

Importance of Fundamental Rights in the Indian Constitution

Swati Yadav and Dr Reshma Umair

5th Year Law Student

Associate Professor

Amity University Lucknow, India

swatiyaduvanshi9151@gmail.com and rumair@lko.amity.edu

Abstract: *The basic rights are the foundation of the Indian Constitution and are the reflection of the determination of the State to safeguard the individual liberty, dignity, and equality. These rights are contained in Part III of the Constitution and serve as a check on the powers of the state and that democratic governance is conducted within the confines of the Constitution. This research paper discusses how Fundamental Rights are essential in the protection of civil liberties, social justice, reinforced democratic institutions and constitution supremacy in India. The research work embraces both a doctrinal and empirical method of studying the provisions on the constitution and judicial interpretation and the views of the citizens about the effectiveness of Fundamental Rights. The information gathered by a structured survey helps to draw attention to the awareness of citizens and their perceived influence of Fundamental Rights on the democratic life. The research findings show that besides shielding people against unreasoned state action, Fundamental Rights are also used as tools of social change by means of judicial activism and constitutional redress. Other challenges addressed in the paper include misuse, inability in cases of emergency, and unbalanced implementation. The research findings are that Fundamental Rights are still necessary to uphold the rule of law, to safeguard the interest of minority, and to encourage the constitutional morality in India. Enhancing sensitization, justice and accountability of institutions is critical in bringing the real meaning of these rights to life.*

Keywords: Fundamental Rights, Indian Constitution, Democracy, Judicial Review, Rule of Law, Civil Liberties

I. INTRODUCTION

In 1950, a Constitution of India was adopted, which is a ground-breaking legal document aimed at a democratic, secular and independent republic. Some of its most notable aspects include the Fundamental Rights found in Part III which protect individuals against any whimsical action of the state by guaranteeing them fundamental rights and protection. Such rights are based on the impact of liberal democratic principles and international human rights documents, as well as on the historical experience of oppression of the people of India of the era of colonialism¹.

The essential Rights are important to maintain human dignity, equality before law and autonomy of individuals. The rights guaranteed by Articles 14 to 32 include civil, political and cultural rights; equality, and freedoms of speech and religion, protection against exploitation and constitutional remedies. The combination of these two is to act as a constitutional safeguard against the misuse of power, and be a cornerstone to democratic governance².

Fundamental Rights are significant not only in the sense of their textual existence but in the sense that they can be enforced by taking judicial review. Article 32 also gives the citizens the right to go directly to the Supreme Court with a

¹ Dicey, A. V. (1959). *Introduction to the study of the law of the constitution*.v ² Jain,

M. P. (2018). *Indian constitutional law*.v



claim of implementation of these rights rendering them justiciable and effective². The judiciary has over time widened the scope of Fundamental Rights in terms of progressive interpretations especially in Article 21 which currently includes rights to privacy, education, health and livelihood³.

Fundamental Rights are also very important in minority protection and state social harmony in a multi-religious society such as India. They strike the right balance between personal freedom and the state, and encourage equality in development. Nevertheless, issues of overly limiting restrictions, emergency clauses, and unequal access to justice are making their effectiveness questionable⁴.

The objective of this paper is to critically discuss the significance of Fundamental Rights in the Indian constitution system through the prism of legal principles, judicial interpretation, and public awareness and perception data.

II. LITERATURE REVIEW

The discussion of Fundamental Rights in India among the scholars focuses on the aspects of liberty and social change as the tools of their realization. According to Austin⁶, the Indian Constitution is a social revolution where Fundamental Rights and Directive Principles go hand in hand in order to smash the imbedded inequalities. In this argument, he posits that these rights were not created as a series of negative restraint but as the means of attaining substantive justice.

Seervai⁵ discusses in detail the Part III with an analysis of the doctrine of these fundamental rights, whose importance lies in being fundamental as they are fundamental to democratic governance rather than because they are absolute. He points out on the balance between reasonable restrictions and personal liberties especially on Articles 19 and 21.

