**Democratic Constitution in South Africa**

**Apartheid**

Apartheid is a system of racial discrimination unique to South Africa imposed by white Europeans. During the seventeenth and eighteenth centuries, the trading companies from Europe occupied it with arms and force and became the local rulers. The system of apartheid divided the people and labelled them on the basis of their skin colour. The white rulers treated all nonwhites as inferiors. The non-whites did not have voting rights and were forbidden from living in white areas. The blacks, coloured and Indians fought against the apartheid system from 1950. The African National Congress (ANC) was the umbrella organisation that led the struggle against the policies of segregation. Nelson Mandela was one of the leaders amongst the eight who were tried for treason by the white South African government. They were sentenced to life imprisonment in 1964 for daring to oppose the apartheid regime in the country.

**Giving Rise to a New Constitution**

As the protests and struggles against apartheid increased, the blacks could no longer be kept under the rule of the government through repression. The white regime changed its policies. Discriminatory laws were repealed. Ban on political parties and restrictions on the media were lifted. Nelson Mandela was released after 28 years in the Robben Island Prison. The apartheid government came to an end on midnight of 26 April 1994, paving the way for the formation of a multi-racial government.

Following the emergence of the new democratic South Africa, the party that ruled through oppression and brutal killings and the party that led the freedom struggle sat together to draw up a common constitution. This constitution gave its citizens the most extensive rights available in any country. Together, they decided that in the search for a solution to the problems, nobody should be excluded.

* 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 system began to fall apart in the 1980s. Finally; in 1994, the first free multiracial elections were held.
* Remarkable constitution, forgot past sufferings, sought co-operation of all the races which made South Africa based on equality, democratic values and social justice

**Why the Need for a Constitution?**

Take the example of South Africa to see why we need the Constitution and what the constitutions do. The oppressor and oppressed were planning to live together as equals in the new democracy. Each section wanted to safeguard its interests and wanted substantial social and economic rights. Through negotiations, both parties came to a compromise. The whites agreed to the principle of majority rule and that of one person, one vote. They also agreed to accept some basic rights for the poor and the workers. The blacks agreed that majority rule would not be absolute and that the majority would not take away the property of the white minority. How was this compromise to be implemented? The only way to build and maintain trust in such a situation was to write down some rules of the game that everyone would abide by. These supreme rules that no government would be able to ignore are called a constitution.

Every country has diverse groups of people. All over the world, people have differences of opinion and interests. The constitution is the supreme law that determines the relationship among people living in a territory (called citizens) and also the relationship between the people and the government. Find what constitutions do below:

* First, it generates a degree of trust and coordination that is necessary for different kinds of people to live together.
* Second, it specifies how the government will be constituted and who will have the power to take which decisions.
* Third, it lays down limits on the powers of the government and tells us what the rights of the citizens are.
* Fourth, it expresses the aspirations of the people about creating a good society.

**Do We Need A Constitution?**

* Yes. A constitution has written laws accepted by people living together in a country.
* It generates trust and coordination.
* 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.

All countries that have constitutions are not necessarily democratic. But all countries that are democratic will have constitutions.

**Making of the Indian Constitution**

India’s Constitution was drawn up under very difficult circumstances. The country was born through a partition on the basis of religious differences, and it was a traumatic experience for the people of India and Pakistan. The British had left it to the rulers of the princely states to decide whether they wanted to merge with India or with Pakistan or remain independent. The merger of these princely states was a difficult and uncertain task. When the Constitution was written, the future of the country did not look as secure as it does today.

* From 1858 onwards, the British Government passed many Acts for the government of India but could not satisfy Indian aspiration.
* The demand for a Constitution was first raised in 1934 by the Indian National Congress.
* In 1938, Jawaharlal Nehru formulated the demand for a Constituent Assembly.
* In 1942, the British Government recognized that Indians should frame a new Constitution by themselves.
* Participation in Provincial Legislatures helped Indians in framing their Constitution.
* The Leaders were inspired by the 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 were held in July 1946.
* Dr B.R. Ambedkar was appointed Chairman of the Drafting Committee.
* The Constitution was adopted on 26th November 1949, and enacted on 26th January 1950, when India became a Republic state.
* The Constitution reflects the best minds of the country. The Constituent Assembly was called Mini- India.
* Every law was debated clause by clause and a consensus arrived at.
* It is the longest written Constitution in the world.

