

Potential of Enforceable 'Directive Principles of State Policy (DPSPs)'

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Introduction - "We must make our 'Political Democracy' a 'Social and Economic Democracy' – Dr B.R. Ambedkar

The Directive Principles of State Policy (DPSPs) in the Indian Constitution (Articles 36–51) are non-justiciable guidelines directing the state to promote social, economic, and political justice through welfare, equitable resource distribution, and protections for marginalized groups. Had these principles been enforceable, they could have significantly transformed the economic life of people by mandating state accountability in implementing policies like equitable resource distribution, living wages, and welfare programs, potentially reducing poverty and inequality more effectively. Dr. B.R. Ambedkar's vision of state socialism in States and Minorities (1945), which influenced the DPSPs, advocated enforceable economic reforms, suggesting a more robust impact on economic life if enforceability was in place. However, challenges like resource constraints and political resistance could have limited outcomes.

Potential Impact of Enforceable DPSPs on Economic Life: If the DPSPs were enforceable, they would have had a legally binding effect, compelling the state to implement policies ensuring economic equity, welfare, and protections for weaker sections. Keer argues that enforceable DPSPs would have realized Ambedkar's state socialism, ensuring economic equity (Keer, 1971, pp. 368–370). Zelliott argues that enforceable DPSPs would have enhanced SC economic conditions, aligning with Ambedkar's socialism (Zelliott, 2013, pp. 166–169). Omvedt argues that enforceable DPSPs would have advanced Ambedkar's socialist goals, reducing poverty (Omvedt, 1994, pp. 178–181). Had the DPSPs been enforceable, they could have transformed the economic life of people by mandating state-led welfare, equitable resource distribution, and protections for marginalized groups, aligning with Ambedkar's state socialism (Ambedkar, 1979, pp. 408–425).

Below, is the analysis of the potential impacts on the economic life of people, focusing on key DPSPs and their alignment with Ambedkar's state socialism:

1. Article 38: Promotion of Welfare and Reduction of Inequalities:

Provision: Article 38 directs the state to secure a social order promoting welfare and minimizing inequalities in income, status, and opportunities (Constitution of India, Article 38).

Potential Impact if Enforceable: Enforceability would have mandated the state to implement comprehensive welfare programs and reduce income disparities, potentially lifting millions out of poverty. Ambedkar's state socialism, emphasizing state-led welfare (Ambedkar, Vol. 1, 1979, pp. 408–412), would have supported enforceable policies like universal income support or robust public services. This could have ensured better access to healthcare, education, and housing, improving economic conditions for the poor.

Likely Outcomes: Enforceable welfare could have reduced India's Gini coefficient (a measure of income inequality) faster than historical trends (e.g., India's Gini was 0.35 in 2011, per World Bank data). Programs like MGNREGA might have been scaled up earlier, ensuring stable incomes (Thorat, 2007, pp. 56–58).

Challenges: Resource constraints and bureaucratic inefficiencies could have hindered implementation, as seen in historical welfare programs (Teltumbde, 2016, pp. 88–90).

2. Article 39: Equitable Distribution of Resources and Prevention of Wealth Concentration:

Provision: Article 39 directs the state to ensure equitable distribution of material resources, prevent wealth concentration, provide adequate livelihoods, and ensure equal pay (Constitution of India, Article 39).

Potential Impact if Enforceable: Enforceability would have compelled the state to implement Ambedkar's vision of nationalization of industries and agriculture (Ambedkar, 1979, pp. 409–411), potentially reducing wealth disparities. For example, enforceable land reforms could have redistributed land to landless SCs and STs, enhancing their economic status. Keer highlights Article 39's potential for resource distribution (Keer, 1971, pp. 369–371).

Equal pay mandates would have improved wages for low-income workers, particularly women and marginalized groups.

Likely Outcomes: Policies like bank nationalization (1969) and land reforms could have been more widespread and effective, reducing rural poverty (e.g., 50% of India's population was below the poverty line in the 1970s, as per Planning Commission data). Enforceable equal pay could have narrowed the gender wage gap (Austin, 1999, pp. 51–53).

Challenges: Resistance from landed elites and industrialists, as seen in historical land reform failures, could have limited outcomes (Teltumbde, 2016, pp. 88–90).

3. Article 41: Right to Work, Education, and Public Assistance:

Provision: Article 41 directs the state to secure the right to work, education, and public assistance for unemployment, old age, and disability (Constitution of India, Article 41).

Potential Impact if Enforceable: Enforceability would have mandated universal access to employment and education, aligning with Ambedkar's welfare programs (Ambedkar, 1979, pp. 415–418). This could have ensured job guarantees for the unemployed and free education for all, significantly improving economic mobility for SCs and other weaker sections.

Likely Outcomes: A legally binding right to work could have led to a nationwide employment guarantee scheme earlier than MGNREGA (2005), reducing rural unemployment (e.g., 8.3% in 1983, per NSSO data). Universal education could have increased literacy rates (e.g., 52% in 1991, per Census data) and economic opportunities (Rodrigues, 2002, pp. 43–45).

Challenges: Fiscal constraints and administrative inefficiencies could have delayed implementation, as seen in education schemes (Teltumbde, 2016, pp. 88–90).

