

CONSTITUTIONAL FUTURISM: RE-DEFINING THE INDIAN CONSTITUTION FOR INTERGENERATIONAL EQUITY AND CLIMATE JUSTICE

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Abstract

As the Indian Constitution marks seventy-five years of its adoption, it stands as a symbol of democratic endurance and social justice. However, the proliferating climate crisis, driven by both natural and man-made factors, poses an existential challenge, threatening the rights and livelihood of present and future generations. Existing provisions such as Article 21, Article 48A, and Article 51A(g),² alongside judicial innovations in *M.C. Mehta v Union of India*, *T.N. Godavarman v Union of India*, and *Subhash Kumar v The State of Bihar*, have advanced environmental protection, but remain reactive, fragmented, and insufficient for the urgency of ecological collapse. This paper proposes constitutional futurism, thereby embedding principles of intergenerational equity, the rights of nature, and enforceable ecological duties as core constitutional commitments either through a “climate basic structure doctrine” or via explicit amendments to the grund norm. The paper takes inspiration from the writing of Upendra Baxi, Lavanya Rajamani and multiple studies conducted by NITI Aayog and TERI, along with comparative models like Ecuador’s Paachamama rights, Norway’s constitutional environmental rights, and France’s Environmental Charter. Through doctrinal analysis, case law review, and interdisciplinary insights from environmental ethics and international climate law, this research outlines a roadmap for constitutional reform that goes beyond short-term policy cycles. By incorporating climate justice as a non-derogable value in the Constitution, India can safeguard not only individual liberties but the ecological foundation upon which democratic life depends.

KEYWORDS: *Constitutional Futurism, Climate Justice, Intergenerational Equity, Environmental Rights, Basic Structure Doctrine.*

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² The Constitution of India, art 48A, 21, 51A(g)

Introduction

The Indian Constitution was adopted in 1950, and since then, it has been widely regarded as a living document that is capable of adapting to the evolving aspirations of its people. The Preamble of the Constitution enshrines goals of justice, liberty, equality, and fraternity, and these have historically proven resilient to social and political upheaval. The increasing climate crisis poses one of the most fundamental constitutional challenges of our time, which meets not only the resilience of India's constitutional framework but also how constitutional philosophies have been. While environmental protection finds its source in Articles 21, 48A, and 51A(g), these provisions remained distorted and insufficient to fulfil the long-term demands of climate governance and ecological justice.

Climate change is one of the most profound conditional questions whose impacts are uneven, specifically affecting marginalised communities and future generations the most, even though they have the least say in present-day legal and political processes. Article 21's environmental protection arose only when the judiciary intervenes and interprets in the liberal sense, Article 48A is a directive principle without direct enforceability, and Article 51A(g) is framed as a moral duty rather than a binding obligation. These limitations portray that, even after years of climatologists and environmental activists filing petitions, protesting, there is no built-in constitutional safeguard to ensure that decisions made today will not harm the rights of future generations. For instance, all policies that approve large-scale industrial projects rarely undergo constitutional scrutiny to evaluate their long-term ecological impact. This paper links climate governance directly to constitutional rights, duties and structural principles and calls for a forward-looking constitutional vision that protects both present and those yet to be born.

The Constitution of India, while progressive and adaptable in the concept of amendments and social transformation articles, however, it lacks explicit provisions that secure ecological rights or intergenerational justice in the context of the climate crisis. Though judicial interpretations of Article 21, 48, 51A(g) have extended environmental protections in terms of the right to a safe working environment or the right to a clean environment, they do not establish enforceable obligations on the State or individuals to protect future generations from ecological harm. As climate change accelerates, this legal vacuum leads to further disconnect between environmental commitments in terms of the green environment, carbon footprint falling, and enforceability, threatening both present and future constitutional rights. The problem, therefore, lies in the absence of any constitutional foresight, a textual gap that fails to address the structural and temporal complexity of ecological degradation. While there exists substantial

scholarship when it comes to environmental laws, with various existing legislations on it, however, existing literature does not adequately examine the need for a constitutional reimagination grounded in intergenerational equity and climate justice. This research seeks to fill that doctrinal and comparative void, arguing for a future-ready constitutional framework that goes beyond small cases to cases.

