For centuries different parts of our country were under the rule of kings and queens. However, when our leaders fought against the British colonial rule, they wanted the future government of India to be democratic and not monarchic. They wanted India to be ruled by the people themselves with the help of elected representatives.

Making of the Indian Constitution

The Indian Constitution was drafted under very difficult circumstances. The country had been controlled by Britain for about 200 years and its institutions had been made to suit them. The country had just been partitioned due to communal conflicts. A large part of the country was ruled by princely states (like the Nizam of Hyderabad). Apart from social and cultural diversity, there were huge differences between rich and poor, upper and lower castes, men and women. The leaders were concerned about keeping the country together and not allowing it to break further. This meant that all the diverse people should feel that they have an effective role in the running of the country. Our national movement was not merely a struggle against the foreign rule. It also sought to end inequalities, exploitation and discriminations in our society. Literacy levels and education were very low. There was acute poverty, and lakhs of people had died of famine and epidemics. The country was dependent upon foreign nations even for its basic needs like foodgrains. It was necessary therefore to set out the vision of the future society and give a framework for achieving it.

The Constitution, once it came into effect from January 26, 1950, secured to all citizens justice, equality and freedom.

First, some basic principles were decided and agreed upon: that India will be a Sovereign Republic; that it will have within it several states with autonomous powers; that it will be democratic; that it will secure to all citizens justice, equality and freedom; that the interests of minorities, tribes and depressed classes will be safeguarded; and that India will work for world peace and welfare of all mankind. This is called the ‘Objectives Resolution’ and it was moved by Jawaharlal Nehru, the then Prime Minister of India. These became the guiding principles for drafting the Constitution.

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. There were intense debates on all important provisions were examined from different points of view and finally decisions were taken by majority vote. More than two thousand amendments to the Draft Constitution were considered. The members deliberated for 114 days spread over three years. Every word spoken in the
Philosophy.

leaders on our Constitution. But it is reading the views of some of our major

The Dream and the Promise

Let us begin by understanding the overall philosophy of what our Constitution is all about. We can understand it by reading the views of some of our major leaders on our Constitution. But it is equally important to read what the Constitution says about its own philosophy. The preamble of the Constitution states its philosophy.

Some of you may have noticed a name missing from the sketches of the makers of the Constitution: Mahatma Gandhi. He was not a member of the Constituent Assembly. Yet there were many members who followed his vision. Writing in the magazine Young India in 1931, he had spelled out what he wanted the Constitution to do:

I shall strive for a Constitution which will release India from all tribalism and patronage... I shall work for an India in which the poorest shall feel that it is their country in whose making they have an effective voice; an India in which there shall be no high class and low class of people; an India in which all communities shall live in perfect harmony. There can be no room in such an India for the curse of untouchability or the curse of the intoxicating drinks and drugs. Women will enjoy the same rights as men... I shall be satisfied with nothing else.

- Mahatma Gandhi

This dream of an India without inequality was shared by 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 he stated his anxiety very clearly. On the 26th of January 1950 we are going to enter life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognising the principle of one man one vote and one vote one value. In social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will die not only by putting our political democracy in peril.

- Dr. B. R. Ambedkar

Finally let us turn to Jawaharlal Nehru giving his famous speech to the Constituent Assembly at the stroke of midnight on August 15, 1947:

This future is not one of awe or resting but of incessant striving so that we may fulfil the pledges we have so often taken and the one we shall take today. The 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. The ambition of the greatest man of our generation has been to wipe every tear from every eye. That may be beyond us, but as long as there are tears and suffering, so long our work will not be over.

- Jawaharlal Nehru

Read the above three quotations carefully:

- Can you identify one idea that is common to all these three?
- What are the differences in the ways of expressing that common idea?

Preamble of the Constitution

The values that inspired and guided the freedom struggle formed the foundation of India’s democracy. These values are embedded in the ‘Preamble’ of the Indian Constitution, which is a short statement of its basic principles and objectives. They guide all the provisions of Indian Constitution.