**The Path to the Constitution**

One of the major advantages for the makers of the Indian Constitution was that consensus about what a democratic India should look like had already evolved during the freedom struggle. In 1928, Motilal Nehru and eight other Congress leaders drafted a constitution for India, and In 1931, the resolution at the Karachi session of the Indian National Congress dwelt on how independent India’s Constitution should look. Both these documents included features such as Universal Adult Franchise, the Right to Freedom and Equality, and to protect the rights of minorities in the constitution of independent India. These basic values were accepted by all leaders much before the Constituent Assembly met to deliberate on the Constitution. That is why the Indian constitution adopted many institutional details and procedures from colonial laws like the Government of India Act 1935. Many of our leaders were inspired by the ideals of the French Revolution, the practice of parliamentary democracy in Britain and the Bill of Rights in the US.

**The Constituent Assembly**

The drafting of the constitution was done by an assembly of elected representatives called the Constituent Assembly. Elections to the Constituent Assembly were held in July 1946, and its first meeting was held in December 1946. Soon after, the country was divided into India and Pakistan and the Constituent Assembly was also divided into the Constituent Assembly of India and of Pakistan. The Constituent Assembly that wrote the Indian constitution had 299 members. The Assembly adopted the Constitution on 26 November 1949, but it came into effect on 26 January 1950. To mark this day, we celebrate January 26 as Republic Day every year.

Why should we accept the Constitution made by this Assembly more than six decades ago?

* The Constitution does not reflect the views of its members alone. It expresses a broad consensus of its time.
* The second reason for accepting the Constitution is that the Constituent Assembly represented the people of India.
* Finally, the manner in which the Constituent Assembly worked gives sanctity to the Constitution. The Constituent Assembly worked in a systematic, open and consensual manner.

First, some basic principles were decided and agreed upon. Then a Drafting Committee chaired by Dr B.R. Ambedkar prepared a draft constitution for discussion. Several rounds of thorough discussion took place on the Draft Constitution, clause by clause. More than two thousand amendments were considered. Every document was presented, and every word spoken in the Constituent Assembly has been recorded and preserved. These are called ‘Constituent Assembly Debates.’

**Guiding Values of the Indian Constitution**

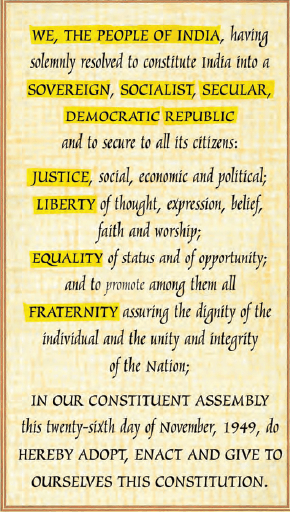
First, understand the overall philosophy of what our Constitution is all about. Read the views of some of our major leaders on our Constitution and read what the Constitution says about its own philosophy. This is what the preamble to the Constitution does.

**The Dream and the Promise**

There were many members who followed the vision of Mahatma Gandhi. This dream of an India that has eliminated inequality was shared by Dr Ambedkar, who played a key role in the making of the Constitution, but his vision of removing inequalities from India was different from Gandhiji’s.

**Philosophy of the Constitution**

Values that inspired and guided the freedom struggle and were, in turn, nurtured by it formed the foundation for India’s democracy. Given below are the values embedded in the Preamble of the Indian Constitution.



**We, the People of India:** The Constitution has been drawn up and enacted by the people through their representatives and not handed down to them by a king or any outside powers.

**Sovereign:** People have the supreme right to make decisions on internal as well as external matters. No external power can dictate the Government of India.

**Socialist:** Wealth is generated socially and should be shared equally by society. The government should regulate the ownership of land and industry to reduce socioeconomic inequalities.

**Secular**: Citizens have complete freedom to follow any religion. But there is no official religion. The government treats all religious beliefs and practices with equal respect.

**Democratic:** A form of government where people enjoy equal political rights, elect their rulers and hold them accountable. The government is run according to some basic rules.

**Republic:** The head of the state is an elected person and not a hereditary position.

**Justice:** Citizens cannot be discriminated against on the grounds of caste, religion and gender. Social inequalities have to be reduced. The government should work for the welfare of all, especially the disadvantaged groups.

**Liberty:** There are no unreasonable restrictions on the citizens in what they think, how they wish to express their thoughts and the way they wish to follow up their thoughts in action.

**Equality**: All are equal before the law. The traditional social inequalities have to be ended. The government should ensure equal opportunity for all.

**Fraternity:** All of us should behave as if we are members of the same family. No one should treat a fellow citizen as inferior.