Basu⁶ highlights the importance of judicial review in enhancing Fundamental Rights. The birth of a human rights jurisprudence of the Indian rights, according to him, is the result of the broad interpretation of Article 21 given by the Supreme Court that has altered the Indian rights jurisprudence, which was a narrowly-focused procedural guarantee, into a broad-based human rights depository.

Upendra Baxi⁷ is also critical of judicial activism and says that courts have fulfilled two functions as defenders of rights and as institutions bound by politics and social realities. He observes that Public Interest Litigation (PIL) has greatly provided access to justice among the marginalized groups.

Granville Austin⁸ also examines the working relationship between Fundamental Rights and constitutional morality. According to him, rights should be construed so that it reacts to the changing social circumstances without compromising the constitutional values.

In her analysis, Chandra⁹ examines the conflict between national security and Fundamental Rights especially in cases of emergency. His work emphasizes that the call to suspend or water down rights in times of crisis may break the legitimacy of democracy.

Last but not least, Sathe¹² concentrates on comparative constitutionalism by claiming that Indian Fundamental Rights jurisprudence has developed differently thanks to socio-economic circumstances and creativity of judges, which differ with Western constitutional paradigms.

All the literature, together, prove that Fundamental Rights play a crucial role in the constitutional identity in India. Yet, another feature mentioned by scholars is the lack of

² H. M. Seervai (2015). *Constitutional law of India*.

³ Maneka Gandhi v. Union of India, AIR 1978 SC 597.

⁴ Kesavananda Bharati v. State of Kerala, AIR 1973 SC 1461. ⁶

Austin, G. (1999). *Working a democratic constitution*.

⁵ Seervai, H. M. (2013). *Constitutional law of India*.

⁶ Basu, D. D. (2020). *Introduction to the Constitution of India*.

⁷ Baxi, U. (2002). *The future of human rights*.

⁸ Austin, G. (1966). *The Indian Constitution: Cornerstone of a nation*.

⁹ Chandra, A. (2017). *Emergency powers and constitutionalism*. ¹² Sathe,

S. P. (2002). *Judicial activism in India*.



consistency in enforcing it, judicial overreach, and the necessity to raise awareness among people. In the present research, the literature review is extended with empirical evidence, which will help to estimate the effectiveness and significance of Fundamental Rights among citizens.

III. RESEARCH QUESTIONS

- What is the role of Fundamental Rights in the Indian democratic governance?
- How well are people aware of Fundamental Rights?
- The effectiveness of judicial remedies on the enforcement of Fundamental Rights?

IV. RESEARCH OBJECTIVES

- To examine the constitutional meanings of Fundamental Rights.
- To observe the interpretation and enforcement in the judicial system.
- To determine the social perception of Fundamental Rights.
- To establish any obstacles in a proper implementation of these rights.

V. RESEARCH HYPOTHESES

- **Hypotheses 1:** The fundamental rights play a vital role in enhancing democratic governance in India.
- **Hypotheses 2:** The more the awareness of Fundamental Rights, the more trust in constitutional institutions.
- **Hypotheses 3:** There is a positive effect of judicial enforcement on the effectiveness of Fundamental Rights.

VI. RESEARCH METHODOLOGY

This research paper employs a mixed-method research design by combining both the doctrinal analysis of the law and the empirical research to investigate whether the Fundamental Rights play any significance in the Indian constitutional system. The doctrinal element, entails an analytical examination of the position of the constitutional provisions, trail blazing court cases, and real-world law literature to learn the range, interpretation and application of the Fundamental Rights. The approach assists in critically analyzing the changing role of judiciary in protecting the constitutional liberties.

The empirical element relies on the primary data gathered with the aid of a structured questionnaire, which will be sent to a limited population of the respondents, including students, academicians, and legal practitioners. The stratified random sampling method was used in order to have a balanced representation. The data obtained were subjected to descriptive statistical analysis tools like percentages and graphical analysis in order to determine the level of awareness and perception as regards to Fundamental Rights. Such a combination allows gaining an overall and harmonious picture of the theoretical and practical aspects of the study.