1. Constitutional Commitments and their Limitations

Under Article 21 (Right to life), intergenerational protection is not clearly mentioned, but the Supreme Court has read environmental quality under the purview of Art 21. This creates a *judicially enforceable* hook for present citizens, and, by implication, for future-facing claims. As far as Article 48A is concerned, it directs the State to protect and improve the environment, thereby shaping constitutional purpose and guides interpretation, but is non-justiciable on its own. Even Article 51A(g) (Fundamental Duty) enjoins citizens to protect the environment. Courts sometimes use it to assess reasonableness and to support restrictions or regulatory standards, but it does not independently create enforceable rights. The Constitution enables courts to protect environmental interests, but it does not expressly recognize intergenerational rights as a standalone, enforceable guarantee. Protection for future generations is therefore mediated via interpretation rather than in clear text.

In *Rural Litigation and Entitlement Kendra v State of U.P.*³— The first case where *environment was linked to Article 21*, the court halted limestone quarrying in the Dehradun Valley to protect the environment, holding that ecological balance is essential for the right to life. It laid the first link between the environment and Article 21, paving the way for later doctrines. In *M.C. Mehta v Union of India (Oleum Gas Leak)*⁴— This case recognized absolute liability for hazardous industries and connected industrial safety to environmental protection under Article 21. It also established the principle that industrial development cannot compromise citizens' right to a safe environment. In *M.C. Mehta v Union of India (Ganga Pollution Case)*⁵, the Apex Court held that the *right to pollution-free water and air* is under the ambit of the “right to personal liberty and dignity” under Article 21.⁶ This case could be considered as the first explicit judicial statement that environmental degradation caused by the tanning industries on the banks of the river Ganga violates the fundamental rights of those citizens residing there. In

³ Rural Litigation and Entitlement Kendra v State of UP

⁴ M.C. Mehta v Union of India 1987 AIR 1086

⁵ M.C. Mehta v Union of India AIR 1988 SC 1037

⁶ Ibid 1

Subhash Kumar v State of Bihar⁷, the court reaffirmed that the “*right to life includes the right of enjoyment of pollution-free water and air, full enjoyment of life.*” If anything endangers or impairs these rights, an individual can resort to the recourse under Article 32. In *Indian Council for Enviro-Legal Action v Union of India*⁸, the court applied the Polluter Pays Principle, which was promoted by the Organization for Economic Co-operation and Development (OECD) during the 1970s when there was great public interest in environmental issues, and held that “polluters are liable to compensate for environmental harm.” It also made environmental liability a constitutional imperative. In *Vellore Citizens Welfare Forum v Union of India*⁹, another important case, which introduced the “*Precautionary Principle and Polluter Pays Principle as part of the law of the land,*” and linked sustainable development, and thus intergenerational equity, to Articles 21, 48A, and 51A(g). In *T.N. Godavarman Thirumulpad v Union of India* (1997–continuing)¹⁰, a former zamindar from the Nilgiris, filed a **public interest litigation (PIL)** before the Supreme Court under Article 32 of the Constitution. His petition was initially about **illegal timber felling in the Nilgiris**, but the Court expanded the scope to cover **forest conservation across the entire country**. The Court interpreted “*forest*” broadly, not just government-notified forests, but **all areas that met the dictionary meaning of “forest”**. This case continuing mandamus to oversee forest governance and prevent deforestation. Long-term judicial oversight indirectly served intergenerational interests by preserving forest resources. In *H. Narmada Bachao Andolan v Union of India* (2000)¹¹, The case reiterated sustainable development as balancing economic growth and environmental protection. Recognized future generations’ stake in natural resources. In *Lafarge Umiam Mining (P) Ltd. v Union of India* (2011)¹², Lafarge Umiam Mining sought approval to divert forest land for limestone extraction to supply a cement plant in Bangladesh. The dispute involved questions of environmental clearance, the Forest (Conservation) Act, 1980, and local tribal rights. The Supreme Court stated: “*Intergenerational equity is a part of the principles of sustainable development... It ensures that the present generation does not exhaust resources meant for future generations.*” Again in, *J. Adivasi Majdoor Kisan Ekta Sangathan v. Union of India* (2022)¹³, Court declined to grant clearances for coal mining in Hasdeo Aranya despite

⁷ Subhash Kumar v State of Bihar (1991) 1 SCC 598

⁸ Indian Council for Enviro-Legal Action v Union of India 1996 AIR 1446

⁹ Vellore Citizens Welfare Forum v Union of India AIR 1986 SC 2715

¹⁰ T.N. Godavarman Thirumulpad v Union of India Writ Petition (Civil) No. 202/1995

¹¹ Narmada Bachhao Andolan v Union of India AIR 2000 SC 3751

¹² Lafarge Umiam Mining (P) Ltd. v Union of India WA No. 56 of 2010

¹³ Adivasi Majdoor Kisan Ekta Sangathan v Union of India Appeal No. 3/2011 (T) (NEAA No. 26 of 2009)

environmental concerns. This shows the limits of judicial willingness to prioritise intergenerational equity without stronger constitutional anchoring.