**Institutional Design**

A Constitution is not merely a statement of values and philosophy. It is mainly about embodying these values into institutional arrangements. It is a very long and detailed document. Therefore, it needs to be amended quite regularly to keep it updated. Provisions are made to incorporate changes, known as constitutional amendments, from time to time. Like any Constitution, the Indian Constitution also lays down a procedure for choosing persons to govern the country. It defines who will have how much power to make which decisions. And it puts limits to what the government can do by providing some rights to the citizen that cannot be violated.

**Question** The official policy of racial separation of ill treatment of blacks followed by the government of South Africa was called \_\_\_\_\_\_\_ .

**Answer** Apartheid

**Question** An assembly of people’s representatives that writes a constitution for a country is \_\_\_\_\_\_\_ .

**Answer** Constituent assembly

**Question** What do you know about ‘The Long Walk to Freedom’?

**Answer** It is an autobiography of Nelson Mandela.

**Question** An introductory statement in a constitution which states the reasons and guiding values of the constitution is \_\_\_\_\_\_\_ .

**Answer** Preamble

**Question** When did South Africa become a democratic country?

**Answer** 26 April, 1994

**Question** Leaders of the freedom movement were clear that their country should be \_\_\_\_\_\_\_ .

**Answer** Democratic

**Question** One of the guiding values of the constitution is sovereignty which means \_\_\_\_\_\_\_ .

**Answer** People have the supreme right to make decisions

**Question** ‘Republic’ in consent to our constitution means \_\_\_\_\_\_\_ .

**Answer** Head of the state is an elected person

**Question** All of us should behave as if we are members of the same family. No one should treat a fellow citizen as inferior. This defines a word given in Preamble of our Constitution which is \_\_\_\_\_\_\_ .

**Answer** Fraternity

**Question** The famous speech given by Pt. Nehru on the eve of Independence Day is known as \_\_\_\_\_\_\_ .

**Answer** Tryst with Destiny

**Question** In 1928, who along with eight other congress leaders?

**Answer** Motilal Nehru

**Question** The Assembly adopted the Constitution on 26 November 1949 but it came into effect on 26 January \_\_\_\_\_\_\_ .

**Answer** 1950

**Question** Who was the Chairmen of the drafting committee of Indian Constitution, social revolutionary, thinker and agitator against caste divisions?

**Answer** Dr. Bhim Rao Ambedkar

**Question** In Indian Constitution, the Secular means \_\_\_\_\_\_\_ .

**Answer** Citizens have complete freedom to follow any religion

**Question** There are no unreasonable restrictions on the citizens in India, in what way they think, how they wish to express their thoughts. This means they enjoy \_\_\_\_\_\_\_ .

**Answer** Liberty

**Question** What was apartheid?

**Answer** Racial discrimination

**Question** What is the full form of ANC?

**Answer** The African National Congress

**Question** Where did Nelson Mandela spend his prison term?

**Answer** Nelson Mandela spent 28 years in South Africa’s most dreaded prison, Robben Island.

**Question** Who was the first president of the newly born democracy in South Africa?

**Answer** Nelson Mandela

**Question** Name the umbrella organisation that led the struggle against the policies , of segregation in South Africa.

**Answer** The African National Congress (ANC) was the umbrella organisation that led the struggle against the policies of segregation in South Africa.

**Question** What determines the rights of citizens and the powers of the government?

**Answer** As the supreme law of the country, the Constitution determines the rights of citizens, the powers of the government and how the government should function.

**Question** Who played a key role in the making of the Indian Constitution?

**Answer** Dr. B.R. Amdedkar played a key role in the making of the Indian Constitution.

**Question** When did the process of the Making of the Indian Constitution begin?

**Answer** In 1928, Motilal Nehru and eight other Congress leaders drafted a constitution for India which marked the beginning of this process.

**Question** Who was Rajendra Prasad?

**Answer** Rajendra Prasad was bom in Bihar. He was the President of the Constituent Assembly. He was also the first President of India.

**Question** What does the phrase ‘Service of India’ mean?

**Answer** The phrase ‘Service of India’ means the service of the millions who suffer. It means the ending of poverty and ignorance and disease and inequality of opportunity.

**Question** What is meant by ‘Constituent Assembly Debates’?

**Answer** The members deliberated for 114 days spread over three years. Every document presented and every word spoken in the Constituent Assembly has been recorded and preserved. These are called ‘Constituent Assembly Debates’.

**Question** What do you understand by the term ‘the Preamble to the Constitution’?

**Answer** The Constitution begins with a short statement of its basic values. This is called the Preamble to the Constitution.

