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DIRECTIVE PRINCIPLES OF STATE POLICY (PART IV) AND CONSTITUTIONAL MORALITY:

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Abstract:

The Directive Principles of State Policy (DPSPs) enshrined in Part IV of the Indian Constitution represent the moral and ethical foundations of the constitution order. Although non-justiciable, these principles embody the concept of constitution morality by guiding the State in the pursuit of social, economic, and political justice. Rooted in the ideals of the Preamble, DPSPs reflect the transformative vision of the Constitution, seeking to harmonize individual rights with collective welfare and good governance.

Constitution morality demands adherence not merely to the text of the Constitution but to its underlying values, including equality dignity, fraternity and social justice, in this context, DPSPs function as normative standards that shape legislative intent, executive policy, and judicial interpretation. The judiciary has consistently emphasized the complementary relationship between Fundamental Rights and Directive Principles, recognizing rights and Directive Principles, recognizing that true constitutional governance requires a balance between enforceable rights and aspirational goals. Judicial pronouncements have increasingly relied upon DPSPs to expand the scope of rights, particularly in areas such as education, health, environmental protection, and social welfare.

Furthermore, Directive Principle State Policy strengthen democratic accountability by imposing a moral obligation on the State to promote inclusive development, reduce social-economic inequalities, and protect vulnerable sections of society. They also play a vital role in reinforcing constitutional morality by discouraging arbitrary governance and encouraging welfare-oriented policymaking. As India navigates contemporary challenges such as economic disparity, environmental degradation, and social exclusion, the relevance of Directive Principle State Policy's in sustaining constitutional morality becomes increasingly significant. Thus, Part IV serves as a constitutional compass, ensuring that governance remains aligned with the ethical vision of the Indian Constitution.

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Keywords: Directive Principle of State Policy (DPSPs), Constitutional Morality, Social, Economics, and Political Justice, Transformative Constitutionalism, Fundamental Rights-DPSPs Harmony, Welfare State and Inclusive Governance.

I. Introduction:

The Constitution of India is the supreme law of the land. It lays down the framework that defines the political principles, establishes the structure and powers of government institutions, and sets out the fundamental rights and duties of citizens. Adopted on 26th November 1949 and enforced on 26th January 1950, the Constitution reflects the ideals of justice, liberty, equality, and fraternity. It represents the vision of the framers who aimed to build a sovereign, socialist, secular, democratic republic ensuring dignity and unity for all citizens.

The Constitution is not merely a legal document; it is a social document that seeks to transform society. It balances individual freedoms with collective welfare. Part III of the Constitution guarantees Fundamental Rights, which protect citizens against arbitrary actions of the State. However, rights alone cannot create a just society. Therefore, Part IV of the Constitution introduces the Directive Principles of State Policy (DPSP), which guide the government in establishing social and economic democracy.²

The Directive Principles of State Policy are enshrined in Articles 36 to 51 of the Constitution. Though they are not enforceable by courts, they are fundamental in the governance of the country. These principles direct the State to promote welfare by securing a social order based on justice—social, economic, and political. They aim to reduce inequality, provide adequate livelihood, ensure equal pay for equal work, promote education, protect children and workers, organize village panchayats, and improve public health.

The DPSPs reflect the ideals of a welfare state. They are inspired by the Constitution of Ireland and the principles of social justice. They emphasize that political democracy must be supported by social and economic democracy. For example, the State is directed to secure a uniform civil code for citizens, protect the environment, promote international peace, and provide free legal aid. Over time, many of these principles have been implemented through laws and policies such as land reforms, education rights, rural employment schemes, and

² The Constitution of India, Part III (arts, 12-35) (Fundamental Rights).

environmental protection laws.³

II. Research Methodology:

This research adopts a doctrinal and analytical methodology to examine the Directive Principles of State Policy and Constitutional Morality under the Constitution of India. The study primarily relies on secondary sources such as constitutional provisions (Articles 36–51), landmark Supreme Court judgments, Constituent Assembly Debates, and scholarly commentaries. Relevant case laws interpreting Fundamental Rights and Directive Principles are analyzed to understand their harmonious construction. The concept of Constitutional Morality is examined through judicial precedents and academic writings. The research aims to critically evaluate how these principles guide governance and promote social justice within the constitutional framework of India.

III. Research Hypotheses

The research hypothesizes that the Directive Principles of State Policy (Part IV) under the Constitution of India and the doctrine of constitutional morality are complementary and mutually reinforcing principles that guide governance in India. It assumes that although Directive Principles are non-justiciable, they significantly influence judicial interpretation of Fundamental Rights and legislative policies. The study further hypothesizes that constitutional morality, as evolved through judicial interpretation, strengthens the implementation of Directive Principles by promoting justice, equality, and social welfare. Therefore, harmonious construction between Part III and Part IV ensures the realization of the constitutional vision of a welfare state.