6.1 Nature of Study

The current study is descriptive and analytical in nature. The descriptive part dwells on defining the concept, scope and constitutional structure of Fundamental Rights as given under Part III of Indian Constitution. It empirically describes the nature of the rights, its importance, and the means on which they can be enforced. The critical side is the analytical one concerning judicial interpretations, constitutional constraints and how Fundamental Rights essentially work within a democratic system. The study, using landmark judgments and empirical evidence, assesses the effectiveness of these rights in safeguarding individual liberty and in ensuring equal protection and justice. This two-sided strategy allows the



understanding of the picture on multiple levels simultaneously, as it is not only factual information that is introduced but also the evaluation of the effectiveness, challenges, and topicality of Fundamental Rights in India¹⁰.

6.2 Sources of Data

Primary Data: Primary research was done using a structured survey that was conducted to 120 respondents who included students, professionals, and academicians. The survey was constructed in such a way that it was aimed at measurement of awareness, perceptions and understanding of Fundamental Rights, covering various perspectives and realistic implications on the strength and applicability of Fundamental Rights in modern India.

•Secondary Data: Secondary data was obtained based on authoritative constitutional provisions, landmark judicial rulings and existing academic materials including textbooks, commentaries and scholarly articles. These sources served to give the theoretical and legal basis which must be used to analyze and interpret the Fundamental Rights doctrinally¹⁴.

6.3 Sampling Technique

The study design is stratified random sampling where the various respondent groups, which are students, professionals and academicians are well represented. These categories were used to divide the total population in separate strata and the respondents were randomly chosen in each of the strata according to their size. The methodology reduces the bias in samples, increases the reliability and validity of the results since a variety of views on Fundamental Rights and their constitutional role are represented.

6.4 Tools of Data Collection

The structured questionnaire was created with the help of a Likert scale and used to gather primary data of the study. The questionnaire was constructed of well elaborated statements pertaining to awareness, importance, enforcement and effectiveness of Fundamental Rights in India. They were requested to respond based on their degree of concurrence on a five-point scale between strongly agree and strongly disagree. The approach allowed attaching a systematic measure to the attitudes and perceptions. The formulated format also guaranteed uniformity in the responses, less ambiguity, and easy comparison and statistical analysis of data. The Likert scale method also contributed to the reliability of the results by recording the different levels of opinion of the respondents¹¹.

6.5 Method of Analysis

The research questionnaire was structured around a Likert scale, and the primary data required in the study were gathered by using a structured questionnaire. The questionnaire was made up of well structured statements pertaining to awareness, importance, enforcement, and effectiveness of Fundamental Rights in India. The respondents were required to respond to the questions by indicating their degrees of agreement using a five-point Likert scale with the responses of strongly agree to strongly disagree. This approach allowed the measurement of attitudes and perceptions in a systematic way. The systematic nature provided consistency in responses and minimized ambiguity and enabled easy comparisons and statistical analysis of the data. The Likert scale methodology also enhanced reliability of the results by eliciting different levels of opinion by the respondents.¹²

¹⁰ Kothari, C. R. (2014). *Research methodology*.¹⁴

Creswell, J. W. (2018). *Research design*.

¹¹ Kumar, R. (2019). *Research methodology: A step-by-step guide*.

¹² Yin, R. K. (2017). *Case study research*.



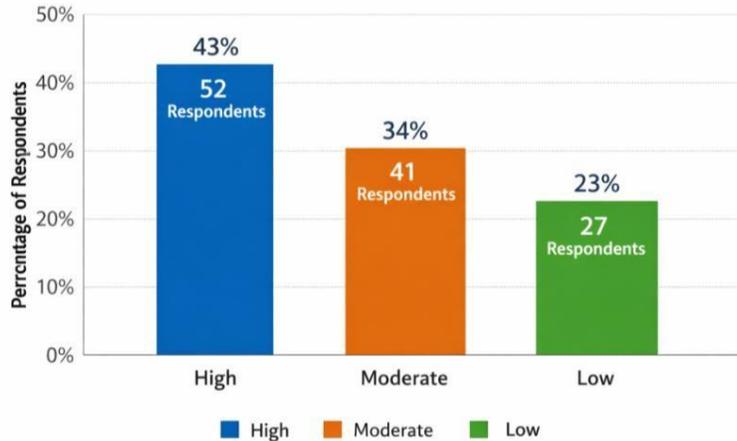
6.6 Ethical Considerations

The research was conducted with regard to best practices of social science research. The questionnaire survey was carried out on a voluntary basis and the participants were briefed on the nature and the purpose of the survey beforehand. None of the respondents was coerced and pressured into participation. In order to ensure the privacy, anonymity was completely maintained by eliminating any form of personally identifiable information, including names or contact information. The data received were only utilized academically and was kept confidentially. To protect the rights of respondents and to uphold the integrity of the research, respondents were assured that their answers would not be disclosed to the third parties and presented in aggregate forms only¹³.