**Question** What do you mean by the term ‘sovereign’?

**Answer** It means people have supreme right to make decisions on internal as well as external matters. No external power can dictate the government of India.

**Question** What do you mean by the term ‘secular’?

**Answer** It means citizens have complete freedom to follow any religion, but there is no official religion. Government treats all religious beliefs and practices with equal respect.

**Question** Why is the Preamble called the soul of the Indian Constitution?

**Answer** Because it contains the philosophy on which the entire constitution has been built. It provides a standard to examine and evaluate any law and action of government, to find out whether it is good or bad. It is the soul of the Indian Constitution.

**Question** What is the significance of the phrase ‘We the people of India’ in the Preamble?

**Answer** The preamble is an introductory part of the Constitution. It is called the key of the Constitution. “We the people of India” means the Constitution has been drawn up and enacted by the people through their representatives, and not handed down to them by a king or any outside powers.

**Question** What is meant by apartheid? How was it oppressive for the blacks?

**Answer** Apartheid was the name of a system of racial discrimination unique to South Africa. The white Europeans imposed this system on South Africa. The system of apartheid divided the people and labelled them according to their skin colour.

Many ‘whites’ had settled in South Africa and became the local rulers. The system of public toilets, were all separate for the whites and blacks. This, was called segregation. They could not even visit the churches where the whites worshipped. Blacks could not form associations or protest the terrible treatment.

**Question** What do you mean by ‘Constitution’?

**Answer** The constitution of a country is a set of written rules that are accepted by all people living together in a country. Constitution is the supreme law that determines the relationship among people living in a territory (called citizens) and also the relationship between the people and government.

**Question** What were the steps involved in the framing of the Indian Constitution?

**Answer** The drafting of the document called the constitution was done by an assembly of elected representatives called the Constituent Assembly. Elections to the Constituent Assembly were held in July 1946. Its first meeting was held in December 1946. Soon after, the country was divided into India and Pakistan. The Constituent Assembly was also divided into the Constituent Assembly of India and that of Pakistan. The Constituent Assembly that wrote the Indian Constitution had 299 members. The Assembly adopted the Constitution on 26 November, 1949 and it came into force on 26 January, 1950.

**Question** What are the four main ideals enshrined in the Preamble of the Indian Constitution?

**Answer** The ideals written in the Preamble of the Constitution are as under :

* Justice: Every citizen of India will have social, economic and political justice.
* Liberty: Every citizen will have the liberty of thought, expression, belief, faith and worship.
* Equality: Every citizen will be provided with the equality of status and opportunity.
* fraternity: All the citizens of India have been assured about the dignity of individual and the unity and integrity of the nation.

**Question** How did the Constituent Assembly work to prepare the Constitution for India?

**Answer** The Constituent Assembly worked in a systematic, open and consensual manner. First, some basic principles were decided and agreed upon. Then, a Drafting Committee chaired by Dr. B.R. Ambedkar prepared a draft constitution for discussion. Several rounds of thorough discussion took place, clause by clause. More than 2000 amendments were considered. The members deliberated for 114 days spread over 3 years. Every document presented and every word spoken in the Constituent Assembly was recorded and preserved. These are called ‘Constituent Assembly Debates’.

**Question** What are constitutional amendments?

**Answer** A constitution is not merely a statement of values and philosophy. A constitution is mainly about embodying these values into institutional arrangements. Indian Constitution is a very long and detailed document. Therefore, it needs to be amended quite regularly to keep it updated. Those who crafted the Indian Constitution felt that it must be in accordance with people’s aspirations and changes in society. They did not see it as a sacred, static and unalterable law. So, they made provisions to incorporate changes from time to time. These changes are called constitutional amendments.

**Question** On what terms did the blacks agreed upon while making a Constitution for South Africa?

**Answer** After two years of discussion and debate, they came out with one of the finest constitutions the world has ever had. This constitution gave to its citizens the most extensive rights available in any country. Together, they decided that in the search for a solution to the problems, nobody should be excluded, no one should be treated as a demon. They agreed that everybody should become part of the solution, whatever they might have done or represented in the past.

**Question** What was the reaction of the government towards the protest movement against the apartheid in South Africa?

**Answer** In South Africa, the white racist government continued to rule by detaining, torturing and killing thousands of black and coloured people. As protests and struggles against apartheid had increased, the government realised that they could no longer keep the blacks under their rule through repression. The white regime changed its policies. Discriminatory laws were repealed. Ban on political parties and restrictions on the media were lifted. After 28 years of imprisonment, Nelson Mandela walked out of the jail as a free man.

