
DIGNITY AS A LIVING CONSTITUTIONAL VALUE UNDER ARTICLE 21: FROM ANIMAL EXISTENCE TO MEANINGFUL HUMAN LIFE

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ABSTRACT

The idea of human dignity holds a leading position in the contemporary constitutional jurisprudence and forms a value basis of the protection of fundamental rights. The concept of dignity in the Indian constitutional system has been mainly formulated by the interpretation of Article 21 that upholds the right to life and personal liberty. This provision has over the years been broadened by the Supreme Court of India by progressive judicial interpretation to go beyond being a procedural protection to become a general guarantee of dignified human existence.

This paper will discuss how the law of dignity has developed under article 21 and discusses the different facets of the doctrine that have been developed by the judicial rulings. It investigates the ways in which the judiciary has found some of the rights that are fundamental to human dignity such as the right to livelihood, health, shelter, education, privacy, and reputation. Such landmark cases as “*Maneka Gandhi v. Union of India*, *Francis Coralie Mullin v. Administrator, Union Territory of Delhi* and *Justice K.S. Puttaswamy v. Union of India*” demonstrate how the judiciary has been providing an interpretation of the right to life to encompass conditions that help one to live with dignity. The paper also talks about the contribution of “*judicial activism*” and “*public interest litigation*” in enhancing the dignity jurisprudence and also looks at the practical issues that limit the effective performance of the rights under dignity-based jurisprudence. Socio-Economic inequalities, gaps in implementation, custodial violence, and new challenges associated with the online privacy remain challenges to the effectiveness of the constitutional protection.

Lastly, the paper postulates that dignity needs to be re-established under a sound constitutional process to guarantee doctrinal comprehension and better institutional collaboration. Constitutional vision of human dignity can be realized more substantially by incorporating judicial interpretation and legislative intervention and good governance. The research concludes that

human dignity is a leading principle of the constitution that interprets the main rights and strengthens the commitment of democracy to justice, liberty, and equality.

Keywords: Human Dignity, Article 21, Right to Life, Constitutional Jurisprudence, Fundamental Rights, Judicial Interpretation, Privacy, Livelihood, Constitutional Law, India.

INTRODUCTION

“Article 21 of the Constitution of India gives that- *No person shall be deprived of his life or personal liberty except according to procedure established by law.*”¹ At the time of its enactment the provision seemed textually simple and procedurally limited. However, through the eons of judicial interpretation, Article 21 has evolved from being a very narrow guarantee against deprivation by the executive, to being the most expansive and dynamic of all the provisions in the Indian Constitution.

In its initial years the Supreme Court of India followed a restrictive construction of the scope of Article 21 in “*A.K. Gopalan v. State of Madras*”, the fundamental rights were regarded as isolated silos and the scope of judicial scrutiny was confined to the existence of a "procedure established by law."² This formalistic approach limited "life" to the physical existence only and did not submit legislative procedure to substantive fairness. Such an interpretation greatly limited the capacity of Article 21 for protection.

There was a Constitutional shift in “*Maneka Gandhi vs. Union of India*, the Court reinterpreted the meaning of Article 21 to mean that the "procedure" envisaged should be just, fair and reasonable, thereby importing elements of substantive due process into Indian constitutional law”³. This decision was the start of a transformative period wherein Article 21 got linked with Article 14 and 19 and inculcated fairness and reasonableness into the understanding of the constitutional concept of life and liberty.

Subsequently, the Supreme Court went beyond procedure and began to develop a substantive conception of life. In “*Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, the Court held, famously, that the right to life includes the right to live with human dignity and not

¹ INDIA CONST. art. 21.

² *A.K. Gopalan v. State of Madras*, AIR 1950 SC 27, 1950 SCR 88.

³ *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248, AIR 1978 SC 597.

just *animal existence*."⁴ This formulation was a turning point in jurisprudence since it expanded the definition of life under Article 21 to include circumstances required for meaningful human existence rather than only biological survival.

Over the years, dignity came out not as an incidental ingredient but as the main animating principle of Article 21. The Court recognised dignity in different contexts “livelihood in *Olga Tellis v. Bombay Municipal Corporation*⁵, bonded labour in *Bandhua Mukti Morcha v. Union of India*⁶, privacy and autonomy in *Justice K.S. Puttaswamy (Retd.) v. Union of India*⁷, sexual orientation in *Navtej Singh Johar v. Union of India*⁸, and the right to die with dignity in *Common Cause v. Union of India*”⁹. Through these decisions dignity has grown to be a living constitutional value which influences the content and contours of fundamental rights.

