

### **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
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- 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.Gandhiji, 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.

## 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 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. Government should regulate the ownership of land and industry to reduce socio-economic inequalities.

## 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.

## 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.

Let us read the Preamble of our Constitution very carefully and understand the meaning of each of its key words.

The Preamble of the Constitution reads like a poem on democracy. 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.

**WE, THE PEOPLE OF INDIA**, *having solemnly resolved to constitute India into a*  
**SOVEREIGN, SOCIALIST, SECULAR,\***  
**DEMOCRATIC REPUBLIC**  
*and to secure to all its citizens:*

**JUSTICE**, *social, economic and political;*

**LIBERTY** *of thought, expression, belief, faith and worship;*

**EQUALITY** *of status 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 CONSTITUENT ASSEMBLY**  
*this twenty-sixth day of November, 1949, do*  
**HEREBY ADOPT, ENACT AND GIVE TO**  
**OURSELVES THIS CONSTITUTION.**

Note: \*The terms 'Socialist' and 'Secular' were added in Preamble through the 42<sup>nd</sup> Constitutional Amendment in 1976.

## REPUBLIC

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

## JUSTICE

Citizens cannot be discriminated on the grounds of caste, religion and gender. Social inequalities have to be reduced. Government should work for the welfare of all, especially of 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.