Limitations of Judicial Model

Since intergenerational claims flow through interpretation, outcomes can vary with bench philosophy and case posture. For example, in *Adivasi Majdoor Kisan Ekta Sangathan v Union of India*,¹⁴ the Court declined to stay clearances for coal mining. Whatever the merits, the decision showcases that future-facing concerns may yield to competing considerations absent a firm constitutional mandate. The Courts speak the language of intergenerational equity, but there is no distinct constitutional right of future generations. As a result, long-term claims are refracted through present-rights litigation (Art. 21) or structural principles (public trust), rather than as a freestanding entitlement. In *Godavarman*'s style, continuing mandamus has achieved significant environmental outcomes, but it also reflects a gap in legislative/executive design. The judiciary's management role is a workaround, not a substitute for a constitutional framework that hardwires long-term ecological stewardship. Art. 48A and 51A(g) shape purpose and civic ethos but are not justiciable. Climate responsibilities are not spelt out in the text; the Seventh Schedule does not allocate climate-specific powers; and the core environmental statute rests on Art. 253 (treaty-implementation),¹⁵ leaving centre-state coordination and long-horizon planning to policy rather than constitutional structure.

Security of Intergenerational Environmental Rights

The recognition of intergenerational rights is implicit rather than explicit. Intergenerational equity is acknowledged through sustainable development, public trust, and precaution, not as a named constitutional right. If looked at from the lenses of Art. 21 and judge-made principles. Individuals and groups can litigate present harms with future-oriented reasoning, and courts have granted robust remedies in leading cases. The durability is contingent because the protection is interpretation-led (Art. 21 + principles) and the textual anchors (48A, 51A(g)) are non-justiciable; protections can wax and wane with judicial approach and political context. Long-term safeguards depend on case-by-case review, continuing mandamus, and policy instruments (e.g., EIA processes), rather than a constitutional mechanism that compels governments to account for impacts on future generations.

¹⁴ Ibid 11

¹⁵ The Constitution of India, art 253

COMPARATIVE CONSTITUTIONAL MODELS

India is not alone in grappling with the challenge of embedding environmental and intergenerational rights within its constitutional framework. Countries like Ecuador, France, and Norway have taken significant steps toward this goal.

Ecuador: Rights of Nature (Ecocentric Shift)

Ecuador's Constitution, adopted in 2008, is renowned for recognising the **Rights of Nature**, a groundbreaking legal framework that acknowledges ecosystems as rights-bearing entities. This legal innovation is enshrined in **Chapter 7**, specifically in Articles **71 to 74**. Article 71 declares that “**Nature, or Pacha Mama, where life is reproduced and occurs, has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes.**” Subsequent articles (72–74) further elaborate on the rights to restoration, preventive measures, and the prohibition of activities that could lead to the extinction of species or the destruction of ecosystems.¹⁶ This constitutional change was influenced by Ecuador's indigenous worldview, particularly the concept of “**Sumak Kawsay**” or “Good Living,” which emphasises harmonious coexistence with nature. The movement gained momentum through grassroots activism and the support of legal scholars advocating for environmental justice. In 2008, following a national referendum, Ecuador became the first country to codify the Rights of Nature into its constitution, setting a precedent for environmental governance.

In the Vilcabamba River Case,¹⁷ the Provincial Court of Loja ruled in favour of the river ecosystem, affirming that the government violated nature's constitutional rights by widening a road without ecological safeguards. This case exemplifies enforceable biocentric constitutionalism. Ecuador moves beyond human rights to nature's rights; a leap India could emulate through a new constitutional article recognizing ecosystems as legal subjects. France's 2005 Charter for the Environment is part of its constitutional block and shapes statutory and administrative decisions.¹⁸ Notably, the French Constitutional Council struck down legislation

¹⁶ Rights of Nature in Ecuador, Wikipedia (last updated May 2024), https://en.wikipedia.org/wiki/Rights_of_nature_in_Ecuador.

