







Constitutional Design | Teacher's Guide (2/4) Part 2

Class IX

Board - CBSE

Subject - Social Science

Textbook - Democratic Politics- I for class IX (NCERT)

Chapter 3 – Constitutional Design

Number of parts - 04

Length – 75-85 minutes (estimated, for a class of 40-45 students)

Note: Teachers may divide the lesson plan into as many periods as they see fit

Section I – What are we going to learn and why is it important?

Learning objectives

Students will:

- Trace the process of making of the Indian Constitution.
- Appraise the need for a constituent assembly.

Learning outcomes

Students will be able to:

• Appreciate the work of constituent assembly and complexity of drafting the Indian constitution.

Key Terms

Constituent Assembly	Republic Day

Materials needed

- Projector
- Mind Map Template
- Stories of India's partition (cut into separate slips)
- Makers of the constitution brief sketches





Section II – How are we going to learn?

1. Fears and hopes at the time of partition

Time: 15 minutes

Materials needed: Handout 1(Mind map template) in Appendix, Handout 2 (Stories of India's partition) in Appendix

Notes to the teacher: This is a mind map activity which will help students to understand the fears and hopes of people at the time of the partition. It will help students understand the circumstances under which the constitution was drafted. It will help students to understand that the making of the constitution for a huge and diverse country like India was not an easy affair. It involves reading actual stories of India's partition. Divide the class into 7 groups and give them one story each to read (Appendix-Handout 2). They will then mind map the fears and hopes of these people in the template provided (Appendix-Handout 1).

Facilitation notes:

- In the previous class, we discussed about the making of South Africa's
 constitution. You have already compared South Africa's struggle with that of
 India and therefore, you must be aware of the fact that just like South Africa,
 India's Constitution was also drawn up under very difficult circumstances.
- We are going to do a mind mapping activity. Read the stories you have, these
 are of the real people at the time of partition. What were their fears and hopes
 about the country at that time?
- Ask few students to share what they wrote.
 - Likely responses:
 - Fears- What will happen? Will our family be safe? Will I have a Job?
 - Hopes- Better opportunities, equality, something to call mine, choices, new opportunities etc.



Muslim refugees sit on the roof of an overcrowded coach railway train near New Delhi in trying to flee India in 1947 Source: The Guardian





De-brief:

- At that time, the people of India were emerging from the status of subjects to that of citizens.
- Partition was a traumatic experience for the people of India and Pakistan.
- At least ten lakh people were killed on both sides of the border in partition related violence.
- The British had left it to the rulers of the princely states to decide whether they wanted to merge with India or with Pakistan or remain independent.
- The merger of these princely states was a difficult and uncertain task.
- When the constitution was being written, the future of the country did not look as secure as it does today.

2. The path to constitution

Time: 30 minutes

Materials needed: Projector, sheets, and sketch pens

Notes to the teacher: This is a discussion which will help students imagine themselves as the members of the constituent assembly listening to Jawaharlal Nehru's famous speech.

Facilitation notes:

- Who will tell me the features of a constitution we did in the last class? (Take a few responses)
- Let's revise:
 - o First, it generates a degree of trust and coordination that is necessary for different kind of people to live together;
 - o Second, it specifies how the government will be constituted, who will have power to take which decisions;
 - o Third, it lays down limits on the powers of the government and tells us what the rights of the citizens are; and
 - o Fourth, it expresses the aspirations of the people about creating a good society.
- Imagine, today is 14th August 1947. India has just gained independence. You mind mapped the fears and hopes of the citizens of India. You all are leaders who helped India in its struggle and fought for the people. You wanted to change the way things worked during the colonial rule. We have a huge task ahead of us. We need to build an India which we envisioned. On a sheet of paper, I want you all to write what democratic India would look like? (Take a few responses)
 - Likely responses: Equal rights, freedom to do what we want, choices, opportunities, travel anywhere in India, protection, reduce fears and increase hopes etc.