However, dignity under Article 21 is conceptually flexible despite its significance. The Supreme Court has relied on the concept of dignity in various ways without always setting out a coherent doctrinal framework of the concept delineating its scope, boundaries, and normative foundations. Although this flexibility has made it possible for rights to be progressively expanded, it has also raised questions about judicial overreach and interpretation ambiguity.

This paper contends that dignity has actually changed Article 21 from a guarantee against deprivation of life to a constitutional guarantee of meaningful human existence. However, the jurisprudence of dignity needs better structural theorisation so that it can be coherent, predictable and constitutional adjudication can be principled. By tracing the development of dignity under Article 21, and analysing in a critical manner its doctrinal path, this study attempts to make a contribution towards a more structured understanding of the concept of dignity as a living constitutional value.

THE CONSTITUTIONAL TEXT AND THE MEANING OF “LIFE” UNDER ARTICLE 21

“Article 21 of the Constitution of India provides that- *No person shall be deprived of his life*

⁴ Francis Coralie Mullin v. Administrator, Union Territory of Delhi, (1981) 1 SCC 608, AIR 1981 SC 746.

⁵ Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545, AIR 1986 SC 180.

⁶ Bandhua Mukti Morcha v. Union of India, (1984) 3 SCC 161, AIR 1984 SC 802.

⁷ Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1, AIR 2017 SC 4161.

⁸ Navtej Singh Johar v. Union of India, (2018) 10 SCC 1, AIR 2018 SC 4321.

⁹ Common Cause v. Union of India, (2018) 5 SCC 1, AIR 2018 SC 1665.

or personal liberty except according to procedure established by law."¹⁰ Despite being surprisingly succinct, this clause has given rise to one of India's most influential lines of constitutional law. There has been a significant shift in judicial philosophy and constitutional theory from procedural constraint to dignity-centred substantive protection.

A) Constituent Assembly Debates and the Rejection of "Due Process"

The framing history of Article 21 suggests that its current language was not accidental and devoid of controversy. The Draft Constitution originally had the expression "due process of law," which was inspired by the American constitutional tradition.¹¹ However, some concern was expressed during the deliberations that such language might give the judiciary too much power to invalidate legislation on subjective grounds.

Sir B.N. Rau, the Constitutional Adviser played an important role in this shift. After consulting with Justice Felix Frankfurter of the United States Supreme Court, Rau had shown concern that "due process" had been used historically to allow the American courts, especially at the time of *Lochner*, to strike down socio-economic legislation.¹² The framers were fearful that the judiciary might also obstruct the legislative agenda of the country, especially in the case of land reforms and social redistribution.

As a result, the expression "procedure established by law" was adopted as a substitute for "due process of law." Dr. B.R. Ambedkar described this statement as a conscious decision to strike a balance between individual liberty and the authority of the legislature during the Constituent Assembly Debates.¹³ Yet, the debates do not make it seem that the framers meant to trivialise the meaning of "life". Rather, the concern was institutional limiting judicial veto power not diminishing the normative value of liberty.

This distinction would later turn out to be doctrinally important. The underlying constitutional commitment to justice and liberty was ingrained in the framework of the essential rights, even if the framers did not use the term "due process."

¹⁰ INDIA CONST. art. 21.

¹¹ 7 CONSTITUENT ASSEMBLY DEBATES 1000–01 (Dec. 6, 1948) (India).

¹² See Granville Austin, *The Indian Constitution: Cornerstone of a Nation* 84–86 (Oxford Univ. Press 1966).

¹³ 7 CONSTITUENT ASSEMBLY DEBATES 999–1001 (Dec. 6, 1948) (statement of Dr. B.R. Ambedkar).

B) A.K. Gopalan and the Era of Constitutional Formalism

The interpretation of Article 21 by the Supreme Court in its early days of "*A.K. Gopalan v. State of Madras*" was region of formalistic and compartmentalised understanding of fundamental rights. The majority held that Article 21 only required the existence of a legislatively prescribed procedure; that the Court would not look into the fairness or reasonableness of the procedure.¹⁴

Equally important was the adoption by the Court of the "silo theory" of fundamental rights under which each right operated in isolation. Articles 14, 19 and 21 were treated as mutually exclusive compartments instead of being inter-related guarantees forming a unified scheme of liberty.

This interpretation had two repercussions. First, it downgraded the right to life to physical or biological existence. Second, it shielded the legislative process from critical examination. The Court practically deferred to the supremacy of parliament, in line with the post-independence judicial ethos of restraint.

But a fresh constitutional vision began with Justice Fazl Ali's dissent in *Gopalan*. He did not accept compartmentalisation of rights and argued that the fundamental rights had to be read harmoniously.¹⁵ His dissent provided the intellectual foundation for the subsequent doctrinal change since it established that the seeds of change existed even in the Court's earliest constitutional adjudication.