**Question** Why did the South African people need a Constitution?

**Answer** The people of South Africa, need a constitution because :

* The oppressor and the oppressed in this new democracy were planning to live together as equals. It was not going to be easy for them to trust each other. They had their fears.
* They wanted to safeguard their interests. The black majority was keen to ensure that the democratic principle of majority rule was not compromised.
* They wanted substantial social and economic rights.

**Question** What was the philosophy behind the Constitution?

**Answer**

* The values that inspired and guided the freedom struggle and were, in turn, nurtured by it, formed the foundation for India’s democracy. These values are embedded in the Preamble of the Indian Constitution.
* They guide all the articles of the Indian Constitution. The Constitution begins with a short statement of its basic values. This is called the Preamble to the constitution.
* Taking inspiration from American model, most countries in the contemporary world have chosen to begin their constitutions with a preamble.

**Question** What compromises did the blacks and white make?

**Answer** It was not an easy task for the two divergent people of South Africa—the White oppressors and the Black Oppressed one—to draw up a common Constitution for the country when it became free in 1994. After long negotiations both parties agreed to a compromises.

* The whites agreed to the principle of majority rule that of one person one vote.
* They also agreed to some basic rights for the poor and the workers.
* The blacks agreed that majority rule would not be absolute.
* They also agreed that the majority would not take away the property of the white minority. (Any three)

**Question** What was the composition of the Constituent Assembly?

**Answer** The Constituent Assembly was elected mainly by the members of the existing Provincial Legislatures. This ensured a fair geographical share of members from all the regions of the country. The Assembly was dominated by the Indian National Congress, the party that led India’s freedom struggle. But, the Congress itself included a variety of political groups and opinions. The Assembly had many members who did not agree with the Congress. In social terms too, the Assembly represented members from different language groups, castes, classes, religions and occupations.

**Question** What did Ambedkar mean by ‘contradictions’ in his concluding speech to the Constituent Assembly?

**Answer** Dr. Ambedkar, who played a key role in the making of the Constitution, but he had a different understanding of how inequalities could be removed. In his concluding speech to the Constituent Assembly, Dr. Ambedkar said that India was entering a life of ‘contradictions’ on 26th January, 1950. According to him in politics, Indians would have equality but in social and economic life, there would be inequality. The politics should be based on the principle of one man one vote and one vote one value. In social and economic life, by reason of social and economic structure one must continue to deny the principle of one man one value.

**Question** What are the various functions of a Constitution?

**Answer** A Constitution performs several functions such as :

* It generates a degree of trust and coordination that is necessary for different kind of people to live together.
* It specifies how the government will be constituted, and who will have power of taking which decisions.
* It lays down limits on the powers of the government and tells us what the rights of the citizens are.
* It expresses the aspirations of the people about creating a good society. (Any three)

**Question** How does the Indian Constitution describes the institutional arrangements?

**Answer** The Constitution describes the institutional arrangements in a very legal language.

* The Indian Constitution lays down a procedure for choosing persons to govern the country.
* It defines who will have how much power to take which decisions.
* It puts limits to what the government can do by providing some rights to the citizen that cannot be violated.

**Question** Why was the making of the Indian Constitution not an easy affair?

**Answer** Like South Africa, India’s Constitution was also drawn up under very difficult circumstances.

* The making of the constitution for a huge and diverse country like India was not an easy affair. At that time the people of India were emerging from the status of subjects to that of citizens. The country was born through a partition on the basis of religious differences.
* This was a traumatic experience for the people of India and Pakistan. Atleast ten lakh people were killed on both sides of the border in partition related violence.
* The British had left it to the rulers of the princely states to decide whether they wanted to merge with India or with Pakistan or remain independent.
* The merger of these princely states was a difficult and uncertain task. When the Constitution was being written, the future of the country did not look as secure as it does today.
* The makers of the Constitution had anxieties about the present and the future of the country.

**Question** Why should we accept the Constitution made by the Assembly more than fifty years ago?

**Answer** The Constitution does not reflect the views of its members alone. It expresses a broad consensus of its time. Many countries of the world have had to rewrite their Constitution afresh because the basic rules were not accepted to all major social groups or political parties.

Over the last half a century, several groups have questioned some provisions of the Constitution. But no large social group or political party has ever questioned the legitimacy of the Constitution itself. This is an unusual achievement for any constitution. The second reason for accepting the Constitution is that the Constituent Assembly represented the people of India. There was no universal adult franchise at that time. So, the Constituent Assembly could not have been chosen directly by all the people of India.

