

Class 11 · Political Science (028) · Part A: Indian Constitution at Work · Chapter 1 · CBSE 2026-27

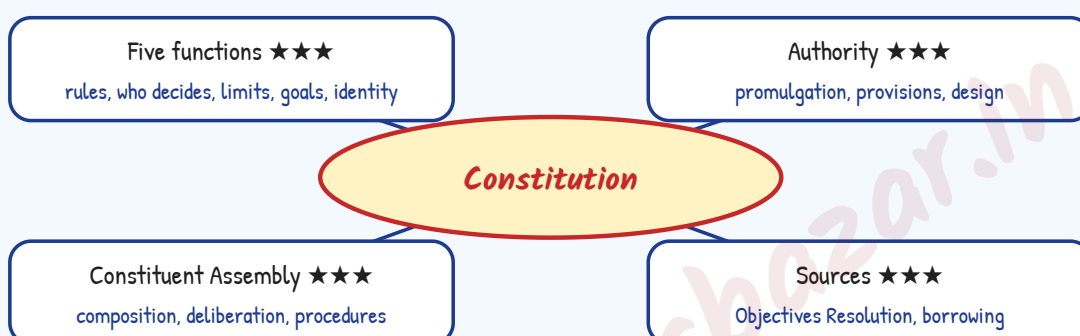
Chapter 1

Constitution: Why and How?



Why do we need a constitution · coordination and assurance · who decides · limits on government · aspirations and goals · fundamental identity · authority of a constitution: mode of promulgation, substantive provisions, balanced institutional design · how the Indian Constitution was made · composition of the Constituent Assembly · principle of deliberation · procedures · inheritance of the nationalist movement · Objectives Resolution · borrowed provisions

Chapter map (★ = most important for exams)



Syllabus and weightage

Part A, Indian Constitution at Work: **40 marks** (Part B, Political Theory: 40; theory paper 80 + project 20). Question types: MCQ (1), short answer (2 and 4), passage/cartoon based (5), long answer (6). Important: functions of a constitution, what makes it effective, the Constituent Assembly, Objectives Resolution, borrowed features.

★ **Exam tip:** The whole structure of government and the principles binding its institutions come from the **Constitution**. A constitution is a body of **fundamental principles** according to which a state is constituted or governed. India's Constitution was made by the **Constituent Assembly** (Dec 1946 – Nov 1949) and came into force on **26 January 1950**.

1.1 Why do we need a constitution? ★★★

Imagine a large, diverse group — different religions, professions, abilities, tastes; rich and poor; old and young — with disputes on property, schooling, security, discrimination. Yet they must **live together** and depend on each other. They need **basic rules**.

Function	Explanation
1. Coordination and assurance	Provides a set of basic rules that allow minimal coordination among members. Rules must be publicly known and enforceable : legal enforceability assures everyone that others will follow them (or be punished)
2. Specification of decision-making powers	Decides who gets to decide the laws — the basic allocation of power; how the government will be constituted. Monarchy: a monarch; old Soviet Union: one party; democracy: the people (directly, as in ancient Greece, or through representatives). In India, mostly Parliament makes laws — and the Constitution gives it that authority
3. Limitations on the powers of government	Sets limits that government may never trespass . Most common way: fundamental rights — protection from arbitrary arrest; freedoms of speech, conscience, association, trade. These can be limited in a national emergency as specified
4. Aspirations and goals of a society	Enables the government to take positive measures to overcome inequality and deprivation and create a just society (e.g. end caste discrimination in India, racial discrimination in South Africa). India's framers wanted every individual to have minimal dignity — material well-being, education. Supported by the Preamble , Fundamental Rights and the Directive Principles
5. Fundamental identity of a people	The people become a collective political entity by agreeing to basic norms; it gives a moral identity (values we may not trespass); it embodies a conception of national identity — Germany's was ethnic; India's Constitution does not make ethnic identity a criterion for citizenship

Older vs 20th-century constitutions ★★

- Older constitutions mostly **allocated power and set limits**.
- Many 20th-century constitutions — the Indian one is the **finest example** — also give an **enabling framework** for the government to do positive things.
- **South Africa**: government must promote conservation of nature, protect groups facing unfair discrimination, and progressively ensure housing and health care. **Indonesia**: government must run a national education system and look after poor and destitute children.