- Now, that we are independent, we know that we need to protect the rights of the citizens of our country so that we don't repeat our past. We have promises to keep. How can we make sure it happens? *Likely response*: We need a constitution.
- India is a diverse country and we need to take care of the fears and concerns of everyone. While drafting the constitution India had a big advantage.



Unlike South Africa, we did not have to create a consensus about what a democratic India should look like. This consensus was built during the freedom struggle. Though the methods were different, but the vision was shared.

• Let's watch a video.

Video: Tryst with destiny

"Tryst with Destiny" was a speech delivered by Jawaharlal Nehru, the first Prime Minister of independent India, to the Indian **Constituent Assembly** in The Parliament, on the eve of India's Independence, towards midnight on 14 August 1947.

Source: YouTube

- Who is the person in the video?
- This was Jawaharlal Nehru addressing the constituent assembly in The Parliament as India gained independence. A constituent assembly or constitutional assembly is a body or assembly of popularly elected representatives composed for the purpose of drafting or adopting a constitutional-type document.
- Note: The teacher has to conduct a 10-minute press conference in classroom.
 - Outside the parliament a press conference is organised, where the members of the constituent assembly are going to address the nation. I want 10 volunteers who will be a part of the press conference as leaders and 5 as reporters. I want you to read the textbook about the path to the constitution. Reporters are supposed to frame their questions around what they want to know from the leaders about their plans for the future of India. I want the leaders to read the background of our freedom struggle from the NCERT book on Pg. no. 45 and 46 to answer these questions with concrete examples. Also, think about what you just heard in Jawaharlal Nehru's speech. For example-





- Reporter A- How are you feeling about India's new-found freedom?
- Leader A- We are really happy that we are living this moment we've been fighting for. It is a huge responsibility that we have towards our country. We will ensure equal participation of each segment of the society.

Likely responses:

- Reporters:
 - There were sharp differences of opinion while the freedom struggle. How are you together going to decide what future democratic India will look like?
 - Do you think Jawaharlal Nehru talked about what you as leaders of freedom struggle hoped for India?
 - Jawaharlal Nehru said that the achievement we celebrate today is just an opening of opportunity. What is this opportunity?
 - India is a diverse country, how do you plan on getting everyone to stay together?

Leaders:

- Our national movement was not merely a struggle against a foreign rule. It was also a struggle to rejuvenate our country and to transform our society and politics.
- Though there were sharp differences of opinion within the freedom struggle about the path India should take after
 Independence. Yet some basic ideas had come to be accepted by almost everyone.
- As far back as in 1928, Motilal Nehru and eight other Congress leaders drafted a constitution for India.
- In 1931, the resolution at the Karachi session of the Indian National Congress dwelt on what independent India's constitution should look like. Both these documents were committed to the inclusion of universal adult franchise, right to freedom and equality and to protecting the rights of minorities in the constitution of independent India.
- We gained confidence as we have got the chance to learn from other countries, but on our own terms.
- Many of our leaders are inspired by the ideals of the French Revolution, the practice of parliamentary democracy in Britain and the Bill of Rights in the US. The socialist revolution in Russia had inspired many of us to think of shaping a system based on social and economic equality. Yet we are not going to simply imitate what others have done. At each step we will be questioning whether these things suit our country.

De-brief





- 'Tryst with destiny' were the words used by Nehru while giving a speech on the eve of India's independence. Literally 'tryst with destiny' means "to make a secret deal with something that is destined for us". In case of India, the word 'destiny' refers to freedom. It means that long years ago, Indians had come together to fight against the British to achieve freedom.
- We gained a lot from the freedom struggle. It would not be wrong to say that a lot of our learnings about shaping India as a system on social and economic equality came from the British rule.
- We wanted to build a nation which will echo the voices of all the citizens. For this, we needed a strong constitution which will ensure that we will be able to reflect on and interpret the true essence of our freedom struggle. The task now is to choose who should be given this humongous responsibility of drafting our constitution?

