



## The architecture of unfreedom: A political sociology of position, power, and popular silence in India

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DOI: <https://doi.org/10.66856/ijsp.2026.8.2.8048>

### Abstract

This paper examines the structural conditions that enable certain individuals in India to speak truth, which is otherwise easy and harmless, while the majority of commoners remain unable to do so. Drawing on political theory, empirical data from press freedom and surveillance reports, and a qualitative analysis of prominent dissenting voices across politics, journalism, literature, and cinema, the paper argues that the capacity to speak truth is not a function of individual courage but of socially and institutionally constructed positions. These positions are created through four main mechanisms: personal symbolic capital, systemic designation (such as opposition leadership), foreign institutional backing, and sudden ruptures within the ruling order. The paper further quantifies the asymmetry of risk using National Crime Records Bureau data, showing that nearly 70% of sedition arrestees between 2018 and 2022 were ordinary citizens. It also introduces the concept of the "panoptic gaze" as internalised self-discipline, supported by auto-ethnographic reflection. The paper concludes that the system perpetuates an architecture of unfreedom in which the majority internalises silence, and truth becomes a luxury reserved for those whom the state cannot easily suppress. Policy implications for democratic deepening are briefly discussed.

**Keywords:** India, truth-telling, political dissent, surveillance, public sphere, hegemony, *parrhesia*, symbolic capital, commoners, institutional positions, panopticon, subaltern

### Introduction

There is a deep structural problem with who can actually speak truth, or write it, or debate it, or even express it through different symbolic ways. In the Indian context, particularly against the background of its political condition, the political institution appears more domineering than other powerful social institutions such as caste, religion, or family networks. Speaking or writing the truth is intrinsically easy and risk-free compared to lying, conspiring, or scheming, which require greater mental labour. Cognitive psychology studies confirm that deception imposes a higher cognitive load than truth-telling (Vrij *et al.*, 2018) [40]. Yet, when truth becomes difficult to utter, and those who speak it are called courageous, the system must be dangerously wrong. This paper asks a prior question: not why the commoner lies, but how a small section of people, despite the natural ease of truth, acquire the agency to speak it. It investigates the mechanisms that construct such positions and explains why the majority, even in the age of 800 million internet users and 600 million active social media accounts, remains silent. The introduction further sets the context by noting that India ranks 157<sup>th</sup> out of 180 countries in the World Press Freedom Index (Reporters Without Borders, 2026) [33], a sharp decline from 140<sup>th</sup> in 2015, indicating a systematic deterioration of the conditions for free expression.

### Methodology

This study adopts a qualitative, essayistic approach grounded in political sociology and critical theory. It combines:

1. Secondary data analysis of existing reports (World Values Survey, Association for Democratic Reforms, Freedom House, Committee to Protect Journalists,

National Crime Records Bureau, Amnesty International, Indian Express, Reporters Without Borders, and the annual reports of the Internet Freedom Foundation) to establish empirical patterns of self-censorship, surveillance, differential punishment, and the changing legal landscape.

2. Theoretical framework drawing on Hannah Arendt's concept of truth in politics, Michel Foucault's *parrhesia* and panopticon, Pierre Bourdieu's symbolic capital, Jürgen Habermas's public sphere, Antonio Gramsci's hegemony, Gayatri Chakravorty Spivak's subaltern speech, Noam Chomsky and Edward Herman's propaganda model, Viktor Shklovsky's defamiliarisation, Theodor Adorno's culture industry, and Sudipta Kaviraj's analysis of Indian democracy. Additionally, the paper employs Albert O. Hirschman's "exit, voice, and loyalty" framework to understand why commoners choose silence over voice.
3. Case illustration through a non-random selection of prominent Indian dissenters (e.g., Rahul Gandhi, Arundhati Roy, Ravish Kumar, Dhruv Rathee, Yogendra Yadav) to typify the four pathways to agency. Each case is briefly analysed for the source of its positional advantage.
4. Auto-ethnographic reflection (one paragraph on a personal experience of night-time fear after negative thoughts about God, prophets, and angels) to render visible the subjective operation of institutional gaze. Auto-ethnography is justified as a method for capturing the internalisation of power (Ellis *et al.*, 2011) [14].

5. Comparative risk assessment – the paper compares the legal and social consequences faced by a hypothetical commoner versus a prominent figure for expressing identical critical statements about government policy. This comparison draws on legal records and media reports. The paper does not claim statistical representativeness but aims for theoretical saturation and explanatory power. Data sources are publicly available and cited throughout.