C) Maneka Gandhi and the Resurrection of Substantive Fairness

The constitutional scenario changed radically in "*Maneka Gandhi vs. Union of India*". Confronted with impounding of a passport without adequate reasons, the Supreme Court overthought its earlier approach and held that the "procedure" under Article 21 should be "right, just and fair" and not arbitrary, fanciful or oppressive.¹⁶

This interpretation brought substantive due process back in effect into the Indian constitutional law, although the framers had rejected such language. By holding that Articles 14, 19 and 21

¹⁴ *A.K. Gopalan v. State of Madras*, AIR 1950 SC 27, 1950 SCR 88.

¹⁵ *Id.* (Fazl Ali, J., dissenting).

¹⁶ *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248, AIR 1978 SC 597.

are interlinked, the Court broke the silo theory set under Gopalan.¹⁷ Any law that deprived a person of life or personal liberty would now have to pass the tests of non-arbitrariness and reasonableness.

The importance of Maneka Gandhi is not just in the area of procedural fairness but in the way it theoretically reoriented the rights of the constitution. Article 21 became an active source of substantive rights rather than a passive defense against executive action. The interpretive change opened the doctrinal space where courts would later identify the concept of livelihood, shelter, privacy, autonomy and ultimately dignity as an intrinsic part of life.

The Supreme Court, by making fairness and reasonableness part of Article 21, made it into an actual substantive guarantee, the provision became a normative commitment to meaningful human existence rather than a procedural guarantee. In this expanded constitutional framework, dignity would emerge as the essential driving force behind life itself rather than as an incidental quality.

FROM “ANIMAL EXISTENCE” TO MEANINGFUL HUMAN LIFE: JUDICIAL EXPANSION OF ARTICLE 21

¹⁸One of the most significant advancements in Indian constitutional law is the transformation of Article 21 of the Indian Constitution from a “procedural protection to a substantive guarantee of a dignified existence”. Following the shift in doctrine that was introduced in “*Maneka Gandhi v. Union of India*”, the right to life was interpreted by the Supreme Court more and more as not just the right to life in terms of protection from physical deprivation but also in terms of the conditions necessary for a meaningful human existence.¹⁹

A) The Emergence of Human Dignity in Article 21 Jurisprudence

A definitive statement of dignity as an intrinsic part of the right to life was made in “*Francis Coralie Mullin v. Administrator, Union territory of Delhi*”. In this case, the Supreme Court noted that the right to life under article 21 encompasses the right to live with human dignity and all that entails. The Court emphasised that the meaning of life is not just continued drudgery through existence but life that involves the basic necessities of life like adequate nutrition,

¹⁷ Id.

¹⁸ INDIA CONST. art. 21.

¹⁹ *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248, AIR 1978 SC 597.

clothing, shelter and ability to express oneself freely. The Court famously held that the “right to life” had to mean something more than mere “animal existence.”²⁰

This notion marked a paradigm shift in jurisprudence. By explicitly recognising the dignity as being a core attribute of life, the Court moved away from the constitutional focus of biological survival to that of qualitative human existence. The phrase “animal existence” evolved as a conceptual benchmark for evaluating the effectiveness of governmental intervention.

B) Socio-Economic Rights and the Expansion of Life

Following Francis Coralie Mullin, the Supreme Court started to interpret Article 21 to include various socio-economic entitlements which are necessary for dignified living. In “*Bandhua Mukti Morcha v. Union of India*” the Court dealt with the plight of bonded labourers and held that the right to live with dignity derives its life breath from the Directive Principles of State Policy”. The Court recognized that the promise of dignity found in Article 21 of the Constitution is incompatible with exploitation and forced labor.²¹

Similarly, in “*Olga Tellis v. Bombay Municipal Corporation*”, the Supreme Court recognized that the right to livelihood is part and parcel of the right to life. The Court reasoned that deprivation of livelihood would inevitably lead to deprivation of life as no person can live without the means of subsistence”²². By making the connection between livelihood and life, the Court developed the contents of the right to life under Article 21 from physical survival to include the socio-economic conditions required for human dignity.

These decisions represent a great change in constitutional thinking. The right to life was no longer understood as negative liberty protecting individuals from state interference, but rather it became a positive guarantee that the state has to provide conditions so that individuals can live with dignity.

C) Directive Principles and the Constitutional Vision of Dignified Life

The judicial expansion of Article 21 also found normative support in the “*Directive Principles of State Policy that are contained in Part IV of the Constitution of India*”. Non-justiciable as

²⁰ Francis Coralie Mullin v. Administrator, Union Territory of Delhi, (1981) 1 SCC 608, AIR 1981 SC 746.