Table 1: Awareness Level of Fundamental Rights (n = 120)

Awareness Level	Respondents	Percentage
High	52	43%
Moderate	41	34%
Low	27	23%

The table shows how the respondents were distributed in terms of their level of awareness on Fundamental Rights. A high percentage of the surveyed (43) are in the high-awareness group, which expectedly demonstrates the excellent knowledge of constitutional rights by almost half of the participants. The moderate awareness group takes 34% and this indicates that there is a large group with basic knowledge but shallow knowledge. In the meantime, every 23% of the interviewed people is lowly aware, which is particularly indicative of the constitutional illiteracy gap. This difference in the level of awareness indicates the dissimilarity of the access to the law education and information. Its results indicate that intensive work should be undertaken to increase the social awareness of Fundamental Rights and the attainment of goals in improving the knowledge of citizens about the essence of democracy by education, raising awareness, and implementing civic education.



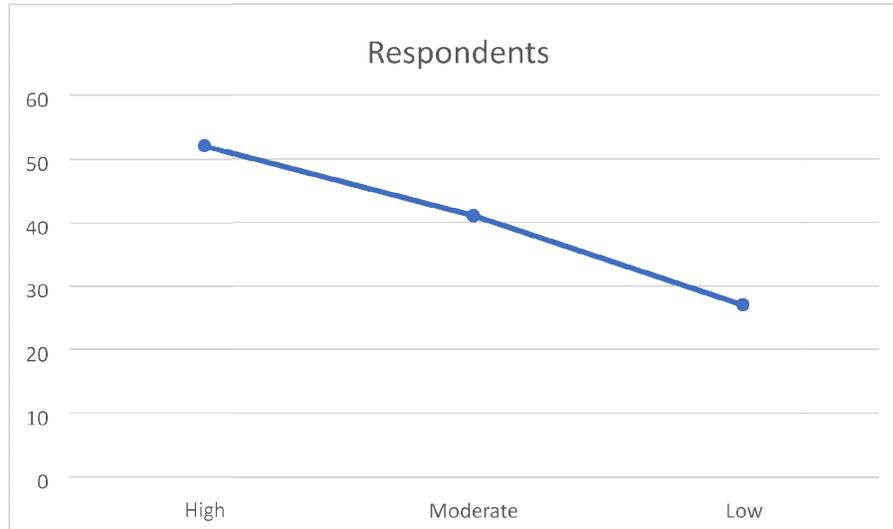
Awareness levels of fundamental rights

According to the bar chart, most of the respondents (43 percent) are quite aware (that is, their level of awareness is high) about Fundamental Rights, which means that the constitutional knowledge of the members of the sample population is rather good. A large percent (34) indicates moderate awareness, which implies partial knowledge that can be expanded via legal education programs. But still, the gap is huge as 23% of the surveyed are under the low

¹³ Patton, M. Q. (2015). *Qualitative research and evaluation methods*.



awareness category. This allocation underscores the necessity of the general awareness of the population¹⁴ and special constitutional literacy initiatives.



Distribution of Awareness Among Respondents

The line graph demonstrates how the respondents are distributed depending on their awareness of Fundamental Rights. It displays a decreasing pattern of high to low levels of awareness with the largest number of respondents being in high category of awareness then the moderate and low category. Such a trend shows that a large proportion of sampled population are wellinformed about the constitutional rights, which is an indication of the influence of education, judicial rhetoric and media consciousness. Nonetheless, the evident drop towards the low awareness level indicates existing gaps in the constitutional knowledge among some groups of society. The recommendations can be outlined as the necessity of the inclusion of legal literacy programs to close this gap in understanding and make sure that all citizens are equally wellaware of their Fundamental Rights.

