

## Chapter – 1: The Indian Constitution

- Football – game of feet – touch with hands – foul
- Similarly, different games – different rules – define the game – constitutive rules
- In the same fashion – society (group of people sharing some common interest) – constitutive rules – define and differentiate from others
- Written document – rules – Constitution

### Why Does a Country Need a Constitution?

- Most countries – constitution
  - All democratic countries have constitution  
BUT
  - All countries with constitution are not democratic
- Purposes –
  - Tells – fundamental nature of society
    - Set of rules and regulations – everyone agree – the way country should be run
      - Nepal – monarchy – constitution – 1990 – power with king – people's movement – 2006 – king dismissed – monarchy to democracy – new rules – new constitution – 2015
  - Define – nature – country's political system
    - Democracy – choose leaders – exercise powers – our behalf
      - Nepal – previous constitution – ruled by king and his council - countries with democracy – constitution – guidelines – decision-making
  - Safeguard against – misuse of power
    - Leaders – powers – can misuse
    - Fundamental rights – ensure equality
      - Classroom – Suresh – monitor (bully)
        - Teacher – leaves
        - Suresh picks on Anil – Suresh complaints to teacher about Anil – Anil never did anything
        - Teacher scolds Anil – Suresh laughs
  - Safeguard against tyranny (oppression) of the dominant group
    - Majority – decisions against minority
    - Inter-community or Intra-community domination
      - Playground – Girls (basketball) – Boys (cricket)
        - Teacher – votes
        - More boys – all play cricket
        - Girls – not happy
  - Safeguard against ourselves
    - Issues – we favour – might go against larger interests
    - Decisions – we take – adverse effect – principles of country
    - People – feel – political party – not good – dictator – good  
BUT
    - In long run – they realize – dictator – worst
      - Shabnam – dilemma

- Revision left – 2 chapters
- Favorite TV show – on air
- Tells – everyone to shut off TV – not good for everyone

## **The Indian Constitution: Key Features**

- Beginning – twentieth century – Indian national movement – active role – independence
- Nationalists – great time – imagine and plan – free India
- Under British – forced to obey rules they didn't make
- Long authoritarian rule – British – convinced – free India – democracy
- Group of 300 – Constituent Assembly – 1946 – 3 years – write Indian Constitution
- Country – different communities – different language, religion, culture
- Partition – princely states – undecided about independence
- Constitution – respect diversity – protects unity – eradicate poverty with socio-economic reforms

### **1. Federalism**

- Multiple level of governments
- India – 3 tier (levels) – Central, State, Panchayat Raj
- System – manage all parts (communities)
- States – autonomy – issues – national concern – follow central laws
- Constitution –
  - lists – each tier – concerning issues
  - each tier – earning possibilities

### **2. Parliamentary Form of Government**

- Different tiers – representatives – chosen by people
- Universal Adult Franchise – every citizen – irrespective of – caste, class, gender, social status – can vote and contest elections

### **3. Separation of Powers**

- Three organs (parts) –
  - Legislature – elected representatives
  - Executive – implementing laws and running government
  - Judiciary – system of courts
- Each organ – different powers – check others – maintain balance

### **4. Fundamental Rights**

- Conscience of Indian Constitution
- Rights – safeguard against – misuse of powers
- Constitution guarantees rights –
  - Against State (country)
  - Against other individuals
  - Minorities against majorities
- Objectives –
  - Every citizen – claim these rights
  - Every authority with power – obey these rights
- Directive Principles

- Ensure greater social and economic reforms
  - Guide – make and maintain laws and policies – reduce poverty
- Right to Equality
  - All people – equal – access to all public places
  - No discrimination – based on – religion, caste, gender
- Right to Freedom
  - Freedom of speech and expression
  - Freedom to create associations
  - Freedom to move and reside anywhere
  - Freedom to practice any profession, occupation, business
- Right against Exploitation
  - Prohibits –
    - Human trafficking
    - Forced labour
    - Employment of children under 14 years of age
- Right to Freedom of Religion
  - Practice, profess and propagate – religion – your choice
- Cultural and Educational Rights
  - All minorities – religious / linguistic – set up – educational institute – preserve their culture
- Right to Constitutional remedies
  - Citizens – move to court – fundamental rights – violated

## 5. Secularism

- No official religion for the government (State)
- More details – next chapter
  
- Constitution – amended – multiple times – accommodate changes
- Nepal – monarchy to democracy – new rules – new constitution