IV. Research Question:

- What is the constitutional significance of Directive Principles of State Policy (Articles 36–51) in governance?
- How have the courts interpreted the relationship between Fundamental Rights (Part III) and Directive Principles (Part IV)?
- Can Directive Principles be enforced indirectly through judicial interpretation of Fundamental Rights?

³ Constituent Assembly Debates, VOL, XI (Nov. 25, 1949 (Speech of Dr. B.R. Ambedkar on constitutional governance). Introduction to the Constitution of India, LexisNexis

- What is the concept of Constitutional Morality as evolved by the Supreme Court of India?
- How does Constitutional Morality influence the interpretation and implementation of Directive Principles?
- In what ways do Directive Principles promote social, economic, and political justice in India?
- Is there a need to strengthen the enforceability of Directive Principles to achieve constitutional goals?

V. Can Directive Principles be enforced indirectly through judicial interpretation of Fundamental Rights

Yes, the Directive Principles of State Policy can be enforced indirectly through judicial interpretation of Fundamental Rights, especially in light of Constitutional Morality. Although the Directive Principles under Part IV of the Constitution of India are non-justiciable, the judiciary has creatively interpreted Fundamental Rights to give them practical effect.

The Supreme Court of India has expanded the scope of Article 21 (Right to Life and Personal Liberty) to include rights such as livelihood, education, health, and a clean environment many of which originate from the Directive Principles. Through this harmonious construction, the Court has ensured that socio-economic goals are not ignored merely because they are non-enforceable. This approach reflects Constitutional Morality, which requires the State to uphold justice, equality, and human dignity as core constitutional values.⁴

In landmark cases like “**Kesavananda Bharati v. state of kerala**”, the Court emphasized the Basic Structure Doctrine, ensuring that constitutional ideals remain protected. By reading Directive Principles into Fundamental Rights, the judiciary has transformed them from moral obligations into enforceable standards of governance.

Thus, while Directive Principles are not directly enforceable, they are indirectly realized through judicial interpretation guided by Constitutional Morality.

VI. Directive Principles and Constitutional Morality there Significance

The Directive Principles of State Policy (Part IV) of the Constitution of India play a vital role in

⁴ Kesavananda Bharati v. State of Kerala (1973) 4 SCC 225. Minerva Mills v. Union of India, (1980) 3 SCC 625.

promoting constitutional morality. Articles 36–51 lay down guidelines for the State to establish social, economic, and political justice in the country. Though these principles are not enforceable by courts, they are fundamental in the governance of the nation and guide lawmakers in creating welfare-oriented laws.⁵

Constitutional morality refers to adherence to the core values of the Constitution such as justice, liberty, equality, and fraternity. It requires the State and citizens to respect democratic principles, rule of law, and individual dignity. The Directive Principles strengthen constitutional morality by directing the State to reduce inequalities, promote equal justice, protect the environment, provide free legal aid, and ensure fair distribution of resources.

The harmonious interpretation of Fundamental Rights and Directive Principles by the judiciary reflects constitutional morality. Landmark judgments have emphasized that both are complementary and together form the conscience of the Constitution. By implementing Directive Principles, the State fulfills its moral obligation to create a just and inclusive society. Therefore, Part IV is significant as it transforms constitutional ideals into practical governance, ensuring that constitutional morality is not merely theoretical but actively realized in public policy and administration.⁶

VII. Directive Principles of State Policy (part IV) and constitution morality

Fundamental in the governance of the Country:

The Constitution of India embodies the ideals of justice, liberty, equality and fraternity, and establishes the framework for governance through its various Parts and provisions. Part IV of the Constitution, namely the Directive Principles of State Policy, lays down the fundamental principles to be followed by the State in the administration of the country. Though not enforceable by any court of law, these principles are nevertheless fundamental in the governance of the country and it is the duty of the State to apply them in making laws, as expressly declared under Article 37.

The Directive Principles aim to establish a social order in which justice—social, economic

⁵ 1. The Constitution of India, 1950, Part IV (Articles 36-51). 2. The Constitution of India, 1950, art 37 (Directive Principles not enforceable but Fundamental in governance). 3. The Constitution of India, 1950 preamble, (justice, Liberty, Equality, and Fraternity). 4. The Constitution of India, 1950, art. 38 (promotion of welfare of the people). 5. The Constitution of India, 1950 art 48A (protection and improvement of environment).