Let us read the preamble of our Constitution very carefully and understand the meaning of each of its key words. Think of some examples in the context of each term mentioned here. If you read it carefully there is one basic sentence.

“We the people of India, having resolved to constitute India into a Republic and to secure to all its citizens Justice, Liberty, Equality and Fraternity give ourselves this Constitution.”

- The people of India decided (‘resolved’) to achieve two objectives. What are these?
- What did they do in order to achieve these objectives?

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 outsider. This is an assertion of the democratic nature of our Republic.

SOVEREIGN: The head of the state is an elected person and not a hereditary position as in a kingdom.

SOCIALIST: Wealth is generated socially by all through their work and it should be shared equally by all. The country should strive to reduce and not all kinds of inequalities.

SECULAR: The government will not be run on the basis of any religion. Citizens will have complete freedom to follow any religion or no religion at all. Government will not favour any religion.

DEMOCRATIC: A form of government where people enjoy equal political rights, elect their representatives to make laws and run the government and hold the representatives accountable.

JUSTICE: All citizens should get what is their due, in determining what is due to them no discrimination will be made on account of their birth (into a particular caste, tribe, community or sex) or beliefs (religious, political opinions etc.) or wealth (rich or poor) or status. The government however may take special steps to protect those who have been historically wronged (due to caste or gender or disability or any other reason).

EQUALITY: Our Constitution does not promise equality in all respects (like income or property) but it seeks to ensure that all people will enjoy the same status - that is every one will be governed by the same laws. Secondly, it promises equality of opportunity that all public offices shall be open to all irrespective of caste or religion. If an office requires special qualification, access to that qualification too will be made equal to all.

LIBERTY: There will be no unreasonable restrictions on the citizens in what they think, the religion they wish to follow or not to follow how they wish to express their thoughts and the way they wish to follow up their thoughts in action or come together to form associations or parties.

FRATERNITY: To build a sense of bonding and unity among all people. No one should treat a fellow citizen as inferior or as an alien stranger.

Besides the Preamble, our Constitution has a section called “Directive Principles of State Policy.” This lays down some specific tasks before the government of India. These are universalising literacy and education, protection of environment, reducing income inequality etc. These are principles which should guide the government though we cannot file cases in courts if we feel that the governments are not following them.

To ensure that these ideals become real for all people, the Constitution has a Chapter guaranteeing Fundamental Rights to all citizens – you will study about them in Class IX. Unlike the Directive principles, citizens can take help from courts in case their fundamental rights are denied or violated.

The System of Government

The Constitution also provides institutional arrangements for ruling the country in accordance with the above ideals and values.

It provides for a Parliamentary form of government. The Parliament, consisting of representatives of the people makes laws. The laws are implemented by a government formed from among the members of the Parliament and answerable to the Parliament. The country is governed by the Cabinet headed by the Prime Minister and the entire government is headed by the President. (You will read in greater detail about this in the next chapter).

- Why is it necessary for an elected parliament to make laws? Why can’t they be made by learned lawyers and judges?
- Why do you think the Prime Minister and his Cabinet should get their decisions and actions approved by the Parliament and answer the questions raised by the members of Parliament? Will it be better if they were answerable only to the President?

Secondly, our country has a federal system. The entire country is considered to be a union of smaller states. Government functions are divided between the Central Government which is answerable to the Parliament and the State Governments which are answerable to their own State Assemblies. For example, the central government makes laws regarding and controls the army, railways etc. while the state governments make laws regarding police, road transport, schools etc.

The Central Parliament has two houses, Lok Sabha and Rajya Sabha. While the Lok...
Some countries have a different structure, in which there is only a central government which makes laws for the entire country and governs all the provinces or states. Do you think such a system is suited for India? Discuss in class.

Thirdly, our country has a three-level democracy. At the level of the country we have the Parliament, at the level of the states we have the state assemblies and at the district we have the local government known as Panchayat Raj system. This is to ensure that people have maximum opportunity to participate in managing public affairs of the country.