Check your progress: match provision → function ★★★

Provision	Function
Government cannot order any citizen to follow or not follow any religion	Limitation on the power of government
Government must try to reduce inequalities in income and wealth	Aspirations and goals of society
The President has the power to appoint the Prime Minister	Specification of decision-making powers
The Constitution is the supreme law everyone must obey	Basic rules for coordination and assurance
Indian citizenship is not limited to any race, caste or religion	Fundamental identity of the people

Cartoons in the chapter: the failed attempt to create a **European constitution**; Nehru balancing different visions and ideologies (Shankar, 4 Dec 1949); conflict among ethnic groups over the new **Iraqi constitution** after Saddam Hussain; the Iraqi constitution as a "**castle of cards**" – fragile, unlike the Indian one.

1.2 The authority of a constitution ★★★

- Usually a compact **document** of articles; but the **United Kingdom** has no single document – a series of documents and decisions together form its constitution. So a constitution = the document or set of documents performing these functions.
- Many constitutions exist only on paper. What makes a constitution **effective**?

Factor	Meaning and Indian case
1. Mode of promulgation	How it came into being and who made it. Constitutions made by military leaders or unpopular leaders stay defunct. Successful ones – India, South Africa, USA – came after popular national movements . India's was made by leaders of immense public credibility who could command the respect of all sections; never put to a referendum , but people adopted it by abiding by it
2. Substantive provisions	It must give everyone some reason to go along with it; one that lets majorities oppress minorities or privileges some groups loses allegiance. No constitution achieves perfect justice, but it must provide the framework for basic justice. The more it preserves freedom and equality of all, the more likely it succeeds
3. Balanced institutional design	Constitutions are usually subverted by small groups . Well-crafted ones fragment power : India divides power horizontally among legislature, executive, judiciary and independent bodies like the Election Commission – checks and balances . They must balance core values with flexibility : too rigid breaks under change; too flexible gives no security. India's is a " living document " (Ch 9)

★ **Exam tip:** **Nepal – a contrast:** constitutions of 1948, 1951, 1959, 1962 and 1990 were all "**granted**" by the King; the King took over all powers in Oct 2002; agitations (Maoists in the forefront) demanded a new constituent assembly; the King was stripped of powers; Nepal became a **democratic republic in 2008** and adopted a new constitution in **2015**.

1.3 How the Indian Constitution was made ★★★

- Made by the **Constituent Assembly** elected for undivided India; first sitting **9 December 1946**; reassembled for divided India on **14 August 1947**.
- Members chosen by **indirect election** by members of the Provincial Legislative Assemblies set up under the **Government of India Act, 1935**.
- Composition roughly on the **Cabinet Mission** plan:
 - Seats in proportion to population, about **1 : 10,00,000** – Provinces **292**, Princely States at least **93**.
 - Seats in each Province divided among **Muslims, Sikhs and general** by population.
 - Each community's members in the Provincial Assembly elected their representatives by **proportional representation with single transferable vote**.
 - Princely States' representatives chosen by consultation.

Composition after Partition ★★★

- Under the **3 June 1947** plan, members from Pakistan's territories left; strength fell to **299**.
- Constitution **adopted 26 November 1949**; **284** members signed on **24 January 1950**; it **came into force 26 January 1950**.

- Framed amid Partition violence, it adopted a new idea of **citizenship**: minorities secure, and religion with no bearing on citizenship rights.
- Not elected by universal suffrage, but a serious attempt at **representativeness**: all religions represented; 28 Scheduled Caste members; the **Congress** held about **82%** of seats after Partition — but it was a diverse party accommodating all shades of opinion.

Ambedkar (25 Nov 1949): "We must make our political democracy a social democracy as well ... liberty, equality and fraternity ... form a union of trinity ... Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things."

1.4 The principle of deliberation ★★★

- The Assembly's authority came also from its **procedures and values**: members deliberated with the **interests of the whole nation** in mind, not just their own community.
- Legitimate differences of **principle**: centralised or decentralised government? Centre-State relations? Powers of the judiciary? Protection of property rights?
- Only one provision passed **virtually without debate**: **universal suffrage** — a testament to democratic commitment.
- Members used **public reason** — gave principled reasons rather than advancing their own interests. The debates rank with the French and American revolutions.