¹⁷ Provincial Court of Loja, *Vilcabamba River Case*, Judgment No. 11121-2011-0010 (Mar. 30, 2011)

¹⁸ **Loi constitutionnelle n° 2005-205 du 1er mars 2005 relative à la Charte de l'environnement**, J.O. n° 51, 2 mars 2005, p. 3697, <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000790249/>.

inconsistent with the Charter in the 2020 Climate Law Review, affirming constitutional supremacy of environmental principles.¹⁹ The Charter's integration with the precautionary principle also influences urban planning, agriculture, and industrial regulation. France shows how constitutionalizing environmental values leads to proactive policy alignment, not merely reactive litigation. Norway's Constitution Article 112 clearly states the concept of intergenerational equity, stating "*Every person has the right to an environment that is conducive to health and to a natural environment whose productivity and diversity are maintained. Natural resources shall be managed based on comprehensive long-term considerations which will safeguard this right for future generations as well.*"²⁰ Thereby, the Constitution mandates that natural resources be managed based on long-term considerations. In *Greenpeace Nordic v Government of Norway*,²¹ youth groups challenged Arctic oil exploration, arguing it violated Article 112.²² Though the Supreme Court ultimately ruled in favour of the government, the case forced the judiciary to interpret future generations' rights as a constitutional question, opening space for future challenges. Norway's model shows that even where courts defer to the executive, constitutional recognition enables litigation and deliberation on climate justice.

In a historic 2021 ruling, Germany's Federal Constitutional Court "*Bundesverfassungsgericht*" struck down parts of the national climate law for violating intergenerational equity, arguing that insufficient action today imposed disproportionate burdens on future citizens.²³ The Court stated: "*One generation must not be allowed to consume large parts of the CO₂ budget while bearing only a small share of the associated reduction burdens.*" Germany constitutionalized the carbon budget as a rights-based issue, something India could learn from by linking emissions ceilings to rights discourse under Article 21.

Uganda's Constitution (Article 39)²⁴ guarantees "*Every Ugandan has a right to a clean and healthy environment.*" Notably, in *Advocates for Natural Resources v Attorney General*,²⁵ the Ugandan High Court addressed the government's failure to manage the environment,

¹⁹ Conseil Constitutionnel [CC] [Constitutional Council] decision No. 2020-881 QPC, July 31, 2020, *Rec.* 78 (Fr.); https://www.legifrance.gouv.fr/dossier_lg/section_lc/LEGISCTA0000006161231/.

²⁰ **Constitution of the Kingdom of Norway art. 112 (1992).**

²¹ *Greenpeace Nordic v. Government of Norway* 20-051052SIV-HRET

²² *Ibid* 19.

²³ *Bundesverfassungsgericht* [BVerfG] [Federal Constitutional Court], Mar. 24, 2021, 1 BvR 2656/18, paras. 1–270 (Ger.), <https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/2021/03>

²⁴ Constitution of Uganda, art 39

²⁵ *Advocates For Natural Resources v Attorney General* Constitutional Petition Number 40 of 2013.

specifically concerning the Butamira Forest Reserve. While the court did not explicitly use the term “intergenerational equity,” it emphasized the state’s duty to protect natural resources for the benefit of both present and future generations. This aligns with the principle of intergenerational equity, which advocates for the preservation of the environment for future generations. The court’s decision underscored the importance of sustainable environmental management and the constitutional right to a clean and healthy environment. Uganda offers a Global South precedent for enforceable environmental rights, closer in developmental context to India than European models.

These models showcase a normative shift from human-centric constitutionalism to eccentric and intergenerational frameworks. They offer compelling blueprints for India to consider, demonstrating how constitutional texts can be innovatively crafted to anticipate the future. Moreover, they demonstrate that constitutionalizing environmental rights enhances judicial review, strengthens public accountability, and creates a lasting legacy of ecological stewardship.