3. The makers of the constitution

Time: 15 minutes

Materials needed: Projector, Handout 3 (Makers of the constitution slips) in Appendix, A political Map of India

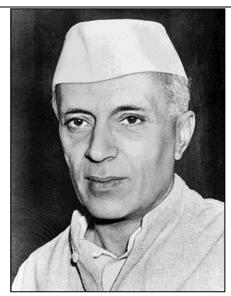
Notes to the teacher: The following discussion introduces students to the members of the constituent assembly.

Facilitation notes:

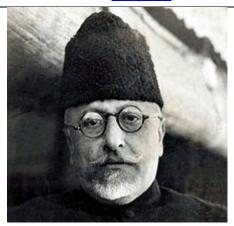
- Can anyone tell me why do we celebrate Republic Day? (Take a few responses)
 - o Likely responses: Celebrate India as a republic, adoption of constitution
- The Assembly adopted the Constitution on 26 November 1949, but it came into effect on 26 January 1950. To mark this day, we celebrate January 26 as Republic Day every year. That means the members of the constituent assembly agreed to the provisions in the constitution after years of debates and discussion in November 1949 and the constitution became a law and on 26th January 1950.
- Who were the makers of the constitution? Who chose them and how?
- Let's look at some pictures. Display pictures on the projector.



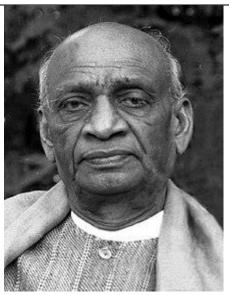




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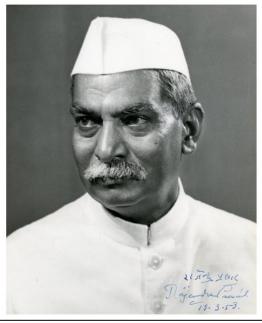
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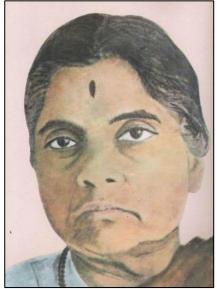


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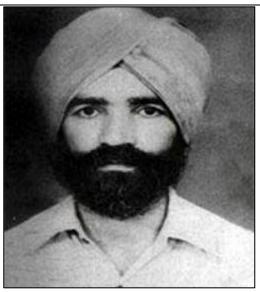


Source: Wikipedia





Source: <u>India Times</u>



Source: Alchetron



Source: Wikipedia



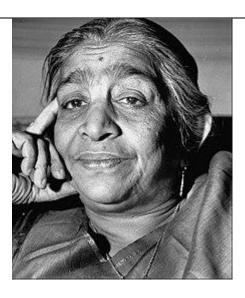
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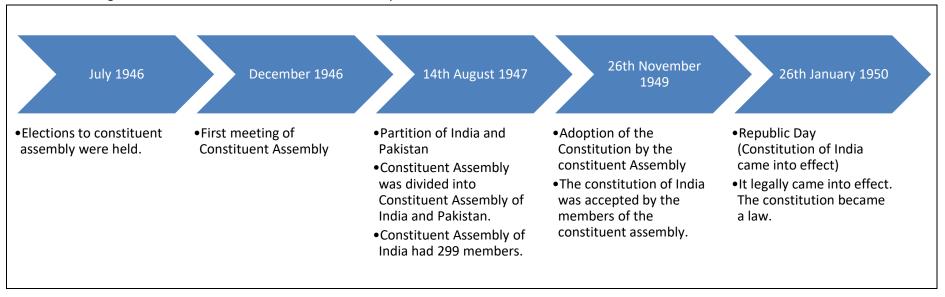
Source: Wikipedia

- Can you identify any of them? (Take a few responses)
 - o Likely responses: Jawaharlal Nehru, B.R. Ambedkar, Sarojini Naidu, Vallabh Bhai Patel
- For those who don't know these are the members of the constituent assembly. The drafting of the document called the constitution was done by an assembly of elected representatives called the **Constituent Assembly**.
- Elections to the Constituent Assembly were held in July 1946. Its first meeting was held in December 1946.
- Soon after, the country was divided into India and Pakistan. The Constituent Assembly was also divided into the Constituent Assembly of India and that of Pakistan.
- The Constituent Assembly that wrote the Indian constitution had 299 members.
- Now, I am going to divide you in 3 groups. I am going to give each group a handout (Appendix-Handout 3) that describes these members briefly.