The way in which the Constituent Assembly worked gives sanctity to the Constitution. The Constituent Assembly worked in a systematic, open and consensual manner. First some basic principles were decided and agreed upon. Then a Drafting Committee chaired by Dr. B.R. Ambedkar prepared a draft constitution for discussion. Several rounds of thorough discussion took place on the Draft Constitution, clause by clause. More than two thousand amendments were considered.

Every document presented, and every word spoken in the Constituent Assembly has been recorded and preserved. These are called ‘Constituent Assembly Debates’. These debates provide the rationale behind every provision of the Constitution. These are used to interpret the meaning of the Constitution.

**Question** Explain the different key words used in the Preamble of the Indian Constitution.

**Answer** Several key words have been used in the Preamble of the Indian Constitution :

(i) WE, THE PEOPLE OF INDIA: The constitution has been drawn up and enacted by the people through their representatives, and not handed down to them by a king or any outside powers.

(ii) SOVEREIGN: People have supreme right to make decisions on internal as well as external matters. No external power can dictate the government of India.

(iii) SOCIALIST: Wealth is generated socially and should be shared equally by society. Government should regulate the ownership of land and industry to reduce socio-economic inequalities.

(iv) SECULAR: Citizens have complete freedom to follow any religion. But there is no official religion. Government treats all religious beliefs and practices with equal respect.

(v) DEMOCRATIC: A form of government where people enjoy equal political rights, elect their rulers and hold them accountable. The government is run according to some basic rules.

(vi) REPUBLIC: The head of the stats is an elected person and not a hereditary . position.

(vii) JUSTICE: Citizens cannot be discriminated on the grounds of caste, religion and gender. Social inequalities must be reduced. Government should work for the welfare of all, especially of the disadvantaged groups.

(viii) LIBERTY: There are no unreasonable restrictions on the citizens in what they think, how they wish to express their thoughts and the way they wish to follow up their thoughts in action.

(ix) EQUALITY: All are equal before the law. The traditional social inequalities must be ended. The government should ensure equal opportunity for all.

(x) FRATERNITY: All of us should behave as if we are members of the same family. No one should treat a fellow citizen as inferior.

**Question** “The South African Constitution inspires democrats all over the world” Comment.

**Answer** The South African constitution inspires democrats all over the world in the following ways.

* A state denounced by the entire world till recently as the most undemocratic one is now seen as a model of democracy.
* What made this change possible was the determination of the South African people to work together, to transform bitter experience into the binding glue of a rainbow nation.
* The people of South Africa have of agreed that everybody should become a part of the solution, whatever they might have done or represented in the past.
* It is also a charter for the transformation of our country into one which is truly shared by all its people. It is a country in which the fullest sense belongs to all blacks and whites, women and men.”
* The Preamble to the South African Constitution sums up the spirit.

**Question** Write a short note on Nelson Mandela.

**Answer** Nelson Mandela fought against white domination in South Africa. He cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities.

The South African government tried him for treason and imprisoned him for daring to oppose the apartheid regime in his country. Mandela spent 28 years in South Africa’s most dreaded prison, Robben Island.

After 28 years of imprisonment, Nelson Mandela was released. On 26th April 1994, the new national flag of the Republic of South Africa was unfurled marking the newly born democracy in the world. Nelson Mandela was made the first President of this new democracy.

**Question** What is a Constitution?

**Answer** Unlike a monarchy, in a democracy the rulers are not free to do what they like. Certain basic rules have to be followed by the citizens and the government. These rules put together are called the Constitution. As the supreme law of the country, the constitution determines the rights of citizens, the powers of the government and how the government should function.

**Question** What was basis of the apartheid regime in South Africa?

**Answer** The apartheid regime differentiated people on the basis of their skin colour. The native people of South Africa who were black skinned were called ‘blacks’. They made up about three fourth of the population. People of mixed races who were called ‘coloured’. The White Europeans were called ‘Whites’. The white rulers treated all non whites as inferior.

**Question** How were the non whites discriminated?

**Answer** The non whites did not have any voting rights. The apartheid regime was particularly oppressive for the ‘blacks’ and the ‘coloured’. They were forbidden from living in white areas. They could work in white areas only if they had a permit.

There were separate trains, buses, taxis, hotels, hospitals, schools and colleges, libraries, cinema halls, theatres, beaches, swimming pools and public toilets, for the whites and blacks. The blacks were not allowed into the Churches frequented by the whites. There were not allowed to form any association to represent their problems. This system of racial discrimination, unique to South Africa, was called Apartheid.