²¹ Bandhua Mukti Morcha v. Union of India, (1984) 3 SCC 161, AIR 1984 SC 802.

²² Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545, AIR 1986 SC 180.

they may be, provisions such as Articles 39, 41 and 42,²³ set out the constitutional aspiration to secure adequate means of livelihood, social security and humane working conditions. The Supreme Court often used these principles for the interpretation of fundamental rights.

In *Bandhua Mukti Morcha* case, the Court clearly emphasised on the fact that fundamental rights and Directive Principles must be read together for the realisation of constitutional vision of social justice.²⁴ The idea that dignity is a constitutional principle derived from the broader notion of socio-economic rights rather than merely an abstract moral concept was reinforced by this manner of interpretation.

D) From Survival to Meaningful Existence

Through these developments, Article 21 gradually became an article of the Constitution which guarantees meaningful human existence. Judicial recognition of rights relating to livelihood, shelter, health and humane conditions of labour was the result of the Court's attempt to make the concept of dignity more concrete, in legal terms.

Future constitutional reforms, in which dignity would become a fundamental value that shaped various aspects of individual autonomy and liberty, were based on this doctrinal progression. Thus, the shift from "*animal existence*" to meaningful human life signifies not just an extension of rights but also a more profound reorientation of the Indian Constitution's intellectual framework, which centers human dignity in the Indian constitutional order.

DIGNITY AS A LIVING CONSTITUTIONAL VALUE UNDER ARTICLE 21

The gradual extension of Article 21 of the Constitution of India has caused human dignity to gradually become a foundational principle of the Constitution. While the previous decisions recognised the existence of dignity as a component of the right to life, later on, the constitutional jurisprudence regarded dignity as the normative core around which the fundamental rights are organised. This development is part of a general move towards transformational constitutionalism, in which the Constitution is understood as an instrument of the promotion of liberty, equality and human flourishing.

²³ INDIA CONST. arts. 39, 41, 42.

²⁴ *Bandhua Mukti Morcha v. Union of India*, (1984) 3 SCC 161, AIR 1984 SC 802.

A) Constitutional Foundations of Dignity

The concept of dignity enjoys implicit recognition within the “*Preamble of the Constitution of India*” which resolves to secure “*justice, liberty, equality, and fraternity to all citizens*”.²⁵ These values together add up to the intrinsic value of the individual in the constitutional order. Although the word "dignity" is not expressly stated in Article 21 itself,²⁶ the judicial interpretation has always regarded dignity as inextricably linked to the protection of life and personal liberty.

This way of interpreting the Constitution reflects the understanding that rights in the constitution should be understood in a purposive rather than mechanical manner. By placing the concept of dignity in the larger scheme of the Constitution, the judiciary has been able to ensure the growth and development of Article 21 in line with the changing social realities and at the same time, it continues to be rooted in constitutional values.

B) Privacy, Autonomy, and the Affirmation of Dignity

“K.S. Puttaswamy case it is provided that a seminal explanation of dignity as a constitutional value. In this historic decision, a nine-judge bench of the Supreme Court unanimously recognised that the right to privacy was a fundamental right which was protected under the Article 21”²⁷. The Court emphasised on the importance of privacy in the preservation of personal autonomy, identity and dignity.

The judgment went on to elaborate that dignity is not only a rhetorical concept but a substantive constitutional guarantee for the protection of individual choice, bodily integrity and decisional autonomy. The Court supported the idea that the right to life under Article 21 extends to the private domain of individual decision-making by recognizing privacy as a fundamental component of dignity.

C) Dignity and the Recognition of Individual Identity

In the “*Navtej Singh Johar case* further highlighted the significance of dignity under the constitution where the Supreme Court decriminalised the punishment for consensual same-sex

²⁵ INDIA CONST. pmb1.

²⁶ INDIA CONST. art. 21.

²⁷ Justice K.S. Puttaswamy (Retd.) v. Union of India, (2017) 10 SCC 1, AIR 2017 SC 4161

relations by partially striking down Section 377 of the Indian Penal Code”²⁸. The Court found that the criminalisation of consensual relationships between adults infringed the fundamental rights to equality, liberty and dignity.

The judgment emphasized the fact that constitutional morality entails the protection of individual identity and self-expression. By declaring that sexual orientation is an essential element of personal identity, the Court connected the principle of dignity with another principle of individual autonomy. The ruling so reinforced the idea that the Constitution is about people's ability to live authentically and without shame, not just about their survival.