 Based on your observations after reading the handout, each group has to justify the given statements with examples. The statements that each group has to justify are-



- Group A: The Assembly had many members who were not with the Congress
- Group B: The Assembly represented members from different social groups
- Group C: Members of the Assembly who believed in different ideologies
- Let's revise quickly what we have just discussed. I am going to put up a timeline for you on the board to trace the making of India's constitution. After discussing ask the students to note the timeline with responses in their notebook.



4. The need for a constituent assembly

Time: 30 minutes

<u>Notes to the teacher:</u> This is an activity which will help students to identify the importance of a constituent assembly. They will be nominating students from their classroom who will help in drafting a constitution for their classroom.

Facilitation notes:

- Do you think we need rules for our school? What will these rules be? (Take a few responses)
 - o Likely responses: Yes, completing tasks, no fighting and hitting, respecting surroundings, helping others, etc.





- Okay, we need to decide some rules for the school. Is it okay if we decide here and tell the Principal that these are the rules we want the school to follow in order to provide a better learning environment? (Take a few responses)
 - o Likely responses: No, because there are other students in the school as well, there are junior classes too, they may have different needs etc.
- So, what should we do? Who will decide what these rules will be? (Take a few responses)
 - o Likely responses: We can nominate students from different classrooms, elections, voting etc.
- Who would you nominate from our classroom and why as a member of constituent assembly?
 - Likely response: Someone who shares similar views as the majority of the class
- Similarly, India too decided to form a constituent assembly which will reflect the diverse views of the entire population. You saw the members of the constituent assembly. Do you think the constituent assembly represented the views of the diverse population? Why should we accept the Constitution made by this Assembly more than fifty years ago?
- In the previous discussion we talked about three things about the constituent assembly.
 - The Assembly had many members who were not with the Congress
 - The Assembly represented members from different social groups
 - Members of the Assembly believed in different ideologies
- Based on the discussion and the brief sketch that you have of these members we are going to have a class debate on the election of the members of the constituent assembly. Do you feel that the constituent assembly represented the Indian diversity?
- I am going to divide the class in two groups. Group A will debate in favour and Group B will debate against the acceptance of the members of the constituent assembly that framed the constitution more than 50 years ago. Before starting with the debate, I would like the groups to decide a representative who will speak on the behalf of the whole group. You have 10 minutes for internal discussion and post that we will move to large group debate.

De-brief:

- As discussed, the Constitution does not reflect the views of its members alone. It expresses a broad consensus of its time.
- The constituent Assembly represented the people of India.
- There was no universal adult franchise at that time. So, the Constituent Assembly could not have been chosen directly by all the people of India.
- It was elected mainly by the members of the existing Provincial Legislatures.
- This ensured a fair geographical share of members from all the regions of the country.
- The Assembly was dominated by the Indian National Congress, the party that led India's freedom struggle. But the Congress itself included a variety of political groups and opinions. The Assembly had many members who did not agree with the Congress.





- In social terms too, the Assembly represented members from different language groups, castes, classes, religions and occupations. Even if the Constituent Assembly was elected by universal adult franchise, its composition would not have been very different.
- Also, the way in which the assembly worked gives sanctity to the document.
 - First some basic principles were decided and agreed upon. Then a Drafting Committee chaired by Dr. B.R. Ambedkar prepared a draft constitution for discussion.
 - Several rounds of thorough discussion took place on the Draft Constitution, clause by clause. A clause is a section/part of a legal document which says that something must or must not be done.
 - More than two thousand amendments were considered.
 - The members deliberated for 114 days spread over three years.
 - Every document presented and every word spoken in the Constituent Assembly has been recorded and preserved. These are called 'Constituent Assembly Debates'.
 - When printed, these debates are 12 bulky volumes! These debates provide the rationale behind every provision of the Constitution.
 - These are used to interpret the meaning of the Constitution.

