

1. Why does a democratic country need a Constitution?

Answer : A democratic country need a Constitution because:

- It lays out the important guidelines that govern decision making within the various societies of the country.
- It lays down the ideals that form the basis of the kind of country that its citizens aspire to live in.
- It serves as asset of rules and principles as the basis by which the country has to be governed.
- It provides rules to safeguard the interests of minorities and prevent any kind of domination by the majority on minorities.
- It lays down rules that guard against the misuse of power by any politician leader.
- It also provides rights to its citizens and protects their freedom.

2. Look at the wordings of the two documents given below. The first column is from the 1990 Nepal Constitution. The second column is from the more recent interim Constitution of Nepal.

1990 Constitution of Nepal
Part 7: Executive

Article 35: Executive Power: The executive power of the Kingdom of Nepal shall be vested in His Majesty and the Council of Ministers.

2007 Interim Constitution
Part 5: Executive

Article 37: Executive Power: the executive power of Nepal shall be vested in the council of Ministers.

What is the difference in who exercises 'Executive Power' in the above two Constitutions of Nepal? Keeping this in mind, why do you think Nepal needs a new Constitution today?

Answer : The difference in who exercises "Executive Power" in the given two Constitutions of Nepal is that in the 1990 Constitution, this power was vested in the King and his Council of Ministers, while in the 2007 Interim Constitution of Nepal, "Executive Power" changed hands to being vested only in the Council of Ministers, thereby making Nepal a democracy from being a monarchy.

Nepal needs a new Constitution today because it is no longer a monarchy. The older Constitution vested power in the King, but when the country is now a democracy, a new Constitution is needed to reflect the "democratic" ideals of Nepal that the peoples' movement desired and fought for. In order to achieve this, all its constitutive rules must be changed.

3. What would happen if there were no restrictions on the power of elected representatives?

Answer : If there are no restrictions on the power of the elected representatives the leaders might misuse the powers given to them. The Constitution provides safeguards against this misuse of power by our political leaders.

4. In each of the following situations, identify the minority. Write one reason why you think it is important to respect the views of the minority in each of these situations.

(a) In a school with 30 teachers, 20 of them are male.

(b) In a city, 5 per cent of the population are Buddhists.

(c) In a factory mess for all employees, 80 per cent are vegetarians. (d) In a class of 50 students, 40 belong to more well-off families.

Answer :

(a) Female teachers are in minority. The female teachers must be allowed space to voice their opinion so that their efforts at teaching are not hindered by their minority status.

(b) Buddhists are in minority. Every individual has the right to follow the religion of his/her choice. People of other faith must respect the religion other than their own.

(c) Non-vegetarians are in minority. Food choice is personal wish so he/she should have the freedom to eat what he/she wants.

(d) Under privileged are in minority. Citizens cannot be discriminated by their birth so their views have to be respected.

5. Write key features of Indian constitution.

Answer :

1. Federalism: It ensures national unity and at the same time allows individual progress. A federal government allows the Centre to hold supreme power but its Constituent States have some power as well.

2. Separation of Powers: This serves two purposes: firstly, tyrannical use of power is avoided since it does not vest power in any single authority. Secondly, the 3 organs of power also work as a check on each other, thereby maintaining a good balance.

3. Fundamental Rights: These are important because they conform to a humane society. They also protect citizens against arbitrary and absolute use of power by the State.

4. Parliamentary Form of Government: It upholds universal adult franchise. This entails the fact that the people of a country play a direct role in electing their representatives to run the state as well as the nation.

6. In politics, what is a constitution?

Answer : In Politics a Constitution can be described as a document outlining the basic laws or principles by which a country is to be governed

7. Write a brief note on the making of the Indian Constitution.

Answer : The Indian Constitutional Assembly was convened in December 1946. The members of this Assembly were only Indians. This Assembly started drafting the Constitution for Independent India. Dr. Ambedkar was the Chairman of the Constitution drafting committee. The constitution declares India to be a sovereign, democratic republic and establishes the structure, procedures, powers and duties, of the government and duties of citizens. The 308 members of the Assembly signed two hand-written copies of the document (one each in Hindi and English) on the January 24, 1950. Two days later, on January 26, 1950, the Constitution of India became the law of all the Indian lands.

8. In Nepal, when did the Interim Constitution come into effect?

Answer : In Nepal, the Interim Constitution came into effect from January 15, 2007.

9. Write a brief note on the struggle for freedom in Nepal.

Answer : In Nepal, there was a people's struggle for freedom in 1990. Democracy was established and it lasted for 12 years until 2002. In October 2002, King Gyanendra began taking over the government with the assistance of the army. In 2005 King Gyanendra took over as the head of the government. In 2006 people's movement for democracy began gaining immense force. In April 2006 the King restored the Third Parliament and asked the political parties to form a government. In 2007, Nepal adopted an Interim Constitution and Nepal gained political freedom.

10. What are the negative points of a democratic society?

Answer : In a democratic society Power can be misused. Sometimes the Majority can undermine minority. The citizens need certain rules to save themselves from folly.

11. How can a leader misuse power in a democratic country?

Answer : A leader misusing his power may send his security guards to beat up his neighbours for a personal reason or ask the police not to take action against a relative who has committed a crime.

12. How does the Indian Constitution safe guard the minorities of the country?

Answer : The Indian constitution ensures that the dominant group does not use its power against other, less powerful people or groups.

The Constitution contains rules that ensure that minorities are not excluded from anything that is routinely available to the majority. It also prevents the domination of the majority over the minority.

13. Mention the key features of the Indian Constitution.

Answer : The key features of the Indian constitution are:-

- Federalism
- Parliamentary Form of Government
- Separation of Powers
- Fundamental Rights
- Secularism

14. What are the factors the drafting committee had to take into consideration while drafting the constitution?

Answer : The committee had to keep in mind that India was a land of many communities, languages and many religions. India was a land of diverse cultures and the Princely states in India had to be considered. The partition of the country into India and Pakistan was about to happen and the drafting committee

had to bear this in mind. Finally the biggest consideration was the socio-economic condition of a majority of Indians which was in a bad state.

15. What were the highlights of the text prepared by Dr. B.R. Ambedkar, who was the Chairman of the constitution drafting committee?

Answer : Highlights of the Text prepared by Dr. Ambedkar are:-

Constitutional guarantees and protections for individual citizens

Freedom of religion

Abolition of untouchability

Outlawing of all forms of discrimination

Economic and social rights for women

Reservations of jobs in the civil services, schools and colleges for members of scheduled castes and scheduled tribes.