socioeconomic and cultural enslavement. To achieve this objective of emancipation, democracy functions as a political commitment.

VII Conclusion

Dissent is possessing or expressing ideas that differ from the officially acceptable viewpoints. Under the democratic system, freedom of speech and expression is seen as an essential fundamental human right. Article 19 (1)(a) of the Indian Constitution acknowledges this as a basic right. Under Article 19 (1) (a) of the Constitution of India, the basic right to freedom of speech and expression is just a negative obligation imposed on the State. Article 19 of the Indian Constitution recognizes the freedom to express opposition. Article 19(1)(a) of the Indian Constitution, which addresses the right to freedom of speech and expression, contains this provision.

According to the idea of free expression, differing opinions have long been valued. Free speech ensures a path to individual fulfillment. This serves as a safeguard against both the tyranny of the State and the tyranny of social forces. Therefore, it is essential for every democracy. The freedom to dissent is fundamental to any democracy, and criticism of the administration, judiciary, bureaucracy, or Armed Forces cannot be labeled "anti-national." All mature democracies encourage citizens to consistently disagree with the establishment, the government, and the party in power. One cannot be labeled as dangerous and anti-national for using his or her rights of speech and expression.

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