

Civics

Constitutional Design

Q.1. What is a constitution?

Ans. (1) A constitution of a country it is a set of written rules that are accepted by all the people living in a country.

(2) Constitution is the supreme law that determines the relationship b/w and among the people living in a territory and also the relationship b/w the citizens & the government.

Q.2. Why do we need a constitution?

Ans. We need a constitution because:

- (i) It generates a degree of trust & coordination i.e. necessary for different kind of people to live together.
- (ii) It specifies how the government will be constituted who will have power to take which decision.
- (iii) It lays down limits on the power of the government & tells the rights of the citizens.
- (iv) It express the aspiration of the people about creating a good society.

Q.3. What is apartheid?

Ans. It is the official policy of racial separation & illtreatment of blacks followed by the government of South Africa between 1948 & 1949.

Q.4. How was apartheid oppressive for blacks?

- Ans.
- (1) Blacks were forbidden from entering into white areas.
 - (2) They could work in white areas only if they had a permit.
 - (3) Trains, hospitals, schools, beaches were all separate for whites & blacks this was known as segregation.
 - (4) They could visit the churches where the whites were.
 - (5) They could not form association or protest against the terrible treatment.

Q.5. Why should we accept the constitution made by the constituent assembly?

- Ans.
- (i) Because they not only reflect the view of its members alone but it expresses a broad consensus of that.
 - (ii) Over the century many groups have questioned some the provisions of the constitution but no social group or political party has ever questioned the legitimacy of the constitution itself.
 - (iii) It represented the people of India. There was no universal adult franchise at that time so the constituent assembly could not be chosen by the people of India.
 - (iv) The constituent assembly was mainly elected by the existing members of the provincial legislature. This insured a fair geographical share of members from all the regions of the country.

(v) The constituent assembly worked in a systematic, open and consensual manner.

Q.6. What is the basic institutional design of Indian constitution?

Ans. i) The constitution of India is mainly about embodying the values into the constitutional arrangement. It describes them in a very legal language.

ii) It lays down the procedure for choosing persons to govern the country.

iii) It defines who will have how much power to take which decisions.

iv) It puts limits to what the government can do by providing some rights to the citizens that cannot be violated.

v) It has a provision to incorporate changes and get updated from time to time, these changes are known as constitutional amendments.

Q.7. What were the main guiding principles for the formation of constitution of South Africa?

Ans. i) To form a new South Africa based on equality of all races, men and women on democratic values, social justice and human rights.

ii) The party that ruled through operations, brutal killings & the party that led freedom struggles sat together to draw upon a common constitution. They decided on a solution to the problems that no

Handy should be excited and no one should be treated as a demon.

Q.8. What is the basic philosophy of Indian constitution?

Ans. i) Our values are inspired and guided by freedom struggle and it laid the foundation of Indian constitution.

ii) These values are embedded in the preamble of the constitution.

iii) It contains the philosophy on which the entire constitution was built.

iv) It says that the constitution has been formed by the people of India. They have decided to make a sovereign, socialist, secular, democratic and a republic nation.

Q.9. Discuss the various stages that led to formation of Indian constitution.

Ans. (1) In 1928, Motilal Nehru and 8 other congress leaders drafted a constitution for India.

(2) In 1931, at Karachi session of the congress they dwelt on how independent India's constitution should look like.

(3) Both these documents included universal adult franchise, right to freedom and equality and protecting rights of the minorities in independent India.

(4) Elections were held in 1937 to provisional legislature and ministries all over British India. Indians gained experienced in the working of legislative institutions to be useful for setting up their own institutions.

(5) Our leaders were inspired by:

- (a) French Revolution
- (b) Bill of rights in USA
- (c) Parliamentary democracy in Britain.
- (d) Socialist revolution of Russia.

(6) Elections to the constituent assembly were held in July 1946. Its first meeting was held in December 1946.

(7) Soon after the country was divided into India and Pakistan and so the constituent assembly was also divided.

(8) The Indian constituent assembly had ~~200~~ 299 members from different groups, caste, religions, occupations all disagreeing with each other.

(9) The assembly adopted the constitution on 26th Novemb 1949 but it came into effect on 26th Jan. 1950

12) The background of the struggle community was Dr. B.R. Ambedkar. He was the main architect of the constitution.

11) Several rounds of discussion took place and discussions were reported in newspapers for common people.

10) The people expressed their views and opinions about every article.

9) More than 2000 amendments were considered.

8) The members met for 14 days spread over 5 years.

Q.10. What are constitutional assembly debates?

Ans. Every document presented and each word spoken in the assembly has been recorded and preserved. This is known as constitutional assembly debates. These were printed consolidated in 12 bulky volumes. They provide the rational behind every provision of the constitution. They

1) They are used to interpret the meaning of the constitution.

Q.11. What were the guiding values of the constitution?

Ans. 1) To make an Indian were poor are not ignored.

- ② There is no high-caste or low class.
- ③ All communities live with harmony.
- ④ Ban on untouchability and inter-casting divides and deep.
- ⑤ Women enjoy same rights as men.
- ⑥ One person has one vote and each vote has one value.
- ⑦ We make a country where equality, justice, liberty & fraternity are followed.

Q.2 Give role of the following :-

① Democracy : People have supreme right to make decisions on internal as well as external matters. No external power can dictate the government of India.

② Socialist : Welfare is generated socially and should be shared equally by society. Government should regulate the ownership of land and industry to reduce socio-economic inequalities.

③ Secular : Citizens have complete freedom to follow any religion but their is no official religion. Government treats all religious beliefs and practices with equal respect.

- (4) **Democratic**: A form of government where people enjoy equal political right, elect their rulers and hold them accountable. The government is run according to some basic rules.
- (5) **Republic**: The head of the state is an elected person and is not a hereditary position.
- (6) **Justice**: Citizens cannot be discriminated on the ground of caste, religion and gender. Social inequalities have to be reduced. Government should work for the welfare of all, especially of the disadvantaged groups.
- (7) **Liberty**: There are no unreasonable restrictions on the citizens on what they think, how they wish to express their thoughts and the way they wish to follow or their thoughts in action.
- (8) **Equality**: All are equal before the law. The traditional, social inequalities have to be ended. The government should ensure equal opportunity for all.
- (9) **Fraternity**: All of us should behave as if we are members of the same family. No one should treat a fellow citizen as inferior.

- * Mahatma Gandhi - Magazine 'Young India' - 1931
- * Jawaharlal Nehru - 'Tried with destiny'