

# Chapter One

## CONSTITUTION: WHY AND HOW?

### INTRODUCTION

*This book is about the working of the Indian Constitution. In the chapters that follow, you will read information about various aspects of the working of our Constitution. You will learn about the various institutions of the government in our country and their relationship with each other.*

*But before you begin to read about elections, governments, and presidents and prime ministers, it is necessary to understand that the entire structure of the government and the various principles that bind the institutions of government have their origin in the Constitution of India.*

*After studying this chapter, you will learn:*

- ◆ what a constitution means;
- ◆ what a constitution does to the society;
- ◆ how constitutions govern the allocation of power in society; and
- ◆ what was the way in which the Constitution of India was made.

### WHY DO WE NEED A CONSTITUTION?

What is a constitution? What are its functions? What role does it perform for a society? How does a constitution relate to our daily existence? Answering these questions is not as difficult as you might think.

**Constitution allows coordination and assurance** *India is a big country.*

Imagine yourself to be a member of a reasonably large group. Further imagine that this group has the following characteristics. The members of this group are diverse in various ways. They have different religious allegiances: some are Hindus, some are Muslims, some Christians and some perhaps profess no religion at all. They are also varied

in many different respects: they pursue different professions, have different abilities, have different hobbies, different tastes in everything from films to books. Some are rich and some are poor. Some are old, some young.

Imagine further that members of this group are likely to have disputes over various aspects of life: How much property should one be allowed to own? Should it be compulsory that every child be sent to school or should the parents be allowed to decide? How much should the group spend on its safety and security? Or should it build more parks instead? Should the group be allowed to discriminate against some of its members? Every question will elicit a variety of answers from different people. But

for all their diversity, this group has to live together. They are dependent upon each other in various ways. They require the cooperation of each other. What will enable the group to live together peacefully?



*This group is very much like the people of my village.*



*Yes, this could be my colony as well! Does this apply to your village or town or colony too?*

One may say that perhaps members of this group can live together if they can agree on some basic rules. Why will the group need certain basic rules? Think of what would happen in the absence of some basic rules. Every individual would be insecure simply because they would not know what members of this group could do to each other, who could claim rights over what. Any group will need some basic rules that are publicly promulgated and known to all members of that group to achieve a minimal degree of coordination. But these rules must not only be known, they must also be enforceable. If citizens have no assurance that others will follow these rules, they will themselves have no reason to follow these rules. Saying that others are legally enforceable gives an assurance to everybody that others will follow these, for if they do not do so, they will be punished.

**The first function of a constitution is to provide a set of basic rules that allow for minimal coordination amongst members of a society.**

**Activity**

Enact the thought experiment of this section in the classroom. The entire class should discuss and arrive at some decisions that would apply to everyone for this entire session. The decision could be about:

- ◆ How would the class representatives be chosen?
- ◆ Which decisions will the representative be able to take on behalf of the entire class?
- ◆ Are there some decisions that the class representative cannot take without consulting the entire class?
- ◆ You can add any other items to this list (collection of common kitty for the class, organisation of picnic and trips, sharing of common resources, ...) as long as everyone agrees to it. Make sure that you include those subjects that have led to any differences in the past.
- ◆ How to revise these decisions in case you need to?

Function of  
Constitution