Procedures ★★★

- **Eight major Committees**, usually chaired by **Nehru, Rajendra Prasad, Sardar Patel or B.R. Ambedkar** — men who differed (Ambedkar had been a bitter critic of the Congress and Gandhi; Patel and Nehru disagreed) yet worked together.
- Committees drafted provisions, then the whole Assembly debated them; **consensus** was sought; some provisions were put to vote; every argument was answered in writing.
- The Assembly met for **166 days over 2 years 11 months**; sessions open to press and public.
- **Rajendra Prasad** (President of the Assembly) praised **Ambedkar**, Chairman of the **Drafting Committee**, for his zeal despite indifferent health.

1.5 Inheritance of the nationalist movement ★★★

- A diverse Assembly worked because of a **background consensus** forged during the freedom struggle on the shape of government, values and inequalities to overcome.
- Best summary: the **Objectives Resolution** moved by **Nehru in 1946**. The Constitution gave institutional expression to **equality, liberty, democracy, sovereignty and a cosmopolitan identity** — a moral commitment, not just rules.

Main points of the Objectives Resolution ★★★

1. India is an **independent, sovereign republic**.
2. A **Union** of British Indian territories, Indian States and other willing parts.
3. Territories are **autonomous units** exercising all powers except those of the Union.
4. All power and authority **flow from the people**.
5. Guarantee of **social, economic and political justice**; equality of status, opportunity and before law; fundamental freedoms of speech, expression, belief, faith, worship, vocation, association and action, subject to law and public morality.
6. Adequate **safeguards** for minorities, backward and tribal areas, depressed and other backward classes.

7. Territorial integrity and sovereign rights on land, sea and air.
8. Contribution to **world peace** and welfare of mankind.

1.6 Institutional arrangements and borrowing ★★★

Government must be democratic and committed to welfare; the Assembly balanced executive, legislature and judiciary, adopting the **parliamentary form** and a **federal arrangement**. It borrowed freely – but **not slavishly**: each provision was defended as suited to Indian problems.

Source	Borrowed features
British	First Past the Post; parliamentary form; rule of law; institution of the Speaker; law-making procedure
United States	Charter of Fundamental Rights; judicial review; independence of the judiciary
Irish	Directive Principles of State Policy
French	Liberty, Equality and Fraternity
Canadian	Quasi-federal form (strong centre); residual powers

Ambedkar (4 Nov 1948): "The only new things ... in a Constitution framed so late in the day are the variations made to remove the faults and to accommodate it to the needs of the country."

Conclusion: the Constitution became a **living reality** while many others perished on paper; it became an exemplar for others, notably **South Africa**.

NCERT exercises, solved ★★★

1. Which of these is **not** a function of the constitution? (a) guarantees rights of citizens (b) marks out spheres of power for branches of government (c) ensures that good people come to power (d) expresses shared values

Ans. (c) – a constitution cannot ensure that good people come to power; that depends on elections and people's choices.

2. A good reason to conclude that the constitution's authority is higher than parliament's:

Ans. (c) The constitution specifies how parliament is to be formed and what its powers are – parliament derives its authority from it.

3. True or False: (a) Constitutions are written documents about formation and power of government. (b) Constitutions exist and are needed only in democracies. (c) A constitution is a legal document that does not deal with ideals and values. (d) A constitution gives citizens a new identity.

Ans. (a) False – not always written in one document (UK), and they do more than form government. (b) **False** – monarchies and one-party states also have constitutions. (c) **False** – it expresses ideals, values and aspirations (Preamble, DPSP). (d) **True** – it creates a collective political and moral identity.

4. Correct or incorrect? (a) The Assembly did not represent Indians since not elected by all citizens. (b) Constitution making involved no major decision because of general consensus. (c) There was little originality since much was borrowed.