D) Dignity at the End of Life

The principle of dignity has also been extended to questions relating to the end of life. In “*Common Cause v. Union of India*, the Supreme Court recognised the right to die with dignity as a component of Article 21. The Court concluded that the right to life includes the ability to make knowledgeable choices on medical care and end-of-life care, including the application of “living wills” or advance directives”²⁹.

This acknowledgment is consistent with the broader interpretation of the Constitution, which holds that the maintenance of biological life is not the end of dignity. Rather, dignity includes the autonomy of persons to make decisions about their own bodies and the way they wish to approach the end of life.

E) Dignity as a Dynamic Constitutional Principle

As a result of these advancements, dignity has become a living constitutional value that influences many facets of personal freedom and identity. Whether in matters of privacy, sexuality, autonomy over one's body or end of life decisions, it is clear that the judiciary has begun to rely on dignity as a normative basis for the extension of the scope of Article 21.

However, significant jurisprudential issues have also been brought up by this extension. While the notion of dignity has become a powerful interpretive tool, there is no clear doctrinal outline of the concept. The lack of a clearly articulated framework that defines the scope and limitations of dignity has resulted in different formulations of the concept by different courts

²⁸ Navtej Singh Johar v. Union of India, (2018) 10 SCC 1, AIR 2018 SC 4321.

²⁹ Common Cause v. Union of India, (2018) 5 SCC 1, AIR 2018 SC 1665.

in different contexts. Although it permits progressive interpretations, this conceptual flexibility raises questions regarding consistency and predictability in constitutional adjudication.

THE DOCTRINAL DIMENSIONS OF DIGNITY UNDER ARTICLE 21

According to “*Article 21* of the Indian Constitution, no person shall be deprived of their life or personal liberty except according to procedure established by law”. Over the years, the Supreme Court of India has construed this provision in a very “narrow procedural” and made it a very wide source of “substantive rights” while it was initially a procedural guarantee only. The understanding that the right to life under Article 21 encompasses the right to live with human dignity has been essential to this change.

The concept of dignity has thus become the basic principle for judicial interpretation of Article 21. Through various landmark decisions, the Supreme Court has extrapolated a number of rights from the concept of dignified existence of human beings. These doctrine developments are evidence of a dynamic nature of interpretation of the constitution in India.

A. Right to Live with Human Dignity

One of the first and most influential cases which recognised dignity under Article 21 is “*Francis Coralie Mullin v. Administrator, Union Territory Of Delhi*”. In this case the Supreme Court held that the right to life includes the right to live with human dignity and all that goes along with it, such as adequate nutrition, clothing, shelter and facilities for reading, writing and expressing oneself in diverse forms”³⁰.

The Court stressed that life cannot be reduced only to animal existence. Instead it must contain conditions that enable individuals to develop their personality and participate in society in a meaningful way. This interpretation greatly expanded the ambit of Article 21 and paved the way for further judicial recognition of a number of socio-economic rights.

B. Right to Livelihood

The “*right to livelihood*” is another important doctrinal dimension that is derived from the principle of dignity. In “*Olga Tellis v. Bombay Municipal Corporation*”, the Supreme Court

³⁰ *Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, (1981) 1 SCC 608 (India).

dealt with the issue of eviction of pavement dwellers in Mumbai and analyzed the issue of whether the eviction of their shelters violated their fundamental rights. The Court also held that the right to livelihood is a part of the right to life under Article 21. Without the means of livelihood, individuals cannot sustain themselves and their families. Therefore, denying a person a livelihood would amount to denying them life itself³¹. This judgment forms an important example of the way the judiciary has associated economic survival with human dignity.

The decision also brought to light socio-economic realities of the marginalized communities and showed the judiciary's readiness to protect vulnerable communities through the interpretation of the constitution.

C. Right to Privacy

Another major development in the jurisprudence of dignity is “*the right of privacy*”. “A nine-judge Supreme Court bench unanimously ruled in the *K.S. Puttaswamy* case that the right to privacy is a basic right under Article 21 and other provisions of the Indian Constitution. The Court stressed that privacy was closely linked to human dignity, autonomy and personal liberty. It includes the capacity of individuals to make decisions about their personal lives, relationships and identity without unwarranted interference by the state. The Court upheld the idea that respect for personal space and individual autonomy is a necessary component of dignity by recognizing privacy as a basic right³².”

This judgment is widely considered to have been one of the most important constitutional decisions in recent years and has far-reaching implications for issues such as data protection, surveillance and personal freedom.

D. Right to Shelter

The Supreme Court has also established the “*right to shelter*” as a necessary element of a dignified life. In “*Chameli Singh v. State of Uttar Pradesh*, the Court held that the right to shelter is within the ambit of article 21 because it is necessary for physical, mental and

³¹ *Olga Tellis v. Bombay Municipal Corporation*, (1985) 3 SCC 545 (India).

