

Difference Between Fundamental Rights and Fundamental Duties

Fundamental Rights are basic human rights guaranteed by the Constitution of a country to its citizens. They are manifested in Part III, Articles 12-35 of the Indian Constitution and are enforceable by law. Indian citizens enjoy six Fundamental Rights guaranteed by the Constitution. They apply equally to all citizens irrespective of their caste, creed, religion, sex, or place of birth.

- Freedom of Speech and expression
- Freedom to assemble peacefully without arms
- Freedom of forming associations, unions, and cooperative society
- Freedom of movement
- Freedom to reside and settle
- Freedom of profession, occupation, trade, or business.

Fundamental Duties

Fundamental Duties are the moral obligation bestowed upon the citizens to uphold unity in diversity and promote the spirit of patriotism. The 42nd Amendment Act in 1976 added the Fundamental Duties upon the recommendation of the Swaran Singh Committee. They are covered under Part IV A, Article 51-A of the Constitution.

Eleven Fundamental Duties are listed in the Indian Constitution. They include abiding by the Constitution, protecting the sovereignty and integrity of the country, promoting the spirit of harmony and brotherhood, and protecting and preserving the country's heritage, culture, environment, and public property, among other things.

The Eleven Fundamental Duties are:

- To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem.

- To cherish and follow the noble ideals which inspired our national struggle for freedom.
- To uphold and protect the sovereignty, unity, and integrity of India
- To defend the country and render national service when called upon to do so
- To promote harmony and the spirit of common brotherhood amongst all the people of India, transcending religious, linguistic, and regional or sectional diversities; to renounce practices derogatory to the dignity of women.
- To value and preserve the rich heritage of our composite culture
- To protect and improve the natural environment, including forests, lakes, rivers, and wildlife, and to have compassion for living creatures
- To develop the scientific temper, humanism, and the spirit of inquiry and reform
- To safeguard public property and to abjure violence
- To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavor and achievement
- To who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

Difference Between Fundamental Rights and Fundamental Duties

Even though the Fundamental Duties and Fundamental Rights are interlinked and cannot exist without each other, there are some differences between them which are as follows:

| Area of Differentiation | Fundamental Rights | Fundamental Duties |
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| Meaning | Fundamental Rights are basic human rights guaranteed by the Constitution of a country to its citizens. | Fundamental Duties are the moral obligation bestowed upon the citizens to uphold unity in diversity and promote the spirit of patriotism. |
| Placement in the Constitution | Fundamental Rights are placed in Part III, Article 12-35 of the Indian Constitution. | Fundamental Duties are placed in Part IV A, Article 51-A of the Indian Constitution. |
| Native Source | Fundamental Rights in India are borrowed from the US Constitution. | Fundamental Duties are borrowed from the former Soviet Union (USSR). |

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| Applicability | Some Fundamental Rights apply only to Indian citizens, while others apply to foreigners and legal persons (corporations and companies) as well. | Fundamental Duties are confined only to the citizens of India and do not extend to foreigners. |
| Enforceability | Fundamental Rights are directly enforceable by law. A person can move the court if their fundamental right is violated. | Fundamental Duties are not directly enforceable by law. However, they can be enforced in some situations by Parliamentary Law. |

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| Nature | Fundamental Rights are justifiable in nature as they can be enforced legally. | Fundamental Duties are moral in nature and are based on accountability. |
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Both rights and duties are integral to any society. Abuse of Fundamental Rights and evasion of Fundamental Duties lead to disruption and disharmony in society. A responsible citizen should follow both of them together for the welfare of society.

Fundamental Rights vs Fundamental Duties

Fundamental Rights are human rights conferred on the citizens of India. An Indian citizen enjoys six Fundamental Rights guaranteed by the Constitution as discussed above. Whereas, the Fundamental Duties were added to the Indian Constitution by the recommendations of the Swaran Singh Committee. The amendment was known as the 42nd Amendment, and it took place in 1976.

The Difference between Fundamental Rights and Duties are discussed below:

- Fundamental Rights are discussed in Part 3 of the Constitution of India. Fundamental Duties are discussed under Article 51-A of in the Part IV A of the Indian Constitution.
- Fundamental Rights are defined as the basic human rights. Fundamental Duties' are defined as the moral obligations.
- Fundamental rights can be suspended during a national emergency, whereas Fundamental Duties can be taken away.
- Fundamental Rights are not absolute and are subject to reasonable restrictions. Fundamental Duties are absolute in nature.
- The Supreme Court and High Courts, through Article 32 and Article 226 respectively can enforce Fundamental Rights. Whereas, Fundamental Duties cannot be enforced through Courts.