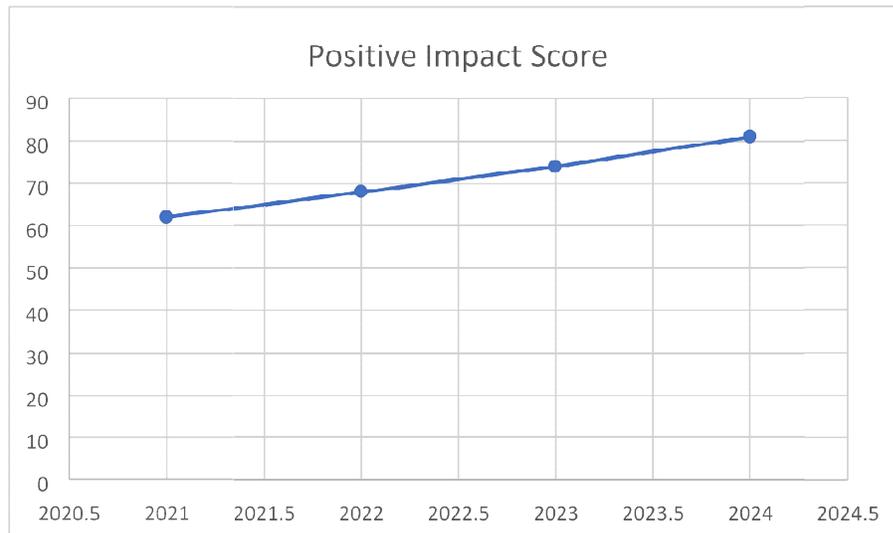
Table 2: Perceived Impact of Fundamental Rights on Democracy

Year	Positive Impact Score
2021	62
2022	68
2023	74
2024	81

The table shows a satisfactory and consistent growth in the Positive Impact Score of Fundamental Rights in 2021-24. The score increases consistently between 62 in 2021 and 81 in 2024, which means that the population has become more convinced in the efficacy and applicability of Fundamental Rights to the democratic system in India. Such an increasing trend indicates increased confidence in constitutional protection, judicial security and rights-based governance. Constant progress over the years can be explained by the increased judicial activism, the growing awareness of the people and broadening of the discussion of the constitutional rights due to education and media. On the whole, the information shows that Fundamental Rights are becoming more and more regarded as relevant and effective in enhancing democracy, fostering accountability, and ensuring the liberty of individuals.

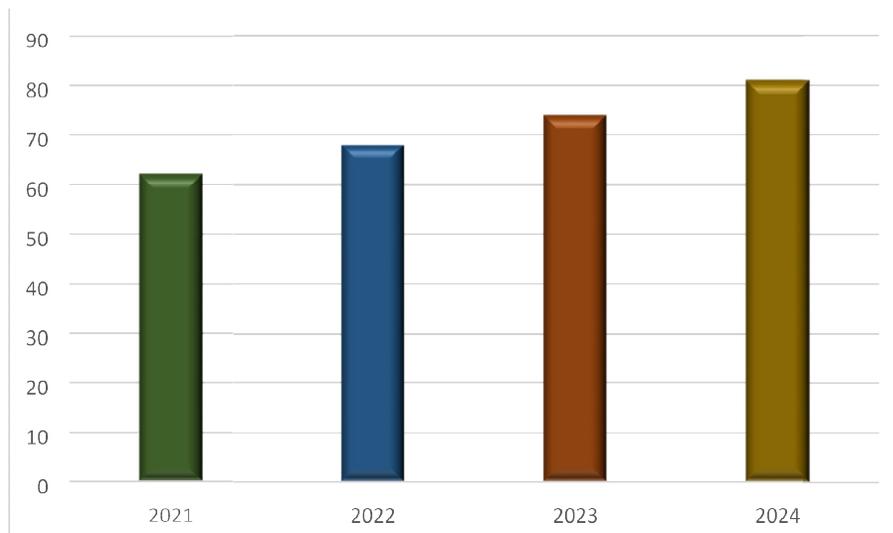
¹⁴ Sen, A. (2009). *The idea of justice*.