Ans. (a) Incorrect – though indirectly elected, it included all religions, 28 SC members and all shades of opinion (Congress itself was diverse); its members commanded public credibility. (b) **Incorrect** –

there was background consensus on principles, but major issues (centralisation, Centre-State relations, judiciary, property rights) were hotly debated for nearly three years. (c) **Incorrect** — borrowing was not slavish; every provision was adapted to Indian needs, and the Constitution itself became a model for others.

5. Two examples each: (a) made by credible leaders; (b) power distributed to prevent subversion; (c) locus of hopes and aspirations. 3

Ans. (a) Leaders like Nehru, Patel, Rajendra Prasad and Ambedkar chaired committees; members carried the legacy of the national movement and its consensus. (b) Horizontal division among legislature, executive and judiciary with checks and balances; independent bodies like the Election Commission; federal division between Centre and States. (c) Directive Principles to reduce inequality and promote welfare; Fundamental Rights such as abolition of untouchability and protection of minorities; reservations for disadvantaged groups.

6. Why is a clear demarcation of powers and responsibilities necessary? What would happen in its absence? 4

Ans. It tells us who decides what, prevents any one institution from monopolising power, makes government accountable and lets institutions check each other. Without it, organs and levels of government would clash, encroach on each other's work, shift blame, and one group could seize all power and become authoritarian; citizens would not know whom to hold responsible, leading to confusion and instability.

7. Why must a constitution limit rulers? Can there be a constitution that gives no power at all to citizens? 4

Ans. Those with power may misuse it — arbitrary arrests, banning religions, discrimination. Limits (fundamental rights, separation of powers, judicial review, elections) protect citizens' liberty and dignity. A constitution can be one that gives citizens no power — e.g. under a monarchy or one-party rule, where the ruler or party decides everything — but such a constitution would lack legitimacy and voluntary allegiance, and would likely fail or exist only on paper.

8. The Japanese Constitution was made under US occupation. Any problem? How was India's experience different? 4

Ans. Yes — a constitution imposed by an occupying power reflects the occupier's wishes, not the people's free choice, so its legitimacy is weak. India's was made by Indians themselves through a Constituent Assembly of popular national leaders, drawing on the consensus of the freedom movement, after free deliberation for nearly three years — giving it great legitimacy.

9. Rajat: "The Constitution is old and outdated, no one took my consent, and it is in tough language. Why should I obey it?" Answer as his teacher. 4

Ans. (i) **Not outdated:** it is a living document, amended over 100 times and interpreted by courts to meet new needs, while preserving core values. (ii) **Consent:** it was made by representatives in the Constituent Assembly, carrying the national movement's consensus; citizens give consent every day by abiding by it, voting under it and using its rights; amendments are made by elected representatives. (iii) **Language:** legal precision needs technical terms, but its core ideas — rights, equality, justice — are simple; it is available in many languages and explained in books. (iv) It protects his own rights and freedoms; disobeying it would harm everyone.

10. Harbans: the Constitution gave us a democratic framework. Neha: its promises of liberty, equality and fraternity were not fulfilled, so it failed. Nazima: we have failed the Constitution. Your view? 6

Ans. Harbans is right: India has held regular free elections, peaceful transfers of power, an independent judiciary and a free press for over seven decades. Neha's point is partly true — poverty, caste and gender inequality remain — but these are failures of implementation, not of the document, which empowers government (DPSP, rights, reservations) to remove them. Nazima is largely right: the Constitution provides the framework; its success depends on politicians, officials and citizens acting by its spirit. My position: the Constitution has succeeded in its basic task; the unfinished promises are our collective responsibility.

Important exam questions, fully solved ★★★

Class 11 has no CBSE board paper; these questions follow the CBSE Class 11 Political Science pattern (MCQ 1, short answer 2 and 4, passage/cartoon 5, long answer 6), with complete answers.

1. The Constituent Assembly held its first sitting on: (A) 26 Nov 1949 (B) 14 Aug 1947 (C) 9 Dec 1946 (D) 26 Jan 1950 1

Ans. (C) 9 December 1946.

2. Assertion (A): The Indian Constitution enjoys great legitimacy though it was never put to a referendum. Reason (R): It was drawn up by leaders of immense public credibility and people adopted it by abiding by it. 1

Ans. Both true; R explains A.