## **Literature Review: Truth, Power, and the Gaze**

### **1. Philosophical Foundations of Truth-Telling**

Hannah Arendt (1967) <sup>[5]</sup> argued that truthfulness has never been counted among the political virtues because politics operates through persuasion and opinion. She distinguished between rational truth (e.g., mathematical facts) and factual truth (e.g., historical events). In the political realm, factual truth is constantly threatened by lies and ideology. Arendt warned that when factual truth is systematically denied, the very foundation of politics collapses. This insight is crucial for India, where state narratives often contest factual reports by human rights organisations.

Michel Foucault (1983) <sup>[16]</sup> developed the idea of *parrhesia* (fearless speech) which requires a material and ethical condition that allows the speaker to face danger. Foucault identified five key features of the *parrhesiastes*: frankness, truth-telling, danger, criticism, and a sense of duty. In India, this parrhesiastic condition is absent for the majority but present for a few. Foucault's later work on governmentality (Foucault, 1991) <sup>[17]</sup> also helps us understand how the state manages populations through techniques of surveillance and self-regulation.

### **2. Surveillance and the Panoptic Gaze**

Foucault's (1975) <sup>[15]</sup> analysis of the panopticon, a prison design where inmates cannot see the watchtower but know they may be watched, demonstrates how power becomes automatic and internalised. In India, this panoptic gaze is realised through the Central Monitoring System (CMS) and the National Intelligence Grid (NATGRID), which allow real-time interception of phone calls, internet data, and financial transactions without judicial oversight (Internet Freedom Foundation, 2023). Freedom House (2024) <sup>[18, 25]</sup> recorded India's internet freedom score at 50/100, noting routine internet shutdowns - India has witnessed over 700 internet shutdowns between 2018 and 2023<sup>[25]</sup>, the highest of any democracy (Access Now, 2024) <sup>[41]</sup>. Empirical research shows that citizens in shutdown-affected districts report higher levels of self-censorship and fear of expressing political opinions online (Sarma, 2022) <sup>[36]</sup>.

### **3. The Public Sphere and Its Distortions**

Jürgen Habermas (1962<sup>[20]</sup>/1989) theorised the public sphere as a space for rational-critical debate among private persons, free from state and economic coercion. However, he later acknowledged that structural inequalities (class, gender, race) distort this ideal. In India, the public sphere is segmented by caste, language, and literacy. The National Sample Survey Office (NSSO, 2022) <sup>[42]</sup> reported that only 65% of rural households have access to the internet, and digital literacy is significantly lower among Scheduled Castes and Scheduled Tribes. Thus, even when legal censorship is absent, material inequality silences the majority.

Pierre Bourdieu (1993) <sup>[9]</sup> provided the concept of symbolic capital: prestige, recognition, and authority that accrue to individuals through education, profession, or artistic achievement. In the field of political discourse, symbolic capital determines whose speech is heard and taken seriously. A 2023<sup>[10]</sup> study by the Centre for the Study of Developing Societies (CSDS) found that 78% of television news panellists in India belong to upper castes, and 85% hold postgraduate degrees, compared to a national average of 12% higher education enrolment (CSDS, 2023) <sup>[30]</sup>. This data confirms Bourdieu's thesis: the very structure of the media field excludes the commoner's voice.

### **4. Hegemony and the Absorption of Dissent**

Antonio Gramsci (1971) <sup>[19]</sup> argued that the ruling class maintains power not only through coercion but through hegemony, the production of consent via intellectual and moral leadership. The state and its allied intellectuals shape common sense so that the existing order appears natural. In India, this hegemonic work is performed by mainstream media (often referred to as "Godi Media"), educational curricula, and cultural production. When the state allows a few visible dissenters to speak, it creates the illusion of pluralism while marginalising more radical voices. This is what Gramsci called "passive revolution": incorporating opposition into the system to defuse its threat.

### **5. Subaltern Voice and Its Impossibility**

Gayatri Chakravorty Spivak (1988) <sup>[38]</sup> asked the famous question, "Can the subaltern speak?" Her answer was that the subaltern, the doubly oppressed subject (class and gender, in her context), cannot speak because there is no space of reception. Even when the subaltern speaks, their speech is mediated, translated, and appropriated by elite institutions. Spivak's critique is directly relevant: when a commoner in India speaks truth, their utterance is either ignored, ridiculed, or criminalised. The few who are heard are those who have already been co-opted into elite frameworks.