Section III -Assessment

Time: 10 minutes

Materials needed: Blackboard and chalk

Facilitation notes: Use the blackboard to write questions, especially for the match the following assessment given below

- State true or false
 - o Some basic values for the constitution were adopted even before the constituent assembly met to deliberate constitution. [True]
 - The familiarity of government proceedings during the colonial rule helped India in drafting the constitution. [True]
 - o India had a <u>clear</u> vision for the future of India at the time of partition. [False]
 - o Universal adult franchise was part of the colonial rule. [False]
 - Not everyone was allowed to vote during the colonial rule.
 - The constituent assembly was the right representation of the diversity in India. [True]
 - o The constitution day is celebrated on 26th November every year. [True]
 - o The members of the constituent assembly were chosen by elections. [False]
 - The members were elected mainly by the members of the existing Provincial Legislatures.





- The drafting committee was chaired by Jawaharlal Nehru. [False]
 - B.R. Ambedkar
- o It took 114 days to draft the constitution. [True]
- Constituent assembly debates are preserved to interpret the meaning of the constitution. [True]
- Correct the following statements
 - Leaders of the freedom movement had an open mind about whether the country should be democratic or not after independence.
 - Leaders of the freedom movement all agreed that the country should be democratic after independence.
 - Members of the Constituent Assembly of India held the same views on all provisions of the Constitution.
 - Members of the Constituent Assembly of India had different ideas on all provisions of the Constitution. A consensus was reached only after long discussions and debates.
 - A country that has a constitution must be a democracy.
 - A country that is a democracy must have a constitution.
- Fill in the blanks
 - The drafting of the document called the constitution was done by an assembly of elected representatives called the constituent assembly.
 - o The Assembly adopted the Constitution on 26th November 1949.
 - o The constitution came into effect from <u>26th January 1950</u>.
 - o B.R. Ambedkar was the chairman of the drafting committee.
 - o As far back as in 1928, Motilal Nehru and eight other Congress leaders drafted a constitution for India.
- Match the following leaders with their roles in the making of the Constitution:

Motilal Nehru i President of the Constituent Assembly [Rajender Prasad]
 B.R. Ambedkar ii Member of the Constituent Assembly [Sarojini Naidu]
 Rajendra Prasad iii Chairman of the Drafting Committee [B.R. Ambedkar]
 Sarojini Naidu iv Prepared a Constitution for India in 1928 [Motilal Nehru]

Section IV - Closure

Time: 5 minutes





Summary by students

Get a student to summarise the definition and features of constituent assembly. Ask other students to add to his points to ensure everything is covered.

Recap by a student

Time: 2 minutes

Recap by the teacher

Time: 3 minutes

Please ensure that all the following points are covered in the recap by the teacher and student.

- The drafting of Indian constitution was done by an assembly of elected representatives called the Constituent Assembly consisting of 299 members.
- The Constitution does not reflect the views of its members alone. It expresses a broad consensus of its time.
 - Elections to the Constituent Assembly were held in July 1946. Its first meeting was held in December 1946.
 - As there was no universal adult franchise at that time, therefore, it was elected mainly by the members of the existing Provincial Legislatures
 to have a fair geographical share of members from all the regions of the country.
 - Though the Assembly was dominated by the Indian National Congress there were different opinions taken into consideration as the Congress itself included a variety of political groups and opinions. The Assembly had many members who did not agree with the Congress. In social terms too, the Assembly represented members from different language groups, castes, classes, religions and occupations.
- The Drafting Committee chaired by Dr. B.R. Ambedkar prepared a draft constitution for discussion. Several rounds of thorough discussion took place on the Draft Constitution, clause by clause and more than 2000 amendments were considered. It took 114 days spread over 3 years to make the constitution.
- Every document presented and every word spoken in the Constituent Assembly has been recorded and preserved to interpret the meaning of the constitution. These are called 'Constituent Assembly Debates'.