⁶ *Minerva Mills v. Union of India*, (1980) 3 SCC 625 (harmony between Fundamental Rights and Directive Principles)

and political—shall inform all institutions of national life. They direct the State to minimize inequalities, secure adequate means of livelihood, ensure equal pay for equal work, protect childhood and youth, promote public health, organize village panchayats, and foster respect for international peace and security. These provisions reflect the vision of a welfare State committed to the common good.⁷

The concept of Constitutional Morality, though not expressly defined, emanates from the spirit of the Constitution and has been emphasized in judicial pronouncements. It requires all organs of the State to act in accordance with constitutional values, limitations and responsibilities. Constitutional Morality ensures that power is exercised with restraint, respect for fundamental rights, and fidelity to democratic principles. Together, the Directive Principles and Constitutional Morality serve as guiding beacons, ensuring that governance remains just, humane and in faithful adherence to the constitutional mandate.

How have landmark cases like *Kesavananda Bharati v. State of Kerala* influenced the balance between Fundamental Rights and Directive Principles.

Landmark judgments such as *Kesavananda Bharati v. State of Kerala* have profoundly influenced the constitutional balance between Fundamental Rights (Part III) and Directive Principles of State Policy (Part IV) under the Constitution of India. Before this decision, constitutional amendments and judicial interpretations often reflected tension between enforceable Fundamental Rights and non-justiciable Directive Principles, particularly in matters relating to property rights and socio-economic reforms.⁸

In *Kesavananda Bharati* (1973), the Supreme Court of India propounded the historic Basic Structure Doctrine. The Court held that while Parliament possesses wide powers to amend the Constitution under Article 368, it cannot alter or destroy its “basic structure.” This doctrine ensured that neither Fundamental Rights nor Directive Principles could be given absolute supremacy in a manner that damages the essential constitutional framework.

The judgment marked a shift from earlier rigid interpretations. It recognized that Directive Principles are fundamental in the governance of the country and aim to establish social and

⁷ The Constitution of India, 1950, art 51 (promotion of international peace and security).

⁸ *I. R Coelho v. State of Tamil Nadu* (2007) 2 SCC 1 (Judicial review and basic structure).

economic democracy. At the same time, it affirmed that Fundamental Rights safeguard individual liberty and political democracy. The Court thus emphasized that the Constitution seeks a harmonious balance between the two, not dominance of one over the other.⁹

This balanced approach was later reaffirmed in *Minerva Mills v. Union of India*, where the Court held that harmony between Parts III and IV forms part of the basic structure itself. By doing so, the judiciary strengthened the constitutional vision of a welfare state while preserving core rights.

Therefore, *Kesavananda Bharati* significantly influenced constitutional jurisprudence by embedding equilibrium between rights and welfare goals within the basic structure, ensuring that India's constitutional democracy remains both rights-oriented and socially transformative.¹⁰

VIII. How does Constitutional Morality influence the interpretation and implementation of Directive Principles?

Constitutional morality plays a vital role in shaping the interpretation and implementation of the Directive Principles of State Policy under the Constitution of India. Though Directive Principles (Part IV, Articles 36–51) are non-justiciable, constitutional morality ensures that they are not treated as mere guidelines but as foundational values for governance. It requires the State to act in a manner consistent with justice, equality, dignity, and democratic principles.

The idea of constitutional morality was strongly emphasized in landmark judgments such as *Kesavananda Bharati v. State of Kerala*, *Minerva Mills v. Union of India*, and *Navtej Singh Johar v. Union of India*. In these cases, the Supreme Court of India highlighted that the Constitution is not just a legal document but a moral framework guiding the State. The Court has adopted the principle of harmonious construction to balance Fundamental Rights and Directive Principles, ensuring that neither is given absolute primacy.¹¹

Constitutional morality influences interpretation by encouraging courts to read Fundamental

⁹ Graville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford University Press 1966).

¹⁰ *Minerva Mills v. Union of India*, (1980) 3 SCC 625 (declaring that balance between Parts III and IV forms part of the basic structure of the Constitution)

¹¹ *Government of NCT of Delhi v. Union of India*, (2018) 8 SCC 501 (detailed exposition on constitutional morality).

Rights broadly in light of Directive Principles. For example, the right to life under Article 21 has been expanded to include the right to livelihood, education, and a clean environment—objectives reflected in Part IV. This approach transforms Directive Principles into enforceable realities through judicial creativity.

In implementation, constitutional morality obligates the legislature and executive to frame laws and policies aimed at social and economic justice, reduction of inequalities, and protection of vulnerable groups. It prevents arbitrary governance and ensures that state action aligns with constitutional values rather than political convenience.¹²

Thus, constitutional morality acts as a bridge between ideals and practice. It ensures that Directive Principles are progressively realized, promoting a welfare state while preserving democratic structure and individual freedoms.