4. Article 43: Living Wage and Decent Working Conditions:

Provision: Article 43 directs the state to secure a living wage, decent working conditions, and social security for workers (Constitution of India, Article 43).

Potential Impact if Enforceable: Enforceability would have ensured minimum wages and better working conditions, aligning with Ambedkar's protections against economic exploitation (Ambedkar, 1979, pp. 400–402, 415–417). This could have improved the economic life of laborers, particularly in the unorganized sector (e.g., 90% of India's workforce in the 1990s). Baxi highlights Article 43's role in labour rights (Baxi, 2006, pp. 35–37).

Likely Outcomes: Enforceable living wages could have reduced income poverty for workers, as seen in partial successes of the Minimum Wages Act (1948). Social security could have provided safety nets, improving economic stability (Baxi, 2006, pp. 34–36).

Challenges: Resistance from employers and economic liberalization post-1991 could have undermined enforcement (Teltumbde, 2016, pp. 88–90).

5. Article 46: Promotion of Educational and Economic Interests of Weaker Sections:

Provision: Article 46 directs the state to promote the educational and economic interests of SCs, STs, and weaker sections, protecting them from exploitation (Constitution of India, Article 46).

Potential Impact if Enforceable: Enforceability would have compelled the state to prioritize SC/ST upliftment, aligning with Ambedkar's safeguards (Ambedkar, 1979, pp. 420–424). This could have ensured widespread access to education and jobs, reducing economic disparities for marginalized groups. Rodrigues, Omvedt and Zelliott highlights Article 46's role in SC upliftment (Rodrigues, 2002, pp. 44–46; Omvedt, 1994, pp. 180–182; Zelliott, 2013, pp. 167–170).

Likely Outcomes: Enforceable reservations and scholarships could have increased SC/ST literacy (e.g., 37% for SCs in 1991, as per Census data) and employment, narrowing economic gaps. Anti-exploitation measures could have reduced bonded labour (Jaffrelot, 2005, pp. 94–96).

Challenges: Social resistance from upper castes and resource limitations could have slowed progress (Teltumbde, 2016, pp. 88–90).

6. Article 39A: Free Legal Aid:

Provision: Article 39A directs the state to provide free legal aid to ensure equal access to justice (Constitution of India, Article 39A).

Potential Impact if Enforceable: Enforceability would have ensured access to justice for the poor, aligning with Ambedkar's emphasis on state accountability (Ambedkar, 1979, pp. 422–425). This could have empowered marginalized groups to challenge economic exploitation legally.

Likely Outcomes: Legal aid programs could have reduced economic injustices, as seen in cases like Hussainara Khatoon v. State of Bihar (1979), ensuring better enforcement of labour and land rights (Jain, 2018, pp. 125–127).

Challenges: Limited judicial infrastructure could have constrained implementation (Teltumbde, 2016, pp. 88–90).

Broader Implications for Economic Life: If DPSPs were enforceable, the economic life of people, particularly the marginalized, could have been transformed as follows:

Reduced Poverty and Inequality: Enforceable welfare, resource distribution, and wage policies could have accelerated poverty reduction (e.g., from 45% in 1993 to 22% in 2011, per Planning Commission data) (Thorat, 2007, pp. 56–58).

Empowerment of Marginalized Groups: Enforceable Article 46 could have enhanced SC/ST access to education and jobs, reducing economic disparities (Jaffrelot, 2005, pp. 94–96).

Strengthened Welfare State: Enforceable DPSPs could have expanded public services, improving living standards (Rodrigues, 2002, pp. 43–45).

Judicial Enforcement: Courts could have mandated compliance, as seen with Fundamental Rights under Article

32, ensuring economic justice (Jain, 2018, pp. 126–129).

Challenges: Fiscal constraints, bureaucratic inefficiencies, and resistance from elites could have limited outcomes, as seen in historical policy implementation (Teltumbde, 2016, pp. 88–90).

Integration with Ambedkar's State Socialism: Ambedkar's state socialism, emphasizing nationalization, welfare, and safeguards (Ambedkar, 1979, pp. 408–425), would have been more fully realized if DPSPs were enforceable:

Nationalization and Resource Distribution: Enforceable Articles 38–39 would have mandated Ambedkar's nationalization proposals (Ambedkar, 1979, pp. 409–411).

Welfare Programs: Enforceable Articles 41 and 43 would have ensured Ambedkar's welfare schemes (Ambedkar, 1979, pp. 415–418).

SC/ST Upliftment: Enforceable Article 46 would have prioritized Ambedkar's safeguards (Ambedkar, 1979, pp. 420–424).

Accountability: Enforceable Article 39A and Ambedkar's proposed Minority Commission (Ambedkar, 1979, pp. 424–425) would have ensured state accountability.

Conclusion: Dr. B.R. Ambedkar's doctrine of state socialism, as enumerated States and Minorities (1945) and which influenced the DPSPs, advocated enforceable economic reforms, suggesting a more robust impact on economic life if enforceability was in place. With the force of enforceability, they would have had a legally binding effect, compelling the state to implement policies ensuring economic equity, welfare, and protections for weaker and marginalised sections.

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