³² *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 (India).

intellectual growth of the individuals”³³.

According to the Court, shelter does not only imply roof over one's head but entails adequate living space, safe surroundings and access to basic civic amenities. The recognition of this right shows the understanding of the judiciary that dignity cannot be attained without minimum conditions for human survival and well-being.

E. Right to Health

The “right to health” has also been seen as part of the right to life under Article 21. In “*Paschim Banga Khet Mazdoor Samity v. State of West Bengal*, the Supreme Court held that the state has a Constitutional obligation to provide adequate medical facilities to the citizens”³⁴.

The Court noted that the failure to give timely medical treatment can lead to the violation of the right to life. In light of this, the state must hence take all necessary measures to make sure that medical services are available and accessible to the public. This judgment brings to light the duty of the state in the protection of the health and well-being of people as part of the larger concern for the protection of human dignity.

- It must be noted that the doctrinal dimensions discussed in this section are not exhaustive as the Supreme Court has been continuously expanding the scope of Article 21 to include various other aspects of dignified living such as “right to education, rights of prisoners, protection against custodial violence, right against sexual harassment, right to reputation, and right to sleep”.

JUDICIAL EXPANSION OF DIGNITY JURISPRUDENCE UNDER ARTICLE 21

The development of jurisprudence of dignity under Article 21 is largely due to the judicial interpretation of the Supreme Court of India. Article 21 was first applied narrowly and procedurally. However, with time judiciary took a more liberal and purposive approach and the meaning of right to life and personal liberty was significantly expanded.

The historic ruling in the **Maneka Gandhi case**³⁵ marked a turning point in this change. In this

³³ Chameli Singh v. State of Uttar Pradesh, (1996) 2 SCC 549 (India).

³⁴ Paschim Banga Khet Mazdoor Samity v. State of West Bengal, (1996) 4 SCC 37 (India).

³⁵ Maneka Gandhi v. Union of India, (1978) 1 SCC 248 (India).

case, “the Supreme Court refused to accept the earlier restrictive interpretation of Article 21 and said that the procedure laid down by law must be just, fair, and reasonable. The Court further emphasized that Articles 14, 19 and 21 are inter-linked and should be interpreted together”. This decision opened a new era of interpretation of the constitution and the judiciary was able to enlarge the scope of fundamental rights and introduce the concept of human dignity under Article 21.

Following this decision the Supreme Court increasingly used Article 21 as a tool for protecting different aspects of human dignity. The Court had acknowledged that the Constitution is a living document which must adapt to changing social conditions. As a result, a dynamic interpretation of the right to life was adopted by the judiciary, which went beyond the mere existence in physical terms to encompass conditions needed for a dignified existence.

Public Interest Litigation (PIL) also played a great role in expanding dignity jurisprudence. Through PIL, “the Supreme Court had relaxed the traditional rules of locus standi and permitted public-spirited individuals and organizations to approach the Supreme Court on behalf of marginalized and disadvantaged classes”. The vulnerable people was allowed to seek judicial protection of their fundamental rights thanks to this procedural innovation.

Cases like **Bandhua Mukti**³⁶ show the use of PIL in protecting the dignity of the bonded laborers and other marginalized communities. “The Court acknowledged that the act of exploitation and forced labor violate the dignity of human beings and thus came under the ambit of Article 21”.

Similarly in **People’s Union Case**³⁷, “the Supreme Court dealt with the problem of exploitation of labor during the construction of the facilities for Asian Games in Delhi. The Court held that non-payment of minimum wages and forced labour are against the fundamental rights and dignity of workers”.

Another aspect of judicial expansion that is important is “**the incorporation of international human rights principles**” into the interpretation of Indian Constitution. The Supreme Court has frequently relied on international conventions and norms to strengthen the protection of human dignity. This approach indicates the willingness of the Court to harmonize the domestic

³⁶ Bandhua Mukti Morcha v. Union of India, (1984) 3 SCC 161 (India).

³⁷ People’s Union for Democratic Rights v. Union of India, (1982) 3 SCC 235 (India).

constitutional values with the standards of human rights at the global level.

Through the above developments, the judiciary has made Article 21 one of the most powerful articles in the Indian Constitution. The acknowledgement of dignity as a fundamental value of the constitution has empowered the courts to deal with various social injustices and to uphold the fundamental rights of citizens.

Despite these successes, there have been some important discussions about judicial activism and the proper extent of judicial action brought on by the extension of Article 21. Critics argue that over-expansion of the judiciary may encroach into the area of the legislature and the executive. Nevertheless, supporters argue that judicial intervention is often needed in order to ensure that the constitutional promises of dignity and justice are being realised in practice.