**Question** Which was the first organisation that led the first against Apartheid?

**Answer** The African National Congress (ANC) was the first organisation that led the struggle against Apartheid.

**Question** Why is South Africa called a ‘rainbow nation’ today?

**Answer** There is no social or any discrimination based on skin colour in free south Africa, today. Blacks, whites and coloured people, men and women, live as free citizens, in total harmony. This is why they call South Africa a ‘rainbow nation’.

**Question** What was the situation at the time India achieved independence?

**Answer** At that time of independence, the people of India were emerging from the status of subjects to that of citizens. India and Pakistan were born through a partition on the basis of religious differences. This was a traumatic experience for the people of India and Pakistan. Lakhs of people were killed on both sides of the border in partition related violence. The British had left it to the rulers of the princely states to decide whether they wanted to merge with India or with Pakistan or remain independent. This created a lot of turmoil.

**Question** Write a short note on the first Constituent assembly.

**Answer** Elections to the first Constituent Assembly were held in July 1946. The elected members drafted the document called the Constitution. The Constituent Assembly held its first meeting in November 1946. Soon after the country was divided into India and Pakistan. The Constituent Assembly was also divided into the Constituent Assembly of India and that of Pakistan. The Indian Constituent assembly had 299 members. The Assembly adopted the Constitution on 26 November 1949. The constitution only came into effect on January 26, 1950. So Republic Day is celebrated on the 26th of January , every year.

**Question** How is the South African Constitution looked upon today?

**Answer** The South African constitution inspires democrats all over the world. South Africa was a State which was looked down upon by many during the Apartheid regime. Today the determination of the people of South Africa to work together, without bearing any grudges against the white regime in looked upon with great respect.

The South African Constitution sees people of all skin colours as equal. Men and women are treated equally.

**Question** What is a Preamble? Quote the Preamble of our constitution.

**Answer** A Preamble is an introductory statement in a constitution which states the reasons and guiding values of the constitution.

” We, the people of India having solemnly resolved to constitute India into SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and secure to all its citizens justice, social, economic and political. Liberty of thought, expression, belief, faith and worship. Equality of statue and of opportunity and to promote among them all fraternity, assuring the dignity of the individual and the unity and integrity of the nation, in our constitutional assembly, this 26th day of November.1949, do hereby adopt, enact and give to ourselves this constitution.”

**Question** Who constituted the Constituent assembly?

**Answer** The Assembly was dominated by the Indian National Congress, which led India’s freedom struggle. The Indian National Congress included a variety of political groups . these different groups had different opinions.

The Assembly also had many members who did not agree with the Congress. On the social platform, the Assembly was represented by members from different language groups, castes, classes, religions and occupations.

**Question** What is secularism?

**Answer** When a Government treats all religious beliefs and practices with equal respect it called a secular government. There is no official religion. Citizens have complete freedom to follow any religion.

**Question** Define ‘ Democratic Republic’.

**Answer** ‘ Democratic Republic’ is a form of government where people enjoy equal political rights, elect their rulers and hold them accountable. The government is run according to some basic rules. The head of the state is an elected person and not a hereditary ruler.

**Question** Write a brief note on the following personalities.

(a) Jawaharlal Nehru

(b) Sarojini Naidu

(c) Bhimrao Ramji Ambedkar

**Answer**   
(a) Jawaharlal Nehru was born in the year 1889 and died in the year 1964. He was born in the state of Uttar Pradesh. He was a lawyer by profession. He was the Prime Minister of the interim government. As a Congress leader he advocated socialism, democracy and anti imperialism. Later he was appointed the First Prime Minister of India.

(b) Sarojini Naidu was born in the year 1879 and died in the year 1949. She was born in Andhra Pradesh. She was a poet, writer and political activist. She was among the foremost women leaders in the Congress. Later she was appointed the Governor of Uttar Pradesh.

(c) Bhimrao Ramji Ambedkar was born in the year 1891 and died in the year 1956. He was born in Maharashtra. He was the Chairman of the Drafting Committee of the Constitution. He was a Social revolutionary thinker and agitated against caste divisions and caste based inequalities. He was made the Law minister in the first cabinet of post independence India.

**Question** Was Mahatma Gandhi a member of the Constituent Assembly?

**Answer** No, Mahatma Gandhi was not a member of the Constituent Assembly.

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

1. Leaders of the freedom movement had an open mind about whether the country should be democratic or not after independence.
2. Members of the Constituent Assembly of India held the same views on all provisions of the Constitution.
3. A country that has a constitution must be a democracy.
4. Constitution cannot be amended because it is the supreme law of a country.

