

# Constitutional Design

**Q. . . Why is the Preamble called the soul of the Indian Constitution ?**

**Ans.** 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.

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

**Ans.** 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.

**Q What are constitutional amendments ?**

**Ans.** 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.

**Q.. . What was the philosophy behind the Constitution ?**

**Ans.** (i) 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.

- (ii) 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.
- (iii) Taking inspiration from American model, most countries in the contemporary world have chosen to begin their constitutions with a preamble.

**Q.1 . What did Ambedkar mean by 'contradictions' in his concluding speech to the Constituent Assembly ?**

**Ans.** 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.

**Q.2 . What are the various functions of a Constitution ?**

**Ans.** A Constitution performs several functions such as :

- (i) It generates a degree of trust and coordination that is necessary for different kind of people to live together.
- (ii) It specifies how the government will be constituted, and who will have power of taking which decisions.

**Q.3. Explain the different key words used in the Preamble of the Indian Constitution.**

**Ans.** 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 state 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.