On the whole, judiciary has played a transformative role in marking the development of dignity jurisprudence under article 21. Through innovative interpretation, procedural reforms and reliance on constitutional values, the courts have given a huge push to the protection of human dignity in India.

CONTEMPORARY CHALLENGES IN REALIZING HUMAN DIGNITY UNDER ARTICLE 21

Despite the amazing growth in the jurisprudence of dignity under Article 21, there are still a number of challenges that prevent the full realization of this constitutional promise. While the judiciary has interpreted the “*right to life*” in a broad way to encompass different aspects of dignified existence, the actual implementation of these rights is uneven. Structural inequalities, administrative inefficiencies and socio-economic disparities often impede people from successfully availing themselves of these constitutionally recognized protections.

One of the great challenges is the gap between the **recognition at the judicial level and the implementation at the ground level**. Although the Supreme Court and other courts have acknowledged rights such as “the right to health, shelter, education, and livelihood” as part and parcel of dignity, the fulfillment of these rights is highly dependent upon governmental policies and administrative action. In many cases poor infrastructure, lack of resources and weak enforcement mechanisms compromise effectiveness of judicial pronouncements.

Another major challenge comes from **continuing socio-economic inequality**. Large sections

of the population still suffer from poverty, unemployment and a lack of access to basic services. These conditions have a direct impact on the ability of individuals to live in dignity. For marginalized communities like migrant workers, informal labourers and urban poor communities, the guarantees available under Article 21 turn out to be hard to avail in practice.

Issues relating to **custodial violence and police excesses** are also a serious threat to human dignity. Cases of torture, illegal detention and abuse by law enforcement authorities have been widely reported. In response to such concerns the Supreme Court in “*D.K. Basu v. State of West Bengal*” laid down important guidelines to prevent any custodial torture and to protect the dignity and rights of the persons held in police custody³⁸. However, in spite of these safeguards, violations are still being committed in several parts of the country, which signals the need for better accountability mechanisms.

Another challenge in the making is that of **digital privacy and technological surveillance**. With the rapid advancement of technology, issues relating to data protection, surveillance and misuse of personal information have come to the forefront. The recognition of “right to privacy” as a fundamental right in “*Justice K.S. Puttaswamy v. Union of India*”³⁹ was an important step towards upholding individual autonomy and dignity in the digital age. Nevertheless, the changing nature of technology has created new legal and regulatory challenges that need to be addressed by comprehensive policy frameworks.

Furthermore, the issue of upholding the dignity of **vulnerable and marginalized communities** is a pressing issue. Groups such as transgender persons, persons with disabilities and economically disadvantaged populations often experience discrimination and social exclusion. The Supreme Court has tried to resolve some of these issues through progressive judgments. For example, in “*National Legal Services Authority vs. Union of India*”, the Court upheld transgender people's rights to equality and personal autonomy while acknowledging their rights and dignity⁴⁰.

To attain real equality and dignity for excluded groups, more work in legislative action, policy execution, and societal transformation is required notwithstanding these court interventions. Without concerted efforts from all levels of government, courts cannot resolve structural

³⁸ *D.K. Basu v. State of West Bengal*, (1997) 1 SCC 416 (India).

³⁹ *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 (India).

⁴⁰ *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438 (India).

injustices on their own.

In conclusion, even though Article 21 has developed into a potent instrument for the defense of human dignity, there are still significant obstacles to overcome in order to guarantee that these constitutional safeguards result in genuine and significant improvements in people's lives. Strengthening institutional structures, improving governance, and maintaining a commitment to the fundamental ideals of “*justice, liberty, equality, and dignity*” are all necessary to overcome these issues.

RECONSTRUCTING DIGNITY: TOWARDS A COHERENT CONSTITUTIONAL FRAMEWORK

The development of the jurisprudence of dignity under Article 21 is one of the most important developments in the field of Indian constitutional law. Through progressive interpretation, the judiciary has been able to convert the right to life into a very extensive guarantee of a range of rights necessary for human dignity. However, despite this expansion, the notion of dignity in the Indian constitutional jurisprudence often does not have a definite and consistent framework in doctrine. Reconstructing dignity as a coherent constitutional principle is therefore an important part of making the protection of fundamental rights more clear and effective.

One of the main challenges in the jurisprudence of dignity is that there is **no clear definition of dignity in the interpretation of the Constitution**. The Supreme Court has used the concept of dignity in a multitude of situations such as privacy, livelihood, health, and reputation. While this flexible approach has enabled the courts to react to the changing social conditions, it has also caused doctrinal ambiguity. Different judgments sometimes use the concept of dignity without explicitly standing out the normative foundations of the concept or the criteria for determining when dignity has been violated. Developing a better sense of dignity would increase the consistency and predictability of constitutional adjudication.