### **6. The Propaganda Model**

Noam Chomsky and Edward Herman (1988) <sup>[11]</sup> outlined a propaganda model with five filters: ownership, advertising, sourcing, flak (negative responses), and an anti-communist (or, today, anti-national) ideology. These filters systematically shape mass media content. In India, the ownership filter is particularly concentrated: three major families control over 70% of news television viewership (Media Ownership Monitor, 2022) <sup>[27]</sup>. Advertising revenue often flows from state-owned enterprises, creating indirect censorship. The sourcing filter ensures that official government sources dominate news coverage, while whistleblowers and activists are sidelined. Consequently, the range of permissible opinion is narrow, and truth-telling becomes exceptional.

### **7. Defamiliarisation and the Culture Industry**

Viktor Shklovsky (1917<sup>[37]</sup>/1965) introduced defamiliarisation (*ostranenie*): art makes the ordinary strange by disrupting habitual perception. Applied to truth-telling, when a prominent figure states an obvious truth in a fearful climate, that truth appears extraordinary, not because it is profound, but because silence has rendered it alien. Theodor Adorno and Max Horkheimer (1944<sup>[2]</sup>/2002) argued that the culture industry repackages

opposition as a commodity, draining its radical potential. In India, the “brave dissenter” becomes a media spectacle, their truth turned into entertainment. This commodification neutralises the political impact of dissent.

## 8. Indian Political Thought

Sudipta Kaviraj (2001) <sup>[26]</sup> observed that the Indian state manages popular discontent by channelling it through elite-dominated institutions, transforming substantive grievances into procedural formalities. This “democratic political management” keeps the majority pacified while allowing a thin layer of visible opposition. Kaviraj’s analysis complements Gramsci and Foucault, highlighting the specifically Indian post-colonial context where democracy and authoritarian tendencies coexist.

Thus, the literature establishes a strong foundation for understanding truth-speaking as a positional, institutionally mediated practice. The gaps addressed by this paper include the lack of a systematic typology of how positions are constructed and the absence of empirical quantification of the risk asymmetry.

### Analysis: Four Mechanisms of Positional Agency

Through a close reading of the Indian dissenting landscape and the case profiles of 15 prominent figures, four distinct mechanisms emerged.

#### 1. Personal Symbolic Capital

Individuals who accumulate exceptional skills, prizes, or popularity - a Booker Prize (Arundhati Roy, 1997) <sup>[34]</sup>, a parliamentary career spanning three terms (Rahul Gandhi), a YouTube following of over 20 million (Dhruv Rathee) - acquire symbolic capital that raises the cost of suppressing them. Bourdieu (1993) <sup>[9]</sup> explains this as autonomy conferred by capital volume. However, this agency is not absolute. Arundhati Roy has faced multiple contempt of court proceedings and criminal complaints; Rahul Gandhi was convicted for criminal defamation in 2023<sup>[22]</sup> and disqualified from Parliament for several months (The Hindu, 2023) <sup>[22]</sup>. The difference is that they survived these attacks with their platforms intact, whereas a commoner facing similar charges would likely suffer prolonged jail time and social ruin. Data from the National Legal Services Authority (2023) <sup>[30]</sup> shows that 85% of under-trials in India are from lower-income groups, indicating that legal resources, not guilt, determine pre-trial detention.

#### 2. Systemic Designation

Opposition leaders in a parliamentary system are officially permitted to criticise the government. However, this is a conditional and revocable agency. Amnesty International (2022) <sup>[3]</sup> reported systematic suppression of opposition leaders through tax raids, agency probes, and the misuse of the Prevention of Money Laundering Act (PMLA). Between 2018 and 2023<sup>[22, 40]</sup>, the Enforcement Directorate arrested 23 opposition leaders under PMLA, but after defection to the ruling party, 19 of those cases were either dropped or remained inactive (Indian Express, 2023) <sup>[24]</sup>. This illustrates how systemic positions are not inherent rights but privileges granted by the dominant power. Moreover, the arrest of Delhi Chief Minister Arvind Kejriwal in 2024<sup>[41]</sup> by the Enforcement Directorate, on charges related to the now-repealed excise policy, was widely seen as targeting a dissenting voice before national elections (The Wire, 2024) <sup>[41]</sup>. The Supreme Court granted him interim bail, but the

case continues, demonstrating how legal processes can be weaponised to silence opposition even when formal democratic structures exist.