Country	Constitutional Provision	Eco centric?	Intergenerational Rights?	Enforceability
Ecuador	Arts. 71–74 ²⁶	Yes	Implied	Strong
France	Environmental Charter	Anthropocentric	No	Moderate
Norway	Art. 112 ²⁷	Anthropocentric	Explicit	Strong
Germany	Climate Law Ruling	No	Strong	Strong
Uganda	Art. 39 ²⁸	Yes	No	Emerging

TOWARD A CLIMATE BASIC STRUCTURE DOCTRINE

The basic structure doctrine, first articulated in *Kesavananda Bharati v State of Kerala*,²⁹ remains the bedrock of Indian constitutionalism. It posits that while Parliament has wide

²⁶ Constitución de la República del Ecuador [Constitution of the Republic of Ecuador], Oct. 20, 2008, arts. 71–74, https://www.asambleanacional.gob.ec/sites/default/files/documents/old/constitucion_de_bolsillo.pdf.

²⁷ *Kongeriket Norges Grunnlov* [Constitution of the Kingdom of Norway], May 17, 1814, art. 112 (amended 1992), <https://lovdata.no/dokument/NLE/lov/1814-05-17>.

²⁸ *Constitution of the Republic of Uganda*, 1995, art. 39, <https://ulii.org/ug/legislation/consolidated-act/0>

²⁹ *Kesavananda Bharati v. State of Kerala* AIR 1973 SC 1461

powers to amend the Constitution, it cannot alter its essential features or core identity. Over the years, this doctrine has evolved to encompass foundational principles such as secularism, federalism, judicial review, democracy, and the rule of law.³⁰

In the face of accelerating climate collapse, it is imperative to ask: Can a Constitution that does not secure the ecological future of its people still claim to uphold its basic structure? The existential scale of the climate crisis, its irreversibility, its disproportionate impact on vulnerable communities, and its long temporal footprint demand that environmental protection and intergenerational equity be recognized as implicit in the basic structure.

Embedding climate justice within the basic structure would constitutionalize an obligation of ecological continuity: a recognition that no generation has the right to irreversibly damage the life-support systems of the Earth for those who follow. This would empower the judiciary to invalidate laws, executive actions, and industrial projects that result in ecologically catastrophic outcomes, even if they appear legal under existing statutes. A doctrine of climate constitutionalism rooted in the basic structure would enable anticipatory rather than reactive jurisprudence. Further, such a move would align India's constitutional law with its international obligations, under the Paris Agreement, the Convention on Biological Diversity, and the Sustainable Development Goals (SDGs),³¹ transforming soft obligations into hard constitutional commitments. It would also fortify environmental federalism, ensuring that sub-national governments cannot abdicate their responsibilities in the name of growth, nor can the Union override ecological concerns in the guise of national development.

Recognizing climate justice as part of the basic structure is not an act of judicial activism; it is a constitutional necessity in an age where the erosion of biodiversity, extreme weather, and resource depletion threaten the foundations of the republic itself.

PROPOSED NORMATIVE AND STRUCTURAL REFORMS

To translate constitutional futurism from theory into action, India must pursue a set of transformative legal, institutional, and cultural reforms. These must reflect both textual amendments and systemic redesign, a shift in how we imagine constitutional time,

³⁰ Ibid 16

³¹ Convention on Biological Diversity, opened for signature June 5, 1992, 1760 U.N.T.S. 79 (entered into force Dec. 29, 1993), <https://www.cbd.int/doc/legal/cbd-en.pdf>

responsibility, and sovereignty.

Constitutional Amendment: Introduce a new Part or Article, for example, *Part IVA-A: Duties of the State Toward Future Generations and Nature*, that:

1. Recognizes the rights of nature as legal persons.
2. Establishes the State's constitutional duty to protect ecological systems in perpetuity.
3. Makes intergenerational justice enforceable and non-derogable, similar to other fundamental rights.

This would echo global trends seen in Ecuador and Germany and provide a textual anchor for climate jurisprudence in India.

Independent Commission for Future Generations: The **Independent Commission for Future Generations** would be a constitutionally empowered body, headed by an eminent jurist or environmental expert, with members drawn from law, science, economics, civil society, and youth advocacy. It would assess the long-term impact of laws, policies, and development projects, issue **Future Impact Reports**, and hold standing before courts to represent future generations. Accountability would be ensured through **public reporting, parliamentary oversight, judicial review, and independent ethics monitoring**, with a fixed, non-renewable tenure to preserve independence.