3. Name any two features borrowed from the British Constitution. 2

Ans. Parliamentary form of government; First Past the Post electoral system (also rule of law, Speaker's role, law-making procedure).

4. How was the Constituent Assembly composed under the Cabinet Mission plan? 4

Ans. (1) Seats allotted to Provinces and Princely States in proportion to population, about one per ten lakh — 292 for Provinces and at least 93 for States. (2) Provincial seats divided among Muslims, Sikhs and general communities by population. (3) Members of each community in the Provincial Legislative Assembly elected their representatives by proportional representation with single transferable vote. (4) Representatives of Princely States chosen by consultation. After Partition, membership fell to 299.

5. Read Ambedkar's statement: "We must make our political democracy a social democracy as well ... Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative." (i) What is social democracy? (2) (ii) Why are liberty and equality inseparable? (2) (iii) What role does fraternity play? (1) 5

Ans. (i) A way of life recognising liberty, equality and fraternity as principles of life — not just political democracy (votes, elections). (ii) Liberty without equality lets the powerful few dominate the many; equality without liberty kills individual initiative — each needs the other. (iii) Without fraternity (a sense of brotherhood), liberty and equality cannot become a natural course of things.

6. Explain the functions of a constitution. 6

Ans. (1) **Coordination and assurance** — basic, publicly known and enforceable rules let diverse people live together and trust that others will obey. (2) **Specifies who decides** — allocates power and constitutes

government (in India, Parliament makes laws; President appoints PM). (3) **Limits government** – fundamental rights such as freedom of speech and protection from arbitrary arrest that no government can violate (except in emergency as specified). (4) **Enables aspirations** – empowers government to take positive steps for a just society (ending caste discrimination, DPSP, welfare measures, as also in South Africa and Indonesia). (5) **Expresses fundamental identity** – creates a collective political and moral identity; India's citizenship is not based on ethnicity, unlike Germany's ethnic identity.

7. "The Indian Constitution derives its authority from the way it was made." Explain.

6

Ans. Mode of promulgation: made by the Constituent Assembly of credible leaders after the national movement, not imposed by the military or a monarch (unlike Nepal's granted constitutions or Japan's). **Representativeness:** all religions, 28 SC members, a diverse Congress. **Deliberation:** members reasoned for the whole nation; every major issue debated; only universal suffrage passed without debate; public reason. **Procedures:** eight committees under Nehru, Prasad, Patel and Ambedkar; drafts debated by the full Assembly; consensus sought; 166 days over 2 years 11 months; open to press and public. **Nationalist inheritance:** background consensus summed up in the Objectives Resolution (1946). **Balanced design and intelligent borrowing** adapted to Indian needs. Hence people accepted it as their own.

Practice set

1. Define a constitution.
2. Which country has no single written constitution?
3. What was the Objectives Resolution?
4. Which provision was passed without debate?
5. Who chaired the Drafting Committee?
6. How many days did the Assembly meet?
7. From which country did India borrow the DPSP?
8. When did the Constitution come into force?

Answers

- Ans.**
1. A body of fundamental principles according to which a state is constituted or governed.
 2. The United Kingdom.
 3. The resolution moved by Nehru in 1946 defining the aims of the Assembly.
 4. Universal adult suffrage.
 5. Dr B.R. Ambedkar.
 6. 166 days over 2 years 11 months.
 7. Ireland.
 8. 26 January 1950.

Multiple choice: 20 MCQs

1. The first function of a constitution is to provide:
 - (a) economic growth
 - (b) a strong army
 - (c) basic rules for coordination
 - (d) a monarchy

