

CONSTITUTIONAL DESIGN



Chapter-3 Political Science

Constitutional Design

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.
- 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?

- Yes. A constitution has 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. Motilal 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.
- z Leaders inspired by 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 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.