Section V- Homework

- Q.1. Why should we accept the Constitution made by this Assembly more than fifty years ago?
- Q.2. Write a brief sketch of any 5 members of the constituent assembly.





Q.3. Our leaders gained confidence to learn from other countries, but on our own terms. Explain with examples.

Q.4. A friend from Nepal has written you a letter describing the political exercises situation there. Many political parties are opposing the rule of the king. Some of them say that the existing constitution given by the monarch can be amended to allow more powers to elected representatives. Others are demanding a new Constituent Assembly to write a republican constitution. Reply to your friend giving your opinions on the subject.

Section VI – Additional Resources

For teachers

1. Video: Documentary on Ambedkar and Constitution

Link: YouTube

2. Article: Salient features of the constituent assembly.

Link: Down to earth

3. Website: To read, explore and explore India's Constitutional Origins

Link: Constituent Assembly Debates

For students

1. Video: Making of Indian Constitution

Link: YouTube

2. Video: Samvidhan: The making of Indian Constitution

Samvidhaan is the untold story of how the Constitution of the largest Democratic Republic in the world was created.

Link: YouTube

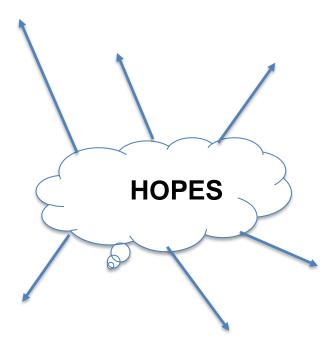


Appendix

Handout 1

Mind Map Template









Handout 2

Stories of India's Partition

1. 'I was the only one of my family to survive', Zubairi, 82, retired foster carer, Karol Bagh, Delhi

My last memory before seven members of my immediate family were killed is looking through a keyhole in our house and seeing my father praying, with my two-year-old brother crying in the background. I was hit over the head and I still have a scar from the attack. My father, mother, grandmother and four brothers and sisters were all killed. I was the only one of my family to survive.

Before the partition I had a very happy childhood in Karol Bagh, in Delhi. When partition happened, since Karol Bagh was a Hindu area, so as Muslims we couldn't leave the house. Our neighbours were Sikh and they had said they would protect us. But that didn't happen ... in fact, it was the Sikh neighbours who attacked us.

I actually count myself fortunate. I heard stories of children being killed in horrific ways and girls being raped. Even though I've had migraines for most of my life, I wasn't injured to a degree that I couldn't get on with life. And I had extended family to look after me.

2. 'We didn't have roots' - Vijay, 60, Haryana, retired doctor

My family are Hindu, and my father would have been in his mid-20s and my mother in her late teens when partition happened. We were rich and lived a luxurious life back in Pakistan. We came to India with nothing in hand.

For my mother there was a huge sense of loss. It wasn't until the last five years - she's now 86 - which she was able to talk about her childhood. Before that it was a blank wall, as if her childhood hadn't happened.

Speaking to uncles and aunts of a similar age, their lives before 1947 were blanked out. Their lives started again in the weeks and months after independence and there was a great sense of deprivation, of denial. My cousins and I were brought up not-knowing; we didn't have roots.

Now, I feel I have nothing to offer my son and daughter of my parents' family stories.

3. 'My family occupied the house of a Muslim family' - Surinder Shani, 81, retired architect, Punjab





In Rawalpindi, my family ran a grain store in the center of the city which was predominantly Muslim. We are Sikh but my father was friends with the Muslims. They used to talk about poetry together.

We moved to Jalandhar in India because of partition. There was riots forcing the Muslims to go to Pakistan. My uncle said we should go and occupy the Muslims' houses as people were leaving. My father was reluctant but he was forced to do it by his brother.

As the Muslim family were leaving the house - I remember because I was there, about 12 at the time - my father apologised to the owner, an elderly gentleman, saying how sorry he was that this was happening. My father promised to look after the house. And the man said, please just look after my books they are more important to me than the house. Then a day later we heard that they were all killed by a Sikh mob on the way to Pakistan. They didn't reach the border.