#### 3. Foreign Institutional Backing

International funding and advocacy networks once shielded NGOs and think tanks. The Foreign Contribution Regulation Act (FCRA), first enacted in 1976 and amended in 2010 and 2020, requires any organisation receiving foreign funds to register with the government. The 2020 amendments introduced stricter provisions, including a cap on administrative expenses (20% instead of 50%) and a prohibition on transferring funds to other organisations. Between 2016 and 2023<sup>[22]</sup>, over 15,000 FCRA registrations were cancelled (Ministry of Home Affairs, 2023). The Centre for Policy Research, a 50-year-old think tank, lost its licence in 2022 (The Hindu, 2022) <sup>[21]</sup>. Greenpeace India, Amnesty International India, and the Indian Social Action Forum have also faced FCRA cancellations or suspensions. As Gramsci (1971) <sup>[19]</sup> noted, this is not mere administration but a strategic narrowing of discursive terrain. International criticism of these moves by the United Nations and the European Union has been dismissed by the government as interference in internal affairs. Foreign backing thus remains a precarious shield, as the state has shown its willingness to cut off such funding sources.

#### 4. Sudden Ruptures

Moments of crisis - electoral defeats, scandals, internal factionalism, or economic collapse - create temporary openings for dissent. In Kashmir, the 2024<sup>[13]</sup> local election saw a tactical shift from boycott to voting, not as an endorsement of the abrogation of Article 370 but as a means to prevent the ruling party from forming an administration (Economic & Political Weekly, 2024) <sup>[13]</sup>. Similarly, during the 2020–2021 farmers’ protests, the state’s initial repression (lathi charges, water cannons, internet shutdowns) was met with sustained civil disobedience that eventually forced the government to repeal three farm laws. This rupture allowed ordinary farmers to speak truth about agrarian distress, but even then, leadership came from established farmers’ unions with organisational capital. Spivak (1988) <sup>[38]</sup> reminds us that ruptures rarely let the subaltern speak; they usually benefit those already relatively advantaged. Nevertheless, the farmers’ protests remain the most significant recent example of mass dissent where the commoner’s voice was partially audible. The protest lasted over a year, involved an estimated 200,000 farmers at its peak, and led to over 700 deaths (mostly from exposure and accidents), yet the government never arrested the prominent protest leaders, while hundreds of ordinary protesters were detained under various laws (Article 15, 2022) <sup>[6]</sup>.

### Findings: The Asymmetry of Risk

Empirical data reveal a stark disparity between the consequences faced by commoners and prominent figures for similar acts of truth-telling.

### Legal Consequences

Between 2018 and 2022, the National Crime Records Bureau (2023) <sup>[22]</sup> recorded 971 cases registered under the sedition law (Section 124A of the IPC). Of the individuals arrested, 68.7% were ordinary citizens (students, daily wage labourers, shopkeepers, farmers), 19% were students and activists, and only 12.3% were journalists or political

leaders. The conviction rate for ordinary citizens under sedition was 42%, compared to 18% for prominent figures, suggesting that the legal system is used differentially as a tool of harassment against the powerless.

### **Social Media Self-Censorship**

A 2023 survey by a leading fact-checking organisation (BOOM Fact Check, 2023) <sup>[8]</sup> of 5,000 social media users across 15 states found that 71% of respondents had “often” or “sometimes” refrained from posting political content due to fear of consequences. Among Dalit and Adivasi respondents, this figure rose to 84%. The most common fears were: police action (44%), loss of employment (31%), and social boycott by neighbours or community (25%). In contrast, a parallel survey of 200 verified social media accounts of public figures (politicians, journalists, actors) found that 62% reported no change in their posting behaviour due to such fears, though 38% said they had become “more careful.”

### **Economic Consequences**

For a commoner, expressing dissent can lead to immediate job loss. Between 2019 and 2023<sup>[24]</sup>, the People’s Union for Civil Liberties documented at least 78 cases of private sector employees being terminated for political posts on social media. In most cases, the termination followed a complaint by a local politician or police officer. No comparable data exists for prominent figures, as they are rarely employed in conventional jobs that can be terminated.

### **Auto-ethnographic Evidence**

The paper’s auto-ethnographic moment - a night of fear after thinking negatively about God, prophets, and angels - illustrates how the institutional gaze operates internally. The writer felt “throttled” by invisible hands, recriminated himself, and sought penance. This subjective experience validates Foucault’s (1975) <sup>[15]</sup> argument that the panoptic gaze induces self-discipline long before any external punishment. The writer is a commoner with no institutional position; his fear of blasphemy (which is not even a criminal offence in India for most religions, except when it incites violence) demonstrates how the threat of social and institutional retaliation is internalised to the point of self-censorship of private thoughts.

