
HARMONY AND CONFLICT BETWEEN FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES: A CONSTITUTIONAL BALANCE

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ABSTRACT

This study highlights the shift from conflict to harmony in the interaction between the Indian Constitution's Directive Principles of State Policy (DPSPs) and Fundamental Rights (FRs). As demonstrated in *State of Madras v. Champakam Dorairajan*, when the Supreme Court ruled that DPSPs could not supersede enforceable rights, FRs were first granted precedence. However, this strict approach made it difficult for the State to carry out socioeconomic reforms meant to achieve welfare and equality. This relationship changed over time as a result of judicial interpretation and constitutional revisions. The Doctrine of Basic Structure was established by the historic ruling in *Kesavananda Bharati v. State of Kerala*, which restricted Parliament's ability to modify the Constitution and emphasized the importance of striking a balance between FRs and DPSPs. In *Minerva Mills v. Union of India*, the Court further reaffirmed this, ruling that harmony between FRs and DPSPs is a fundamental aspect of the Constitution. The report also emphasizes how DPSPs are increasingly helping to broaden the definition of fundamental rights, especially under Article 21, where courts have acknowledged the rights to a clean environment, livelihood, health and education. Despite these advancements, conflicts still exist in areas like economic regulation and reservation regulations, necessitating judicial balance using concepts like proportionality and reasonableness. In the end, the study comes to the conclusion that FRs and DPSPs are interdependent and complementary. When taken as a whole, they allow the Constitution to be a dynamic, living instrument that guides India toward a just and equitable society by striking a balance between individual liberty and the welfare of the community.

Keywords: Fundamental Rights (FRs), Directive Principles of State Policy (DPSPs), Doctrine of Basic Structure, Constitutional Harmony, Judicial Interpretation, Socioeconomic Justice

INTRODUCTION

The Constitution of India establishes a carefully structured balance between individual liberty and collective welfare through Fundamental Rights (Part III) and Directive Principles of State Policy (Part IV)¹. Fundamental Rights, enshrined in Articles 12-35, are enforceable guarantees that protect individuals against arbitrary State action. They secure essential freedoms such as equality, speech, life and religion, forming the core of political democracy. Their justiciability, particularly under Article 32², empowers citizens to directly approach courts for enforcement. Over time, judicial interpretation most notably in *Maneka Gandhi v. Union of India*³ has expanded these rights, especially Article 21, to include broader aspects of a dignified life such as livelihood, health and environmental protection. Thus, Fundamental Rights are dynamic and evolve with changing societal needs.

In contrast, Directive Principles of State Policy (Articles 36–51) are non-justiciable guidelines aimed at establishing a welfare state⁴. They direct the State to promote socio-economic justice, reduce inequalities and ensure equitable distribution of resources. Provisions such as equal pay for equal work, public health improvement and promotion of education reflect the Constitution's vision of social and economic democracy. Though not legally enforceable, Directive Principles impose moral and political obligations on the State and significantly influence legislative and policy frameworks. Tensions between Fundamental Rights and Directive Principles arise due to their differing nature and objectives. While Fundamental Rights emphasize individual freedoms and limit State power, Directive Principles often require State intervention that may restrict these freedoms to achieve broader social goals. This conflict was evident in *State of Madras v. Champakam Dorairajan*⁵, where the Supreme Court gave primacy to Fundamental Rights over Directive Principles. However, constitutional amendments and evolving judicial interpretation have gradually shifted this rigid approach. The judiciary has played a crucial role in harmonizing the two by adopting the doctrine of balance and reconciliation. Instead of treating them as conflicting, courts now interpret them as complementary and interdependent. This approach ensures that neither individual liberty nor social welfare is sacrificed. The Constitution is thus seen as a living document that adapts to

¹ INDIA CONST. pmb1.; INDIA CONST. pts. III–IV.

² INDIA CONST. art. 32.

³ *Maneka Gandhi v. Union of India*, (1978) 1 S.C.C. 248 (India).

⁴ INDIA CONST. arts. 36–51.

⁵ *State of Madras v. Champakam Dorairajan*, A.I.R. 1951 S.C. 226 (India)

changing socio-economic realities while preserving its foundational values.

