

demarcation of powers and responsibilities as required.

ch 1 pol sci 11th

7. Why is it necessary for a constitution to place limitations on the rulers? Can there be a constitution that gives no power at all to the citizens?

Answer- In every democratic country limitations are placed on the powers of the rulers through the constitution. Since constitution is the supreme law of the land, everybody including the rulers have to obey it. If no limitations are placed on the powers of rulers, there are ample chances and possibilities of misuse and arbitrary use of powers. It is well known saying that power corrupts and absolute power corrupts absolutely. Absolute power makes the holder of the office corrupt and he tries to subvert the constitution in every possible way on one pretext or the other. To see that rulers exercise their power for the welfare of the people and not for their personal advancement, it is necessary that the constitution places limitations on the rulers.

8. The Japanese Constitution was made when the US occupation army was still in control of Japan after its defeat in the Second World War. The Japanese constitution could not have had any provision that the US government did not like. Do you see any problem in this way of making the constitution? In which way was the Indian experience different from this?

Answer- A good constitution is one that has been drafted by the people. It means that the constitution should not have been drafted and imposed by any foreign power. Many scholars have noted the irony of the occupation installing democratic political institutions in Japan through transparently authoritarian means. The Japanese, it has been said, were "forced to be free" by their American occupiers. Nonetheless, the 1947 Constitution was readily embraced by the Japanese people and has endured (with not a single amendment over the past six decades) as a sound basis for Japan's post war democracy. Making of constitution in this way means that it was imposed forcefully without taking into consideration basic ideals of constitution making. Indian constitution was enacted by the constituent assembly constituted in 1946 under the cabinet mission plan. The members of constituent assembly were indirectly elected without any coercion from British government. It was an independent constituent assembly that framed the Indian constitution.



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government. It was an independent constituent assembly that framed the Indian constitution.

9. Rajat asked his teacher this question: “The constitution is a 50 year old and therefore outdated book. No one took my consent for implementing i It is written in such tough language that I cannot understand it. Tell me why should I obey this document?” If you were the teacher, how would you answer Rajat?

Answer- The Constitution is not an outdated book as it accepts the required changes to keep updated with requirements of the changing times. The amendment in the provision of constitution made time to time but according to rigid law so that no one can alter it for their own interest. The language of Indian constitution is elaborative. Its vast size and also inclusion of some legal languages stands it as tough. However, it is written in too detailed manner clearing all confusion that may come. The Indian constitution is a body of fundamental principles according to which India is governed. Constitution provides ideological basis to the state and legitimacy to political institutions. It provides democratic form of government in India. It grants fundamental rights and privileges to all its citizens. It lay down the basic ideals of secularism, equality and fraternity. It is very necessary for smooth functioning and working of various institutions and also maintains stability. Therefore, we should obey this document.

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10. In a discussion on the experience of the working of our Constitution, three speakers took three different positions:

- a. Harbans: The Indian Constitution has succeeded in giving us a framework of democratic government.
- b. Neha: The Constitution made solemn promises of ensuring liberty, equality and fraternity. Since this has not happened, the Constitution has failed.
- c. Nazima: The Constitution has not failed us. We have failed the Constitution.

Do you agree with any of these positions? If yes, why? If not, what is your own position?

Answer- Yes, I agree with Harbans' position that Indian Constitution has succeeded in giving us a framework of democratic government. This is the age of democracy and the power is exercised by the representatives of the people and they are also accountable to the people. Thus they cannot be allowed to exercise the power according to their sweet will. Constitution determines the set up of the organs of the government, their powers, mutual relations and the rights and duties of the citizens. The biggest testament of its success is that a democratic government is working in India for more than sixty five years whereas countries that gained independence with India failed to maintain democratic rule in their nations.

No, I do not agree with the position taken by Neha that the Constitution made solemn promises of ensuring liberty, equality and fraternity. Since this has not happened, the Constitution has failed. The provisions of constitution are helpful in realisation of certain aims but it is not a guarantee to fulfil all the needs of society in a short period of time. The values of liberty equality and fraternity are cherished by our constitution makers and they included it in our constitution. Ideal liberty, equality and fraternity is not a simple thing to achieve. Even developed nations failed to realise the perfect liberty, equality or fraternity. Our nation is in a infant stage of development compared to nations that achieved independence two hundred years ago. Constitution creates certain conditions that are helpful in the realisation of these aspirations and goals of society.

Yes, I agree with the position taken by Nazima that the Constitution has not failed us. We have failed the Constitution. The constitution has effective principles for proper governance of country. However, the people who are responsible for execution and implementation of the principles have failed to do so because of their own interest. It is all about welfare of citizens and giving equal opportunities to all but without thinking of welfare of the nation they are using it for their profit. Therefore, the constitution has not failed us but we failed the constitution.

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