4. 'My father was assassinated before I was born' - Rami Ranger, 70, businessman, UP

"This is not a shop that can be divided between brothers," my father used to say in his speeches before partition. "This is a motherland and no will ever be happy dividing their mother." But he was a marked man as he was not liked by the fundamentalists. I was born two months after his assassination in 1947.

The British were ruling with divide-and-rule policies. At that time they offered Sikhs – I'm a Sikh – a separate country also, but I'm glad the Sikhs didn't fall for it, otherwise there would have been even more chaos.

We became refugees in India. Sometimes we didn't have enough food on the table. Sometimes we didn't have enough money to pay for exam fees; we would say 'OK, I'll skip this year, you go this year'. People should know that real families are affected when you break up countries.



Handout 3

Makers of the constitution slips

Jawaharlal Nehru	J		
(1889-1964)			

- Born: Uttar Pradesh.
- Prime Minister of the interim government.
- Lawyer and Congress leader.
- Advocate of socialism, democracy and antiimperialism.
- Later: First Prime Minister of India.

Vallabhbhai Jhaverbhai Patel

(1875-1950)

- Born: Gujarat.
- Minister of Home, Information and Broadcasting in the Interim Government.
- Lawyer and leader of Bardoli peasant satyagraha.
- Played a decisive role in the integration of the Indian princely states.
- Later: Deputy Prime Minister.

Abul Kalam Azad (1888-1958)

- Born: Saudi Arabia.
- Educationist, author and theologian; scholar of Arabic.
- Congress leader, active in the national movement.
- Opposed Muslim separatist politics.
- Later: Education Minister in the first union cabinet.

T.T.Krishnamachari (1899-1974)

- Born: Tamil Nadu.
- Member, Drafting Committee.
- Entrepreneur and Congress leader.
- Later: Finance Minister in the Union Cabinet.

Rajendra Prasad

(1884-1963)

- Born: Bihar.
- President of the Constituent Assembly.
- Lawyer, known for his role in the Champaran satyagraha.
- Three times the president of Congress.
- Later: the first President of India.

Jaipal Singh

(1903-1970)

- Born: Jharkhand
- A sportsman and educationist.
- Captain of the first national Hockey team.
- Founder President of Adivasi Maha Sabha.
- Later: founder of Jharkhand Party.

H. C. Mookherjee

(1887-1956)

- Born: Bengal.
- Vice-Chairman of the Constituent Assembly.
- Reputed author and educationist.
- Congress leader.
- Member of All India Christian Council and Bengal Legislative Assembly.
- Later: Governor of West Bengal.

G. Durgabai Deshmukh

(1909-1981)

- Born: Andhra Pradesh.
- Advocate and public activist for women's emancipation.
- Founder of Andhra Mahila Sabha.
- Congress leader.
- Later: Founder Chairperson of Central Social Welfare Board.



in the Constituent Assembly.

Later: Defence Minister in

the Union Cabinet.



Later: Founder President of

Bharatiya Jansangh.

Baldev Singh	Kanhaiyalal Maniklal Munshi	Bhimrao Ramji Ambedkar	Shyama Prasad Mukherjee
(1901-1961)	(1887-1971)	(1891-1956)	(1901-1953)
Born: Haryana.	 Born: Gujarat 	 Born: Madhya Pradesh. 	 Born: West Bengal.
A successful entrepreneur	 Advocate, historian and 	 Chairman of the Drafting 	 Minister for Industry and
and leader of the Panthic	linguist.	Committee.	Supply in the Interim
Akali Party in the Punjab	 Congress leader and 	 Social revolutionary thinker 	Government.
Assembly.	Gandhian.	and agitator against caste	 Educationist and lawyer.
A nominee of the Congress	 Later: Minister in the Union 	divisions and caste based	 Active in Hindu Mahasabha.

inequalities.

of India.

Later: Law minister in the

Founder of Republican Party

first cabinet of post-

independence India.

Cabinet.

Party.

• Founder of the Swatantra



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