Another aspect of reconstructing dignity that is important is the fact that **dignity is both an individual right and a constitutional value**. Dignity not only gives individuals protection against the arbitrary action of the State but also informs the interpretation of the entire constitutional structure. When understood as a fundamental constitutional value, dignity gives meaning to several fundamental rights and enhances the commitment to justice, equality and liberty in general. This perspective is in line with the comparative constitutional traditions

where dignity is a central organising principle of constitutional governance.

A coherent framework of a dignity must also deal with the **relation between dignity and socio-economic rights**. Many of the rights arising out of Article 21 such as the right to livelihood, right to shelter, right to education, right to health have close links with socio-economic conditions. While the judiciary has found these rights to be an element of dignified living, the realization of these rights is often contingent on effective implementation of policy by the state. Therefore, the effect of transforming constitutional promises into tangible results depends on strengthening institutional systems to guarantee the effective implementation of these rights.

Furthermore, the protection of dignity requires **greater institutional coordination between the judiciary, legislature and executive**. Judicial interpretation alone cannot suffice for solving the problem of structural inequalities and systemic social problems. Legislative measures, administrative reforms and welfare policies are required to provide conditions which enable individuals to lead a dignified life. A coherent constitutional framework should therefore stimulate collaborative efforts among different branches of government without any inappropriate checks and balances.

Another dimension of reconstructing dignity is ensuring **more protection for marginalized and vulnerable communities**. Groups that have been subjected to social exclusion, discrimination or economic disadvantage are often most at risk of having their dignity threatened. Constitutional jurisprudence must therefore take a more inclusive approach which focuses on substantive equality and social justice. Recognizing the dignity of all individuals requires taking steps to overcome systemic barriers to the enjoyment of the full benefits of constitutional rights by certain groups of people.

Finally, dignity needs to be understood as **a dynamic and changing constitutional concept**. Societal values, technological developments and human rights standards in the world continue to reshape the meaning and extent of dignity. Courts must be sensitive to these changes and at the same time ensure that the interpretation of the Constitution is based on fundamental principles of fairness, autonomy, and respect for human worth.

Therefore, it takes both institutional dedication and conceptual clarity to reconstruct dignity within a cohesive constitutional framework. By creating a more ordered conception of dignity and reinforcing the mechanisms for its implementation, the constitutional system will be better

able to protect the rights and freedoms that are the essential requirements for a dignified human existence.

CONCLUSION

The development of “*Article 21 of the Constitution of India*” signifies one of the greatest developments of Indian constitutional jurisprudence. The Supreme Court has gradually changed the clause, which was initially understood in a limited procedural sense, into a broad and dynamic guarantee of human dignity. Through progressive judicial interpretation, the right to life has come to include many dimensions that are necessary for a meaningful and dignified existence, including the “*rights to livelihood, health, shelter, education, privacy and reputation*”.

The understanding that the Constitution is a living document intended to advance justice, liberty, equality, and human dignity has been essential to this change. Prominent rulings such as the “*Maneka Gandhi case, the Francis Coralie Mullin case, and the Justice K.S. Puttaswamy case*” demonstrate the judiciary's dedication to expanding the scope of fundamental rights in order to protect each person's intrinsic dignity. The courts have emphasized via these rulings that the “right to life” must be interpreted in a way that ensures both physical survival and the conditions necessary for human development.

At the same time, the proliferation of the jurisprudence of dignity brings out certain doctrinal and practical challenges. The idea of dignity has frequently been used in varying contexts without an adequate framework for it, and there have been inconsistencies in its interpretation. Moreover, the implementation of rights based on dignity often requires the successful implementation of policies and institutional cooperation outside the judiciary. Persistent socio-economic inequalities, administrative limitations and emerging technological concerns still challenge the ability of the constitutional system to fully work on the promise of dignified living for all citizens.

Dealing with these challenges entails a more coherent constitutional understanding of dignity and greater cooperation between the judiciary, the legislature and the executive. Although the courts have been instrumental in identifying dignity as a fundamental value, comprehensive legislative action, responsive governance, and a wider community commitment to the preservation of human rights are necessary for long-term success.

In summary, Article 21 jurisprudence confirms that human dignity remains the moral cornerstone of India's constitutional democracy. The Indian constitutional system can do more to guarantee that the core promise of the Constitution justice, liberty, equality, and dignity for all people is meaningfully realized by developing a more comprehensive and inclusive framework of dignity.

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