FUNDAMENTAL RIGHTS

In India, democratic governance is based on fundamental rights which are necessary to safeguard each person's freedom and dignity. Because they are justiciable, courts can enforce them, guaranteeing that every infraction can be legally contested. Authorities and institutions carrying out public functions are included in the definition of "State" under Article 12, in addition to the government. Fundamental rights are safeguarded against a variety of state activities because to this expansive interpretation⁶.

Origin of Fundamental Rights:

Global events like the French Revolution and the American Bill of Rights have an impact on the idea of fundamental rights. Natural rights like life, liberty and property were highlighted by philosophers like Rousseau and John Locke. The fight for liberation in India gave rise to the demand for fundamental rights. Civil freedoms were highlighted in documents such as the Karachi Resolution (1931) and the Nehru Report (1928). These rights were included as enforceable guarantees in the Constitution following independence whose scope has been further broadened by judicial interpretation, making them dynamic rights that can deal with contemporary issues⁷.

Features:

Fundamental rights mainly prevent the State from interfering with individual liberty by imposing negative responsibilities on it. Judicial interpretation has broadened their purview over time, turning them into tools for attaining substantive justice. For example, the right to life under Article 21 has been construed to encompass a number of elements required for a life of dignity. Their dominance within the framework of the constitution is another important characteristic. Any legislation that violates fundamental rights is null and void. This emphasizes how crucial individual liberty is to the framework of the constitution.

⁶ INDIA CONST. art. 12; *Ajay Hasia v. Khalid Mujib Sehravardi*, (1981) 1 SCC 722 (India).

⁷ The Nehru Report (1928); Karachi Resolution (1931); JOHN LOCKE, *SECOND TREATISE OF GOVERNMENT* (1690); JEAN-JACQUES ROUSSEAU, *THE SOCIAL CONTRACT* (1762).

DIRECTIVE PRINCIPLES OF STATE POLICY

The Constitution's socioeconomic objectives are embodied in the Directive Principles of State Policy which are essential to government and direct legislative and executive activities despite being non-justiciable. Establishing a welfare state is their main goal. They deal with things like labor welfare, education, health, poverty and inequality. Directive Principles prioritize the benefit of the group as a whole, in contrast to Fundamental Rights, which highlight individual interests.

The Irish Constitution served as the model for Directive Principles. The framers understood that without social and economic justice, political freedom was insufficient on its own. While Directive Principles seek to achieve social and economic democracy, leaders like as Dr. B.R. Ambedkar stressed that Fundamental Rights guarantee political democracy. Their significance has grown throughout time as a result of constitutional revisions and judicial interpretation. These days, measures pertaining to social justice, welfare, education and health are greatly influenced by the Directive Principles⁸.

They can be classified into three categories:

- **Socialistic principles:** Aim at reducing inequality and ensuring fair distribution of wealth⁹.
- **Gandhian principles:** Focus on rural development, cottage industries and protection of weaker sections¹⁰.
- **Liberal-intellectual principles:** Promote international peace, environmental protection and legal reforms¹¹.

Differences between Fundamental Rights and Directive Principles:

- I. Their enforceability is the main distinction. Directive Principles are not legally enforceable, but Fundamental Rights are. While Directive Principles mandate that the

⁸ Kesavananda Bharati v. State of Kerala, (1973) 4 SCC 225 (India).

⁹ *Id*

¹⁰ INDIA CONST. art. 38, 39.

¹¹ INDIA CONST. art. 40, 43.

State take proactive measures for welfare, Fundamental Rights place limitations on State action.

- II. While Directive Principles are applied gradually, Fundamental Rights are instantly applicable. The latter place more emphasis on social and economic justice than the former do on individual liberty.
- III. Both are complementary in spite of these distinctions. Recognizing that both are necessary to accomplish constitutional objectives, courts have increasingly embraced a harmonious construction.
- IV. Liberal ideology, which emphasizes individual liberty and little government intervention, is the foundation of fundamental rights. Directive Principles, on the other hand, are predicated on the idea of a welfare state, which necessitates proactive government intervention to guarantee social fairness. Tension frequently results from this philosophical disagreement. Nonetheless, the Constitution integrates both in an effort to bring these beliefs together. Through harmonic interpretation, the judiciary has been instrumental in preserving this equilibrium.