IX. Case Laws with regards to Directive Principles and Constitutional Morality:

The Directive Principles of State Policy (Part IV) of the Constitution of India (Articles 36–51) aim to establish social, economic, and political justice in India. Though they are non-justiciable under Article 37, they are fundamental in the governance of the country. The concept of Constitutional Morality refers to adherence to constitutional values such as justice, liberty, equality, fraternity, rule of law, and respect for institutional processes. Over time, the judiciary has harmonized Fundamental Rights and Directive Principles through landmark judgments.¹³

One of the earliest cases was ‘**State of Madras V. Champakam Dorairajan,**’ where the Supreme Court held that Fundamental Rights prevail over Directive Principles in case of conflict. Following this decision, the First Constitutional Amendment was enacted, introducing Article 15(4) to promote social justice.

A major shift occurred in ‘**Kesavananda bharati v. state of kerala,**’ where the Supreme Court propounded the Basic Structure Doctrine. The Court held that while Parliament can amend the Constitution, it cannot alter its basic structure.¹⁴ The judgment emphasized the

¹² Subhash Kumar v. State of Bihar (1991) 1 SCC 598 (right to a clean environment under Article 21).

¹³ State of Madras v. Champakam Dorairjan AIR 1951 SC 226

¹⁴ Dr. B.R. Ambedkar, Constituent Assembe Debates, Vol VII (1949), on Constitutional Morality.

importance of maintaining harmony between Fundamental Rights and Directive Principles, recognizing both as essential to the constitutional framework.

In **Minerva Mills v. Union of India**, the Court struck down clauses of the 42nd Amendment that gave unlimited precedence to Directive Principles over Fundamental Rights. The Court observed that the Constitution is founded on a balance between Parts III and IV, and destroying this balance would damage its basic structure.¹⁵

The concept of Constitutional Morality was elaborately discussed in *Navtej Singh Johar v. Union of India*, where the Supreme Court decriminalized Section 377 IPC. The Court held that constitutional morality must prevail over social morality and that the Constitution protects individual dignity and equality.

Similarly, in *Government of NCT of Delhi v. Union of India*, the Court emphasized that constitutional morality ensures respect for democratic governance, federalism, and separation of powers.

Thus, through judicial interpretation, the Supreme Court has strengthened the relationship between Directive Principles and Constitutional Morality. While Directive Principles guide the State in achieving socio-economic justice, Constitutional Morality ensures that governance remains faithful to constitutional values. Together, they form the foundation of India's transformative constitutionalism.¹⁶

X. Suggestions:

The research paper may begin with an introduction to Part IV (Articles 36–51) of the Constitution of India, explaining the nature, scope, and purpose of the Directive Principles of State Policy (DPSP). You can highlight how DPSPs aim to establish social, economic, and political justice and build a welfare state. It is important to discuss their non-justiciable character under Article 37 and their significance in governance.

Next, explain the concept of Constitutional Morality. Trace its origin to the Constituent

¹⁵ *Ibid.*, (holding that harmony and balance between Part III and Part IV is part of the Basic Structure of the Constitution).

¹⁶ *Government of NCT of Delhi v. Union of India*, (2018) 8 SCC 501.

Assembly Debates and explain how it has evolved through judicial interpretation. You may refer to landmark judgments of the Supreme Court of India to show how Constitutional Morality has been used to uphold democratic values, rule of law, and fundamental rights.

Further, analyze the relationship between Fundamental Rights and DPSPs, focusing on the doctrine of harmonious construction. Discuss important case laws to show how courts have balanced individual rights with social welfare goals.

Finally, conclude by critically evaluating whether Constitutional Morality strengthens the implementation of Directive Principles in contemporary India. This structure will make your research paper clear, analytical, and well-organized.

Conclusion:

The study of the Directive Principles of State Policy under Part IV of the Constitution of India and the doctrine of Constitutional Morality reveals their deep interconnection in shaping India’s democratic framework. Though the Directive Principles are non-justiciable, they are fundamental in the governance of the country and serve as guiding principles for the State in promoting social, economic, and political justice. They reflect the vision of a welfare state envisioned by the framers of the Constitution.

Constitutional Morality, as evolved through judicial interpretation, emphasizes adherence to the core values of justice, liberty, equality, and fraternity. The judiciary, particularly the Supreme Court of India, has played a crucial role in harmonizing Fundamental Rights and Directive Principles to ensure balanced constitutional governance. Landmark judgments such as ‘Kesavananda Bharati v. State of Kerala’ strengthened this harmony by introducing the Basic Structure Doctrine, thereby safeguarding constitutional ideals.

In conclusion, Directive Principles and Constitutional Morality together function as complementary forces. While Directive Principles provide socio-economic direction, Constitutional Morality ensures that governance remains faithful to constitutional values. Their combined interpretation strengthens democratic accountability and promotes transformative constitutionalism in India.