2. In the old Soviet Union the power to decide was given to:
(a) one party (b) a monarch (c) the people (d) the judiciary
 3. The most common way of limiting government is:
(a) elections (b) the army (c) the President (d) fundamental rights
 4. A constitution that enables government to promote housing and health care is that of:
(a) USA (b) South Africa (c) Japan (d) UK
 5. German national identity was constituted by being:
(a) Protestant (b) ethnically German (c) democratic (d) federal
 6. Constitutions made after popular national movements include those of:
(a) Nepal and Iraq (b) Nepal and Japan (c) Japan and Iraq (d) India and South Africa
 7. Nepal became a democratic republic in:
(a) 2008 (b) 2002 (c) 1990 (d) 2015
 8. Members of the Constituent Assembly were elected by:
(a) all adult citizens (b) the British Parliament (c) Provincial Legislative Assemblies (d) Princely rulers
 9. The Constituent Assembly's composition followed the plan of the:
(a) Mountbatten Plan (b) Simon Commission (c) Cripps Mission (d) Cabinet Mission
 10. Seats were allotted roughly in the ratio of one seat per:
(a) one lakh (b) ten lakh (c) one crore (d) fifty thousand
 11. After Partition, the Assembly's strength was:
(a) 389 (b) 284 (c) 299 (d) 292
 12. The Constitution was adopted on:
(a) 26 Nov 1949 (b) 15 Aug 1947 (c) 9 Dec 1946 (d) 26 Jan 1950
 13. The number of Scheduled Caste members in the Assembly was:
(a) 82 (b) 28 (c) 93 (d) 15
 14. After Partition the Congress held about what share of seats?
(a) 50% (b) 66% (c) 82% (d) 95%
 15. The Constituent Assembly had how many major committees?
(a) five (b) six (c) twelve (d) eight
 16. The Objectives Resolution was moved by:
(a) Nehru (b) Patel (c) Rajendra Prasad (d) Ambedkar
 17. Judicial review was borrowed from the:
(a) US Constitution (b) British Constitution (c) Irish Constitution (d) Canadian Constitution
 18. Residual powers were borrowed from:
(a) France (b) Britain (c) Ireland (d) Canada
 19. Liberty, Equality and Fraternity come from the:
(a) US (b) French (c) Irish (d) Japanese Constitution
 20. The Indian Constitution is described as a:
(a) rigid code (b) granted charter (c) living document (d) temporary arrangement
- 1 (c) · 2 (a) · 3 (d) · 4 (b) · 5 (b) · 6 (d) · 7 (a) · 8 (c) · 9 (d) · 10 (b) · 11 (c) · 12 (a) · 13 (b) · 14 (c) · 15 (d) · 16 (a) · 17 (a) · 18 (d) · 19 (b) · 20 (c)

Assertion-Reason (6)

(a) Both A and R true, R explains A. (b) Both true, R does not explain A. (c) A true, R false. (d) A false, R true.

1. A: Rules of a constitution must be enforceable. R: Without assurance that others will obey, no one has a reason to obey.

2. A: The Indian Constitution protects fundamental rights. R: The Constituent Assembly met for 166 days.
3. A: The Constitution fragments power across institutions. R: This lets one institution acquire a monopoly of power.
4. A: The Indian Constitution makes ethnic identity a criterion for citizenship. R: Different nations embody different conceptions of national identity.
5. A: Universal suffrage was adopted with virtually no debate. R: The Assembly was deeply committed to democracy.
6. A: India's borrowing from other constitutions was not slavish imitation. R: Each provision was defended as suited to Indian problems and aspirations.

Key: 1 (a) · 2 (b) · 3 (c) · 4 (d) · 5 (a) · 6 (a)

- **Last-night summary:** Constitution = fundamental principles by which a state is constituted/governed. Five functions: coordination and assurance (enforceable rules); who decides (allocation of power); limits on government (fundamental rights, emergency exceptions); aspirations and goals (enabling, positive measures — India, South Africa, Indonesia); fundamental identity (political, moral, national — India not ethnic).
- Authority/effectiveness: mode of promulgation (popular movements; Nepal's granted constitutions; no referendum in India), substantive provisions (everyone has a reason to go along), balanced institutional design (checks and balances, Election Commission, rigidity vs flexibility, living document).
- Making: first sitting 9 Dec 1946; 14 Aug 1947; indirect election under GOI Act 1935; Cabinet Mission (1:10 lakh; 292 + 93; Muslims, Sikhs, general; STV); 299 after Partition; adopted 26 Nov 1949; 284 signed 24 Jan 1950; in force 26 Jan 1950; 28 SC; Congress 82%. Deliberation, public reason, universal suffrage without debate; 8 committees; 166 days; Objectives Resolution (Nehru 1946); borrowing — Britain, USA, Ireland, France, Canada.