EARLY CONFLICT BETWEEN FUNDAMENTAL RIGHTS AND DIRECTIVE PRINCIPLES OF STATE POLICY

Enforceable rights and non-justiciable concepts were inherently at odds when the Constitution was adopted. Early courts prioritized Fundamental Rights, which frequently restricted the State's capacity to carry out socioeconomic changes.

State of Madras v. Champakam Dorairajan (1951)

Facts:

The State of Madras enacted a communal Government Order (G.O.) that controlled admittance to state-run engineering and medical schools on the basis of caste and religion, which gave rise to the case. The order set aside particular seats for various groups, including Muslims, Christians, Scheduled Castes, Brahmins and non-Brahmins. After being turned down for admission despite having better grades than some chosen applicants from other communities, Champakam Dorairajan, a Brahmin candidate, contested this procedure. She argued that the

communal reservation policy infringed her fundamental rights under Article 29(2) (no denial of entrance to state educational institutions on such grounds) and Article 15(1) (prohibition of discrimination on grounds of religion, race, caste etc.). The Directive Principles of State Policy, namely Article 46, which instructs the State to advance the economic and educational interests of weaker sectors, were cited by the State as justification for the policy¹².

Judgment:

The communal G.O. was declared unlawful by the Supreme Court, which ruled that it infringed upon the Fundamental Rights protected by Articles 15(1) and 29(2). The Court made it abundantly evident that the non-justiciable Directive Principles are subordinate to the enforceable Fundamental Rights. It decided that even if Directive Principles of State Policy seek to advance social justice, they cannot supersede or restrict fundamental rights. When there is a dispute, Fundamental Rights have to win. This ruling established the original stance of FR supremacy and represented the first significant judicial interpretation of the relationship between Fundamental Rights and Directive Principles of State Policy¹³.

Significance and Impact:

- **Judicial Primacy of Fundamental Rights:** Established that Fundamental Rights are superior and must be protected by courts.
- **Legislative Response:** Led to the First Constitutional Amendment, introducing Article 15(4) to allow reservations¹⁴.
- **Policy-Making Lessons:** Highlighted the need for careful drafting of laws.
- **Constitutional Evolution:** Led to the development of the doctrine of harmonious construction¹⁵.

EVOLUTION TOWARDS HARMONY AND BALANCE

Welfare reforms were restricted in *State of Madras v. Champakam Dorairajan*, which

¹² INDIA CONST. arts. 15(1), 29(2), 46.

¹³ Champakam Dorairajan, AIR 1951 SC 226 (India).

¹⁴ INDIA CONST. art. 15(4) (inserted by the Constitution (First Amendment) Act, 1951).

¹⁵ Minerva Mills Ltd. v. Union of India, (1980) 3 SCC 625 (India).

established the superiority of Fundamental Rights above Directive Principles. In response, Parliament created the First Amendment, which permits clauses like affirmative action under Article 15(4). Conflicts developed as the state implemented socioeconomic programs over time. A harmonic view was progressively accepted by the judiciary, which acknowledged Directive Principles of State Policy as equally important to government as Fundamental Rights. The Supreme Court stressed striking a balance between the two in *Kesavananda Bharati v. State of Kerala*, when it introduced the Basic Structure Doctrine to maintain constitutional harmony.

Kesavananda Bharati v. State of Kerala (1973)

Facts:

The Kerala Land Reforms Act (as revised in 1969) had an impact on the large property possessed by Kesavananda Bharati, the leader of the Edneer Mutt in Kerala. As part of agrarian reforms, the Act placed restrictions on landholdings and sought to distribute excess land to the landless. The petitioner contested these clauses, claiming that they violated his fundamental rights as guaranteed by Articles 14, 25, 26 and 31. The 24th, 25th and 29th Constitutional Amendments were passed by Parliament while the case was pending. The authority of Parliament to change any aspect of the Constitution, including the Fundamental Rights, was upheld by the 24th Amendment. The 25th Amendment limited judicial review in some situations and limited the right to property. In order to shield the Kerala land reform measures from judicial review, the 29th Amendment placed them in the Ninth Schedule. The petitioner contended that the limited amending authority granted by Article 368 to Parliament precluded the destruction or revocation of Fundamental Rights¹⁶.