Fourthly, the Constitution also provides for some independent institutions to guard the Constitution. These include the Judiciary (or the law courts), the Comptroller and Auditor General who supervises the expenditure of the governments and the Election Commission which conducts free and fair elections. These are expected to function independent of the governments and report directly to the President.

Finally, the Constitution is a living and changing document. Those who made the Indian Constitution felt that it has to 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. The Constitution lays down procedures for changing or amending the Constitution itself. Till 2011 our Constitution has been amended 97 times.

The preamble of the Indian Constitution

We the people of India, in order to establish a democratic and socialist Republic based on the principles of social justice as enshrined in the Indian Constitution, and to secure the good of our people, and to establish a just society in which all individuals are free to reach their full potential, do hereby establish this Constitution for the Republic of India.

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.

We the people of South Africa, Recognize the injustices of our past; Honour those who suffered for justice and freedom in our land; Respect those who have worked to build and develop our country; and Believe that South Africa belongs to all who live in it, united in our diversity. We therefore, through our freely elected representatives, adopt this Constitution as the Supreme law of the republic as to-- Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights; Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law; Improve the quality of life of all citizens and free the potential of each person; and Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

May God protect our people. God bless South Africa.

Key words

| 1. Monarchy | 2. Representative | 3. Discrimination |
| 13. Amendment |

Improve your learning

1. “Damanpur” is ruled by its king based on a set of rules written down by the priest and ministers. He also has divided his kingdom into 16 provinces to which he appoints his officers as governors. Can we say this is democratic country? Is it a constitutional country? Give reasons for your answer.

2. Which of the following statement is correct?
   a. Constitution determines the relationship between people and government.
   b. Democratic countries generally contain a Constitution.
   c. To make a Constitution to a diverse country like India is not an easy task.
   d. All are correct

3. Match the following leaders with their roles in the making of the Constitution:
   a. Motilal Nehru
   b. B. R. Ambedkar
   c. Rajendra Prasad
   d. Sarojini Naidu
   i) President of the Constituent Assembly
   ii) Member of the Constituent Assembly
   iii) Chairman of the Drafting Committee
   iv) Prepared a Constitution for India in 1928

4. Read again the extracts from Nehru’s speech and answer the following:
   a. What pledge did he want the makers of the Indian Constitution to take?
   b. “The ambition of the greatest man of our generation has been to wipe every tear from every eye.” Who was he referring to?

5. Here are some of the guiding values of the Constitution and their meaning. Rewrite them by matching them correctly.
   a. Sovereign
   b. Republic
   c. Fraternity
   d. Secular
   i) Government will not favour any religion.
   ii) People have the supreme right to make decisions.
   iii) Head of the state is an elected person.
   iv) People should live like brothers and sisters.

6. Read the section ‘Dream and Promise’ again. Draw a table with statements that you consider as dream in the first column and promise in second column.

7. Which aspects of the dreams and promises can you identify in the words used in preamble? Create a chart to show the relationships.

8. Identify correct statements from the following:
   a. The Constitution defines powers of the Legislative houses.
   b. The Constitution cannot be changed under any circumstances.
   c. Ideals that are in the preamble are reflected in the design of institutions.
   d. Laws for the entire country are designed centrally.

Project:

Compare the preambles to the Constitutions of the United States of America, India and South Africa.

a. Make a list of ideals that are common to all these three.
b. Note down at least one major difference among these.

Preamble of the Constitution of the United States of America

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Preamble of the Constitution of India

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Preamble of the Constitution of South Africa

We the people of South Africa, recognize the injustices of our past; Honour those who suffered for justice and freedom in our land; Respect those who have worked to build and develop our country; and Believe that South Africa belongs to all who live in it, united in our diversity. We therefore, through our freely elected representatives, adopt this Constitution as the Supreme law of the republic so as to-- Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights; Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law; Improve the quality of life of all citizens and free the potential of each person; and Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

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