**Answer**

1. Leaders of the freedom movement had a consensus that after independence, India will be a democratic nation.
2. Members of the constituent assembly of India held the same views on the basic principles of the Constitution.
3. A country that is a democratic country must have a Constitution.
4. A Constitution can be amended with time and the needs of the citizens.

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

1. Between South Africa and its neighbours
2. Between men and women
3. Between the white majority and the black minority
4. Between the coloured minority and the black majority

**Answer**

D. A conflict between the coloured minority and the black majority was the most underlying conflict in the making of the South-African constitution.

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

1. Powers of the head of the state
2. Name of the head of the state
3. Powers of the legislature
4. Name of the country

**Answer**

B. Name of the head of the state

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

|  |  |
| --- | --- |
| Motilal Nehru | President of the Constituent Assembly |
| B.R. Ambedkar | Member of the Constituent Assembly |
| Rajendra Prasad | Chairman of the Drafting Committee |
| Sarojini Naidu | Prepared a Constitution for India in 1928 |

**Answer**

|  |  |
| --- | --- |
| Motilal Nehru | Prepared a Constitution for India in 1928 |
| B.R. Ambedkar | Chairman of the Drafting Committee |
| Rajendra Prasad | President of the Constituent Assembly |
| Sarojini Naidu | Member of the Constituent Assembly |

**Question** Read again the extracts from Nehru’s speech ‘Tryst with Destiny’ and answer the following:

1. Why did Nehru use the expression “not wholly or in full measure” in the first sentence?
2. What pledge did he want the makers of the Indian Constitution to take?
3. “The ambition of the greatest man of our generation has been to wipe every tear from every eye”. Who was he referring to?

**Answer**

1. Jawahar Lal Nehru in his speech, ‘Tryst with Destiny’ used the expression, ‘not wholly or in full measure’ as for him, nation-building was a challenging task which can’t be achieved overnight. Hence, he wanted nation-building to be a gradual process.
2. Nehru wanted makers of the Indian constitution to take a pledge of dedication to the service of India and her people and to the still larger cause of humanity.
3. Nehru was referring to Mahatma Gandhi, the father of our nation.

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

|  |  |
| --- | --- |
| Sovereign | The government will not favour any religion |
| Republic | People have the supreme right to make decisions |
| Fraternity | Head of the state is an elected person |
| Secular | People should live like brothers and sisters |

**Answer**

|  |  |
| --- | --- |
| Sovereign | People have the supreme right to make decisions |
| Republic | Head of the state is an elected person |
| Fraternity | People should live like brothers and sisters |
| Secular | The government will not favour any religion |

**Question** How did your school celebrate Constitution Day on November 26th? Prepare a brief report.

**Answer**

Students should write their report on their own if they have celebrated Constitution Day on November 26th.

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

1. Democracy in India is a gift of the British rulers. We received training to work with representative legislative institutions under the British rule.
2. Freedom Struggle challenged the colonial exploitation and denial of different freedoms to Indians. Free India could not be anything but democratic.
3. 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**

1. Democracy was chosen as the prime value of our nation during the freedom struggle against the British. Yes, with the Indian Councils Act, Indians started participating in the councils and hence, their experiences paved the way for legislative institutions in independent India.
2. Freedom struggle did challenge the colonial exploitation but it worked for democracy by making laws with consensus and not imposing anything on anyone.
3. Our freedom struggle fought a bloodless struggle with tools like ‘Satyagraha’ and ‘Ahimsa.’ These struggles were undertaken to free India from the clutches of the British and give Indians the freedom they deserved.

**Question** 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, pitiably 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 the above-mentioned para do not reflect the values underlying our Constitution. Our constitution gives fundamental rights to each of its citizens regardless of gender, caste, sex, place of birth and religion. Women are given equal rights as men in our constitution through various Acts.

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

1. The authority of the rules of the constitution is the same as that of any other law.
2. Constitution lays down how different organs of the government will be formed.
3. Rights of citizens and limits on the power of the government are laid down in the constitution.
4. A constitution is about institutions, not about values

**Answer**

1. Not true because the Constitution is the supreme law.
2. True, as the constitution lays out the roles and powers the legislature, executive and judiciary.
3. True, as the Constitution has provided Fundamental Rights to each and every citizen of India.
4. Not true as the Constitution holds values on which all institutions work. Our preamble states about values – justice, liberty, fraternity, and equality.