

CLASS 8

CIVICS

CHAPTER 1

THE INDIAN CONSTITUTION

EXPLANATION

Society has constitutive rules that make it and differentiate it from other kinds of societies. In large societies in which different communities of people live together, constitutive rules are formulated through consensus, and in modern countries, this consensus is available in written form, which we call a **Constitution**.

Why Does a Country Need a Constitution?

All democratic countries are likely to have a Constitution, but on the other hand, it is not necessary that all countries that have a Constitution are democratic. The Constitution serves several purposes as listed below.

1. A Constitution tells us what the fundamental nature of our society is.
2. A Constitution helps serve as a set of rules and principles that all persons in a country can agree upon as the basis of the way in which they want the country to be governed.

3 Significant Reasons Why We Need a Constitution

1. In democratic societies, the Constitution often lays down rules that guard against the misuse of authority by our political leaders.
2. The Constitution ensures that a dominant group does not use its power against less powerful people or groups.
3. The Constitution helps to protect us against decisions that could have an adverse effect on the larger principles that the country believes in.

The Indian Constitution: Key Features

A group of 300 people became members of the Constituent Assembly in 1946 and had written India's Constitution. While writing the Indian Constitution, these members kept in mind the different communities who speak different languages, belong to different religions, and have distinct cultures.

Listed below are the key features of the Indian Constitution.

1) Federalism

This refers to the existence of more than one level of government in the country. In India, we have governments at the state level, at the centre and Panchayati Raj at the village level. The Constitution contains lists that detail the issues that each tier of government can make laws on. In addition, the Constitution also specifies where each tier of government can get the money from, for the work that it does. All persons in India are governed by laws and policies made by each of these levels of government.

2) Parliamentary Form of Government

The people of India have a direct role in electing their representatives. Also, every citizen of the country, irrespective of his/her social background, can contest in elections.

3) Separation of Powers

There are 3 organs of government:

1. **The legislature:** refers to elected representatives by the people.
2. **The executive:** is a smaller group of people who are responsible for implementing laws and running the government.
3. **The judiciary:** refers to the system of courts in India.

Each organ mentioned above acts as a check on the other organs of government. This ensures the balance of power between all three.

4) Fundamental Rights

The constitution guarantees the rights of individuals against the State as well as against other individuals. It also guarantees the rights of minorities against the majority.

The Fundamental Rights in the Indian Constitution include:

1. Right to Equality
2. Right to Freedom
3. Right against Exploitation
4. Right to Freedom of Religion
5. Cultural and Educational Rights
6. Right to Constitutional Remedies

Fundamental Rights have two-fold objectives:

1. Every citizen must be in a position to claim fundamental rights.
2. Fundamental rights must be binding upon every authority that has got the power to make laws.

The Constitution also has a section called Directive Principles of State Policy which ensure greater social and economic reforms, and serve as a guide to the independent Indian State to institute laws and policies.

5) Secularism

A secular state is one in which the state does not officially promote any one religion as the state religion.

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SHORT ANSWER QUESTIONS :

1. Why does a Country need a Constitution?
2. What do you understand by the term 'constitutive'?
3. What is meant by Sovereignty?
4. What are the key features of the Indian Constitution?
5. Write a note on Federalism.
6. Describe the Parliamentary Form of Government.
7. Discuss the difference between State and Government.
8. What are the Fundamental Rights in the Indian Constitution? Explain.
9. Write a note on Secularism
10. What would happen if there were no restrictions on the power of elected representatives?
11. Describe the term Preamble.
12. Describe the Directive Principles of the State Policy.