

Constitutional design

Question 1. Here are some false statements. Identify the mistake in each case and rewrite these correctly based on what you have read in this chapter.

(a) Leaders of the freedom movement had an open mind about whether the country should be democratic or not after independence.

Answer (a): Leaders of the freedom movement had a consensus that the country should be a democratic nation after independence.

(b) Members of the Constituent Assembly of India held the same views on all provisions of the Constitution.

Answer (b): Members of the Constituent Assembly of India held the same views on the basic principles of the constitution.

(c) A country that has a constitution must be a democracy.

Answer (c): A country that is a democracy must have a constitution.

(d) Constitution cannot be amended because it is the supreme law of a country.

Answer (d): Constitution can be amended to keep up with the changes in aspirations of the society.

Question 2. Which of these was the most salient underlying conflict in the making of a democratic constitution in South Africa?

- (a) Between South Africa and its neighbours
- (b) Between men and women
- (c) Between the white majority and the black minority
- (d) Between the coloured minority and the black majority

Answer: (d) Between the coloured minority and the black majority

Question 3. Which of these is a provision that a democratic constitution does not have?

- (a) Powers of the head of the state
- (b) Name of the head of the state
- (c) Powers of the legislature
- (d) Name of the country

Answer: (b) Name of the head of the state

Question 4. Match the following leaders with their roles in the making of the Constitution:

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|---------------------|--|
| (a) Motilal Nehru | i President of the Constituent Assembly |
| (b) B.R. Ambedkar | ii Member of the Constituent Assembly |
| (c) Rajendra Prasad | iii Chairman of the Drafting Committee |
| (d) Sarojini Naidu | iv Prepared a Constitution for India in 1928 |

Answer

(a) Motilal Nehru	(iv) Prepared a Constitution for India in 1928
(b) B.R. Ambedkar	(iii) Chairman of the Drafting Committee
(c) Rajendra Prasad	(i) President of the Constituent Assembly
(d) Sarojini Naidu	(ii) Member of the Constituent Assembly

Question 5. Read again the extracts from Nehru's speech 'Tryst with Destiny' and answer the following:

(a) Why did Nehru use the expression "not wholly or in full measure" in the first sentence?

Answer (a): Nehru used the expression "not wholly or in full measure" because according to him the task of building a nation is a gargantuan task which cannot be fulfilled in one's lifetime.

(b) What pledge did he want the makers of the Indian Constitution to take?

Answer (b): The pledge that he wanted the makers of the Indian Constitution to take was to dedicate their lives to the service of India, the Indian people and the humanity at large.

(c) "*The ambition of the greatest man of our generation has been to wipe every tear from every eye*". Who was he referring to?

Answer (c): He was referring to Mahatma Gandhi.

Question 6. Here are some of the guiding values of the Constitution and their meaning. Rewrite them by matching them correctly.

- | | |
|----------------|---|
| (a) Sovereign | i Government will not favour any religion. |
| (b) Republic | ii People have the supreme right to make decisions. |
| (c) Fraternity | iii Head of the state is an elected person. |
| (d) Secular | iv People should live like brothers and sisters. |

Answer

(a) Sovereign	(ii) People have the supreme right to make decisions.
(b) Republic	(iii) Head of the state is an elected person.
(c) Fraternity	(iv) People should live like brothers and sisters.

**(d) Secular**

(i) Government will not favour any religion.

Question 7. A friend from Nepal has written you a letter describing the political situation there. Many political parties are opposing the rule of the king. Some of them say that the existing constitution given by the monarch can be amended to allow more powers to elected representatives. Others are demanding a new Constituent Assembly to write a republican constitution. Reply to your friend giving your opinions on the subject.

Answer: In my opinion second option is best. Making small amendments does not shift whole power in hands of representatives. This does not make total responsibility on elected representatives what will happen in next years. So, a new and well drafted constitution is right choice.

Question 8. Here are different opinions about what made India a democracy. How much importance would you give to each of these factors?

(a) Democracy in India is a gift of the British rulers. We received training to work with representative legislative institutions under the British rule.

Answer (a): Democracy in India is a gift of the British rulers. We received training to work with representative legislative institutions under the British rule.

(b) Freedom Struggle challenged the colonial exploitation and denial of different freedoms to Indians. Free India could not be anything but democratic.

Answer (b): Freedom struggle was important in spreading the idea of nationalism in India and inculcating the practice of making decisions by consensus.

(c) We were lucky to have leaders who had democratic convictions. The denial of democracy in several other newly independent countries shows the important role of these leaders.

Answer (c): The leaders had the desire to give freedoms to the people. India's freedom struggle is the only example of a bloodless freedom struggle in the contemporary history. This could be possible because our nationalist leaders had the maturity to listen to others' views.

Question 9. Read the following extract from a conduct book for 'married women', published in 1912. *'God has made the female species delicate and fragile*

'both physically and emotionally, pitifully incapable of self-defence. They are destined thus by God to remain in male protection – of father, husband and son – all their lives. Women should, therefore, not despair, but feel obliged that they can dedicate themselves to the service of men'.

Do you think the values expressed in this para reflected the values underlying our constitution? Or does this go against the constitutional values?

Answer: The values expressed in this para is totally contradictory to the values underlying our constitution. Here, women are treated as weak while in our constitution men and women both are treated equal. The governmental policies also favour women to bring them in mainstream.

Question 10. Read the following statements about a constitution. Give reasons why each of these is true or not true.

(a) The authority of the rules of the constitution is the same as that of any other law.

Answer (a): Not True

Constitution is the supreme law. It describes how government elects and their powers, rights of citizens and their protection. This is totally different than any other law.

(b) Constitution lays down how different organs of the government will be formed.

Answer (b): True

Constitution defines the role of the legislature, the executive and the judiciary and how they should be formed and by whom.

(c) Rights of citizens and limits on the power of the government are laid down in the constitution.

Answer (c): True

Constitutional setup limits the power of government through different institutions and also talks about the right of citizens.

(d) A constitution is about institutions, not about values

Answer (d): Not True

The Constitution contains all the values which the institutions have to promote. The Preamble to the Constitution is a shining example of this and states clearly that justice, liberty, equality and fraternity have to be promoted. Secularism has to be followed and socialism and democracy should be the basis of the government.