

Revision Notes
Chapter-3
CONSTITUTIONAL DESIGN

Democratic Constitution in South Africa

- Nelson Mandela, the South African leader of African National Congress, fought a long battle against Apartheid.
- Imprisoned for 28 years (1964–1992) emerged as the First President of the Republic of South-Africa.
- People struggled against the horrible discrimination practised against them by the white minority rulers.
- Apartheid finally defeated in 1994 and a new constitution made in 1996.
- Black leaders appealed fellow blacks to forgive white.
- Remarkable constitution, forgot past sufferings, sought co-operation of all the races which make S. Africa based on equality, democratic values and social justice.

Do We Need a Constitution?

- Every country drafts its own constitution.
- A constitution of a nation is the set of written laws accepted by people living together in a country.
- It generates trust and co-ordination.
- It specifies how a government should be constituted.
- It lays down limits on the powers of the government.
- It expresses the aspirations of the people about creating a good society.

Making of the Indian Constitution

- The process began during the national struggle for freedom.
- First draft 1928, then 1931. Moti lal Nehru and 8 leaders demanded in the draft : universal adult franchise, social justice, right to freedom and liberty.
- Participation in Provincial Legislatures helped Indians in framing their constitution.
- Leaders inspired by French Revolution, British parliamentary system and the Bill of

Rights of the US.

- They also learnt what the British were denying Indian citizens.

The Constituent Assembly

- Elections to the Constituent Assembly held in July 1946.
- Dr. B. R. Ambedkar appointed chairman of the drafting committee.
- Constitution adopted on 26 November 1949, and enacted on 26 January, 1950, when India became a republic.
- The Constitution reflects the best minds of the country. Its members represented mini-India.

Every law was debated clause by clause and a consensus arrived at.

It is the longest written constitution.

Guiding Values of India Constitution

The leaders like M.Gandhi, Dr. Ambedkar and Jawaharlal Nehru put forward their views about dream and promise the constitution makes for the nation.

The preamble of the constitution speaks about the philosophy on which entire constitution has been built. It is the soul of Indian Constitution.

Following are the values mentioned in preamble.

Sovereignty, Socialism, Secularism, Democratic and republic nature of India, justice, liberty, equality and fraternity.