Such commissions have precedents internationally, providing valuable models for India. For instance, Israel established a Parliamentary Commissioner for Future Generations, tasked with reviewing legislation for long-term social and environmental impact, and with powers to intervene in parliamentary discussions. Hungary briefly experimented with a Parliamentary Commissioner for Future Generations, which monitored environmental policy and citizen complaints regarding ecological harm, though it was later discontinued. In Wales, proposals for a Future Generations Commissioner have emphasized statutory duties to promote sustainable development, social equity, and intergenerational justice across governmental decision-making. These examples illustrate how a dedicated institutional body can embed long-term thinking into governance, provide legal standing for future interests, and ensure systematic accountability, offering India a practical blueprint for constitutionalizing intergenerational environmental rights.³²

³² Sébastien Jodoin, 'The Human Rights of Future Generations and the Climate Crisis' (2021) 12 Transnat'l Hum Rts Rev 45, 58–60.

Constitutional Environmental Audits: Mandate periodic constitutional audits of all State and Union Ministries, with a focus on:

1. Emission pathways and compliance with India's Nationally Determined Contributions (NDCs).
2. Biodiversity conservation, resource use, and adherence to the precautionary principle.
3. Public disclosure to ensure transparency and accountability in climate governance.

Expanded Judicial Interpretation of Article 21³³

Encourage courts to interpret the right to life not merely as a right to survive, but as a right to ecological sustainability, climate security, and environmental dignity. Draw from:

International legal instruments have also influenced the evolution of environmental and intergenerational rights. The **International Covenant on Civil and Political Rights (ICCPR)**, while not explicitly environmental, enshrines the right to life under Article 6,³⁴ which has been interpreted by international bodies to include a clean, safe, and sustainable environment when life is threatened by climate impacts. The **1972 Stockholm Declaration**³⁵ was one of the first international documents to formally link environmental protection with human rights and the responsibility of states to protect natural resources for present and future generations. Principle 1 of the Declaration affirms that man has the “fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being.” These instruments, though not binding like national constitutions, provide normative guidance that has influenced domestic constitutional frameworks across the world.

Decentralized Ecological Governance would constitutionally empower **Panchayats and Urban Local Bodies** (under Articles 243G and 243W)³⁶ to manage natural resources, enforce local environmental impact assessments, and lead community-based climate adaptation. Committees would include elected representatives, experts, youth, and marginalized community members, ensuring **inclusive decision-making**. Accountability and transparency would be maintained through **public reporting, audits, and grievance mechanisms**, while enabling local bodies to foster **climate resilience and sustainable stewardship** for present

³³ Constitution of India, art 21.

³⁴ International Covenant on Civil and Political Rights art. 6, Dec. 16, 1966

³⁵ United Nations Conference on the Human Environment, Stockholm Declaration, U.N. Doc. A/CONF.48/14/Rev.1 (June 16, 1972).

³⁶ Constitution of India, art 243G and W.

and future generations. This would deepen environmental federalism and localize stewardship.

Constitutional Environmental Education Mandate: Amend Article 51A(g)³⁷ to make ecological education compulsory in curricula at all levels. This would:

1. Promote climate literacy
2. Cultivate a culture of planetary responsibility
3. Link constitutional duties to everyday citizenship

Legal change must walk in tandem with cultural change. A green Constitution must inspire not just litigation but also imagination.

Conclusion

India's constitutional centenary is not merely a milestone to commemorate, but a threshold to cross with purpose. To preserve our constitutional democracy, we must now re-find it upon an undeniable truth: that its greatest test will be ecological. A climate-changed world does not simply strain governance—it voids the very substance of rights, turning promises of housing, health, food, and dignity into artifacts of a more stable past. Unlike political crises, ecological unraveling offers no easy reversal. Once critical thresholds are crossed, neither courts nor elections can restore what is lost. Therefore, if our Constitution is to remain a living document, it must extend its voice beyond the present—to speak for the unborn, to heed the integrity of forests, rivers, and oceans, and to constitutionally restrain humanity's unsustainable appetites. This is not a question of political convenience, but of civilizational survival. India, drawing on its ancient ethos of ecological harmony and its modern legacy of constitutional innovation, stands poised to lead the Global South in forging a green constitutionalism—a framework where democracy is understood not as a compact among the living alone, but as a sacred covenant between generations. The final question, then, is not whether we can afford this transformation. It is whether we can survive without it. To honor the past and protect the future, we must now plant the seeds of a constitution that can live through time.

³⁷ Constitution of India, art 51A(g).