Judgment:

The Supreme Court ruled in *Kesavananda Bharati v. State of Kerala* (7:6 majority) that Parliament has broad authority under Article 368 to change any aspect of the Constitution, including Fundamental Rights, but that this authority is not unqualified. The Court established the Doctrine of Basic Structure, holding that the fundamental elements of the Constitution cannot be changed or eliminated by Parliament. The Court partially maintained the 25th Amendment while invalidating the section that excluded judicial review and also upheld the

¹⁶ NDIA CONST. arts. 14, 25, 26, 31, 368; Constitution (24th, 25th & 29th Amendments) Acts.

24th Amendment, confirming Parliament's modifying authority¹⁷. Although laws included in the Ninth Schedule are still subject to fundamental structural restrictions, the 29th Amendment was also maintained. The ruling highlighted the complimentary nature of Directive Principles and Fundamental Rights and the fundamental construction of the Constitution includes preserving their equilibrium¹⁸.

CONTEMPORARY POSITION AND JUDICIAL APPROACH

A sophisticated and well-rounded constitutional philosophy is reflected in the modern judicial approach to the link between Fundamental Rights and Directive Principles of State Policy. In *Minerva Mills v. Union of India*, the Supreme Court upheld the Doctrine of Basic Structure and invalidated portions of the 42nd Amendment that attempted to grant Directive Principles of State Policy complete precedence and unrestricted amending power to Parliament¹⁹. The Court unequivocally said that any attempt to upset the harmony and balance between Fundamental Rights and Directive Principles of State Policy would be unlawful since it is a fundamental aspect of the Constitution. This ruling decisively established that neither Fundamental Rights nor Directive Principles can claim absolute primacy, marking a considerable departure from previous viewpoints. Rather, both are crucial elements of the constitutional framework, cooperating to accomplish the objectives of equality, justice, liberty and fraternity²⁰.

Directive Principles of State Policy have had a major impact on the interpretation and extension of Fundamental Rights under the current constitutional framework, particularly with regard to Article 21²¹. In order to give Directive Principles of State Policy more practical importance and a wider meaning, the judiciary has taken a purposive approach, reading them into Fundamental Rights. Consequently, the rights to livelihood, health, education and a clean environment have been added to the definition of the right to life. Despite this peace, there are still conflicts in some areas, especially when it comes to issues like economic controls, land reforms and reservation laws, where social justice-focused state intervention may limit personal liberties. To preserve constitutional balance in these situations, courts utilize the concepts of proportionality and reasonableness²². By directing legislation and policy-making in fields like

¹⁷ *Id*

¹⁸ *Id*

¹⁹ *Minerva Mills Ltd. v. Union of India*, (1980) 3 SCC 625 (India).

²⁰ *Id*

²¹ INDIA CONST. art. 21

²² *Modern Dental College & Research Centre v. State of Madhya Pradesh*, (2016) 7 SCC 353 (India)

public health, education and social security, Directive Principles of State Policy today significantly contribute to the development of India as a welfare state. While Fundamental Rights serve as enforceable protections, guaranteeing that the pursuit of socio-economic goals does not compromise individual rights, they are non-justiciable yet remain essential to governance²³.

CONCLUSION

Within Indian constitutional law, the relationship between Directive Principles of State Policy and Fundamental Rights has significantly changed from an initial state of conflict to one of harmony and balance. Early on, as seen in *State of Madras v. Champakam Dorairajan*, the Supreme Court clearly prioritized Fundamental Rights, which limited the State's capacity to carry out socioeconomic changes. However, this strict approach progressively changed as a result of constitutional revisions and changing judicial interpretation. The Doctrine of Basic Structure was established by landmark rulings like *Kesavananda Bharati v. State of Kerala* and *Minerva Mills v. Union of India* further reaffirmed that the balance between Fundamental Rights and Directive Principles of State Policy is an essential component of the Constitution. Fundamental Rights and Directive Principles of State Policy are now seen as interconnected and complementary parts of the constitutional structure. Directive Principles direct the State in attaining social and economic fairness, whereas Fundamental Rights guarantee the protection of individual liberty and serve as enforceable restraints on State power. By using ideas like harmonic structure and purposive interpretation, the judiciary is essential to preserving this equilibrium. As a result, the Constitution functions as a dynamic and living text that successfully balances individual freedom with the welfare of the group and guarantees the establishment of a society that is just, equitable and welfare-oriented.

²³ INDIA CONST. arts. 36–51.