Line Graph: Positive Impact Score

The line graph indicates that there was a constant and steady increase in Positive Impact Score between 2021 and 2024 and it shows that people have increasingly felt the positive role of Fundamental Rights in democratic governance. This increase of 62 in 2021 up to 81 in 2024 indicates growing public trust perhaps because of judicial actions, rights-focused education, and broadening interpretation of constitutional protections. This positive trend is an encouragement that the Fundamental Rights are being discussed as a powerful tool of protecting the democracy and individual freedoms in India.



Rising Democratic Impact of Fundamental Rights

The bar chart shows that there is a steady rise in Fundamental Rights positive effect on democracy between 2021 and 2024. The incremental improvement of values indicates the increasing level of trust in the population in the constitutional safeguards and democracies. This positive trend indicates that judicial intervention, increased awareness, and rights-based governing has helped protect civil liberties through strengthening the role of Fundamental Rights. In



sum, the information indicates that there is an increase in the appreciation of Fundamental Rights as an important tool of democratic stability, accountability, and securing of individual freedom in India.

VII. RESULTS AND ANALYSIS

The findings of the research give a useful idea regarding how well the people are aware of Fundamental Rights and how they think they influence democratic governance in India.

According to Table 1, the percentage at which the respondents are highly aware of Fundamental Rights (43) is small, which means that almost a half of the sample consists of people with a clear vision of constitutional guarantees. This indicates the increased power of the law school, judicial decision-making, and the masses in discussing constitutional rights. Simultaneously, 34% of the respondents belong to the moderate awareness group which implies that they are aware of the general idea of Fundamental Rights, but they might not know more in-depth or extensive information. It is interesting to note that the proportion of respondents who are lowly aware is 23 percent; it should be noted that there is a great disparity in constitutional literacy as well as accessibility to legal information.

These results are also supported by the bar chart, which clearly shows that there were differences in the levels of awareness among the respondents. The fact that there is a significant group of low-awareness would reinforce that focused legal education campaigns, especially to socially and educationally disadvantaged groups, are necessary.

The line graph and Table 2 demonstrate a positive increase in the Positive Impact Score of Fundamental Rights on democracy in 2021-2024. The score shows improvement to 81 in 2024, which was once 62 in 2021, showing that the perception of people about the effectiveness of the Fundamental Rights is satisfactorily increasing. This positive trend implies increased confidence in constitutional rights, judicial security, and rights governing. All the findings point to the fact that despite the fact that awareness of Fundamental rights is growing there is need to continue efforts in order to make sure that there is a greater understanding of the rights and the successful implementation of the rights in order to entrench the democratic structure in India.

VIII. DISCUSSION

The results of the current research align with the existing conventional scholarship on constitutionalism that identifies Fundamental Rights as active and changing tools of democratic consolidation in India. The factual growth of the awareness and positive impact levels and the scores suggests that Fundamental Rights still remain a key component of enhancing the trust of the population to the constitutional and democratic institutions. The improved citizen awareness plays a vital role in making the citizens informed, accountable, and respectful to the rule of law and therefore justifies the rationale of constitutional education and civic engagement programs.

The judicial interpretation, especially the broad interpretation of Article 21 by the Supreme Court has strengthened the feeling in the minds of people that the individual liberties should be shielded. The judiciary has made sure that rights like privacy, health, education, and livelihood have been included within the right to life by basing on the changing demands of the society and enhancing the practicality of the Fundamental Rights. This judicial activism has served to assist in bridging the gap between the constitutional ideals and the realities.

Nevertheless, the fact that the moderate and low level of awareness persisted among a significant part of the respondents shows the existence of structural inequalities in the access to legal knowledge and justice. Such inequalities indicate why comprehensive legal literacy interventions and available implementation systems are urgently required. This talk highlights that Fundamental Rights can only work successfully when they have responsive institutions, effective remedies and extensive public awareness as it will see them fully realized in a democratic society.

