

Constitutional Morality Very Dangerous, Hope It Dies: KK Venugopal

Attorney General KK Venugopal on Saturday, 8 December, said that the use of constitutional morality can be dangerous and can lead to the Supreme Court becoming the third chamber of the Parliament.

“Use of constitutional morality can be very, very dangerous and we can't be sure where it'll lead us to. I hope constitutional morality dies. Otherwise, our first PM Pandit Jawaharlal Nehru's fear that SC will become 3rd chamber (of Parliament) might come true,” he said as quoted by ANI.

Referring to the Sabarimala case, Venugopal said that it's one thing for SC to deal with an individual, but here you're dealing with a whole population.

“In Sabarimala case, dissenting judge said we can't interfere with a matter of faith. But other 4 judges dealt with constitutional morality. It's one thing for SC to deal with an individual, but here you're dealing with a whole population,” he added.

Venugopal was speaking at the JB Dadanchanji Memorial Debate, organised by ILA Pasrich & Company in New Delhi. The gathering was also addressed by Justice Madan B Lokur, Solicitor General Tushar Mehta, Senior Advocate and Congress leader Salman Khurshid and senior advocates Pinky Anand and Indira Jaising.

According to [The Indian Express](#), Venugopal also clarified that he was speaking in his personal capacity.

“The Preamble of the Constitution says ‘we the people’. We gave to ourselves this Constitution. Are you going to treat the whole of the population as illiterate and not able to think for themselves? I say no. Maybe the illiteracy today is 26 percent, but even those (people living in the villages and rural areas), they have basic wisdom and they know what is good for them. And therefore, for the court to believe that unless we interfere, the country is doomed, I say no, it can't”, said Venugopal, quoted by [The Indian Express](#).

He also criticised the manner in which the apex court had interpreted Article 142 of the Constitution (Enforcement of decrees and orders of Supreme Court).

He said it was “used” by the court “as a powerful weapon which surpassed all the powers conferred on the Supreme Court by the Constitution. Article 142 merely permitted the Court to pass such decree or make such order as to do complete justice in any cause or matter pending before the court... But the Article was treated as a Kamadhenu from which unlimited powers flowed to the apex court of the country,” Venugopal said, according to [The Indian Express](#).

(With inputs from ANI and The Indian Express)