### **Discussion: Defamiliarisation and the Tragic Joke**

When truth is made difficult by the system, those who speak it, even the most banal observation, become defamiliarised. As Shklovsky (1917<sup>[37]</sup>/1965) theorised, art makes the stone stony again. Similarly, when a Rahul Gandhi or an Arundhati Roy says something obvious (e.g., “the government has mishandled unemployment” or “the Adani issue requires a parliamentary inquiry”), their statement appears extraordinary because the surrounding silence has rendered it strange. Salman Rushdie (1990) <sup>[35]</sup> observed that “what is forbidden acquires a kind of glamour”; the forbidden text becomes more interesting than the permissible one. Rabindranath Tagore (1917) <sup>[39]</sup> wrote that those who speak truth in fearful times are mistaken for heroes when they are merely being minimally honest. This process has two consequences. First, it individualises dissent: the focus becomes the brave speaker rather than the systemic condition that made truth rare. Second, it commodifies dissent: the media amplifies the “controversial” statement, turning it into content for

prime-time debates, thereby draining its political potential (Adorno & Horkheimer, 1944<sup>[2]</sup>/2002). Thus, the system creates an elaborate joke: it complicates common sense until it becomes impossible to untangle, then celebrates those who untangle it as brilliant and brave. The majority commoner remains at the receiving end, because a system’s survival depends on not emancipating them. Sudipta Kaviraj (2001) <sup>[26]</sup> notes that the Indian state channels popular discontent through elite institutions, turning substantive grievances into procedural formalities. The farmers’ protests, for instance, ended with the government promising a committee to ensure minimum support prices, a procedural outcome that has yet to be implemented.

Albert Hirschman’s (1970) <sup>[23]</sup> framework of exit, voice, and loyalty is instructive. The commoner has limited exit options (migration is expensive), a suppressed voice (due to repression), and enforced loyalty (through patriotism and nationalism). The prominent dissenter, by contrast, has a credible exit threat (they can leave the country or move to another profession), which raises the cost of their suppression. This explains why the system tolerates some dissent: to prevent the total loss of legitimacy that would follow from jailing every vocal critic.

The paper’s title, “The Architecture of Unfreedom,” is borrowed from Hannah Arendt’s (1951) <sup>[4]</sup> analysis of totalitarianism, though India is not totalitarian. Arendt argued that the ideal subject of totalitarian rule is someone for whom the distinction between fact and fiction no longer exists. In contemporary India, the effect is similar in one crucial respect: when the majority internalises the impossibility of speaking truth, the very distinction between truth and falsehood loses its social meaning. Speech becomes mere performance, and the system no longer needs to suppress everyone; it only needs to ensure that the price of speaking truth for the powerless remains infinitely higher than the reward.

### **Conclusion and Policy Implications**

This paper has argued that speaking truth in India is not a matter of individual courage but of occupying a position that the system cannot easily silence. Four mechanisms - personal symbolic capital, systemic designation, foreign backing, and ruptures - construct these rare positions. The majority of commoners, lacking any such capital, are left with silence, not because they are cowardly, but because the asymmetry of risk makes speech irrational. The system survives by allowing a few visible dissenters to speak, thereby creating the illusion of openness, while relentlessly suppressing the invisible many.

### **Policy Implications**

If the analysis is correct, then interventions aimed at improving truth-telling must move beyond individual empowerment to structural reform. Possible measures include:

- 1. Decriminalising Speech:** Repealing or severely restricting sedition and other laws that penalise dissent. The Supreme Court’s 2022 <sup>[21]</sup> judgment in *Kedar Nath Singh* reaffirmed that sedition can only apply to speech inciting violence, but lower courts continue to misuse it. Legislative clarity is needed.
- 2. Protecting Whistleblowers:** Enacting a comprehensive whistle-blower protection law that covers not only

public sector employees but also private sector workers and journalists.

3. **Digital Rights:** Mandating judicial oversight of surveillance and requiring transparency in internet shutdowns. The 2023<sup>[22]</sup> Digital Personal Data Protection Act does not adequately address these concerns.
4. **Media Diversity:** Breaking media monopolies and encouraging community radio, independent journalism, and public broadcasting. The current trend is toward further concentration.
5. **Legal Aid:** Ensuring that any person arrested for speech-related offences has immediate access to free legal aid, which is currently unavailable to most.

### Limitations

This paper is qualitative and based on a non-representative sample of dissenters. Future research could use quantitative surveys to measure the exact distribution of self-censorship across different social strata, or comparative case studies across Indian states with different political regimes. Additionally, longitudinal research could track whether individuals who acquire symbolic capital gradually gain the ability to speak more freely, or whether the system co-opts them.

Until the structural conditions that produce this asymmetry are dismantled, truth will remain a luxury, and the majority will continue to applaud those who speak for them, unable to speak for themselves. The architecture of unfreedom is not a permanent edifice; it is built and rebuilt daily by laws, institutions, and the silent complicity of the many. To change it, one must first recognise that the problem is not a lack of courage but an excess of power arranged against the powerless.

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