IX. SUGGESTIONS

Enhancement of Legal Awareness: Legal awareness is required to enhance the provision of Fundamental Rights. The constitutional literacy initiatives should be included in government institutions and during the education levels of schools and universities to educate students on their fundamental rights and responsibilities. Practical knowledge can be



improved with the help of workshops, seminars, mock parliaments, and legal aid clinics. The level of heightened awareness would enable citizens to identify the violations, pursue the necessary solutions, and be active in democratic governance, thus leading to constitutional awareness and the rule of law.

Enhancement of access to Justice: Access to justice is a basic condition to the realization of meaningful implementation of Fundamental Rights. Expansion of legal aid services in rural and marginalized areas should be done to ensure that social and economic barriers are overcome. Delays and costs can be minimized by strengthening the legal services authorities, enhancing access to free legal services and encouraging alternative dispute resolution mechanisms. By having access to justice timely and at an affordable cost, the vulnerable groups are empowered to exercise their constitutional rights.

Judicial Accountability: Judicial accountability is an important element of ensuring that people have belief in constitutional governance. Although judicial activism has played a great role in the growth of Fundamental Rights, it should be informed of definite constitutional guidelines and coherence in interpretation. Arbitrariness and overreach can be avoided by transparent procedures, reasoned judgments and compliance with precedent. Striking a balance between judicial independence and accountability provides both that the courts are effective for protecting rights and at the same time not to meddle with the separation of powers.

Balancing Rights and Security: The issue of balancing individual rights and national security is a significant issue in the Constitution. Fundamental Rights though justifiable should be limited with care and restraint. Oversight or random restrictions may interfere with democratic principles and individual rights. The laws and regulations concerning security and order within society should be revised after a time to confirm that they are not breaching the constitutional provisions. With a moderate course of action, both national interests and basic freedoms of the citizens are safeguarded.

Technology: Technology can be used to play a transformative role of creating awareness and enforcing Fundamental Rights. The information about the right to constitutional rights, legal remedies, and court procedures should be spread with the help of digital platforms and in the available languages. Lack of transparency and efficiency can be improved with online redressal mechanisms of grievances, e-courts, and portals of legal aid. The use of technology to expand its reach, minimize the procedures and processes as well as enable citizens to better enjoy their rights in a digital era.

X. FINDINGS

- A great percentage of the participants were found to be very much aware of Fundamental
- Rights, proving that the study population has become more conscious of their constitutions.
- The research found that there is a positive correlation between the Fundamental Rights awareness and the faith in democratic and judicial institutions.
- Perceived impact scores were on an upward trend indicating that people are becoming more and more certain that Fundamental Rights works.
- The expansion of Article 21 in the courts was generally recognized to be a significant move in enhancing protection of rights.
- Although the situation has improved, a significant part of respondents remained with low levels of awareness and, therefore, specific legal education programs need to be implemented.
- 11. Limitations of the Study
- Cooperation with the respondents was limited to a sample size of 120, which could limit the external validity of the results.
- Self-reported data were used to collect the data, which can be affected by personal bias or social desirability.
- The geographical range of the respondents was also small, which may have missed geographical differences in the awareness.
- The research concentrated on the awareness and perception without assessing the actual enforcement experiences properly.



- Time limitations were limiting the volume of longitudinal analysis and in-depth qualitative interviews.

XII. CONCLUSION

The role of Fundamental Rights has been a central place in the Indian constitutional system and the foundation of democracy, rule of law, as well as individual dignity. They make certain that the exercise of state power does not go past constitutional boundaries and that citizens are not harassed due to arbitrariness. By interpreting and implementing these rights through judicial means, these rights have changed to suit modern social and economic issues.

The paper has established that Fundamental Rights play an important role in the democratisation of governance and confidence of people on constitutional institutions. Empirical evidence supports implementation of awareness and judicial redresses to strengthen the action of these rights. Nevertheless, such issues as the unequal access, abuse of restrictions, and differences in awareness exist.

The long-term significance of Fundamental Rights is that they are able to meet the emerging societal demands without sacrificing the values in the constitution. Indian democracy should be strong, this is achieved through constant process of enhancing awareness and establishing better enforcement systems, and constitutional morality. Fundamental Rights are not just legal principles but living principles which determine the relations between the State and its citizens.

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