



## Teacher's Guide

### Constitutional Design

#### Part 1

Based on the NCERT Curriculum for Standard IX



JANAAGRAHA CENTRE FOR CITIZENSHIP & DEMOCRACY

Janaagraha's initiative to improve citizen engagement in India's democracy through their civic learning program

Developed in collaboration with Young Leaders for Active Citizenship (YLAC)

## Constitutional Design | Teacher’s Guide (1/4) Part 1

Class IX  
 Board – CBSE  
 Subject – Social Science  
 Textbook – Democratic Politics- I for class IX (NCERT)  
 Chapter 3 – Constitutional Design  
 Number of parts – 04  
 Length – 80-90 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 journey of South Africa towards a new constitution.
- Recognize the need and importance of a constitution.
- Understand the salient features of a constitution.

#### Learning outcomes

Students will be able to:

- Appraise and appreciate the need of a constitution in the formation of a democracy

#### Key Terms

Treason	Apartheid	Segregation	Constitution	Preamble

#### Materials needed

- Projector to show videos
- Chart papers, sketch pens

## Section II – How are we going to learn?

### 1. South Africa's struggle towards a new constitution

Time: 20-30 minutes

Materials needed: Projector and a chart paper

#### Facilitation notes:

- We are going to start with a simple question- “What does freedom mean to you? Does it matter to you?” (Take a few responses)
  - Likely responses: Absence of restriction, availability of choices, having time for myself, living my life on my terms, participate in activities I like, follow my passion, to be able to express my feelings, realisation of my potential, being able to transform myself and stop worrying, feeling safe, being able to question, being able to show the real me, being myself etc.
- “What are you willing to give for freedom?” (Take a few responses)
  - Likely responses: Money, service, hard work, relations etc.
- The word freedom is used so often in our culture and in our country that we sometimes forget what it means. But freedom meant something real and personal to people who didn't have it.
- South Africans had "freedom dreams." They had a desire to go where they wanted to go, to get the fruits and benefits of their own work, to walk with dignity and breathe easily, to look somebody in the eye as an equal human being, and to have a share in making the world in which they lived.
- On a chart paper display the following lines. Ask a student to read it out loud: *“I have fought against white domination and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.”*
- This was Nelson Mandela, being tried for **treason** (the act of betraying his country) by the white South African government.
- Now, I want everyone to see this video:



**Video: The History of Apartheid.**

This video takes a closer look at apartheid. It brings to life some of the horrible atrocities that policies of apartheid condoned.

Source: [YouTube](#)

De-brief

- What is the video about? What do you think Apartheid was? (Take a few responses)
  - *Likely responses:* This video is about South Africa, Apartheid, inequality, talks about discrimination, division on the basis of colour, denial of equal rights etc.
  - Teachers can debrief further using the tables below to explain Apartheid to students:

# Apartheid

A system of racial discrimination unique to South Africa imposed by the white Europeans.

It divided the people and labelled them on the basis of their skin colour- Blacks, Whites, and Coloured.

The coloured were those people who were either Indian or mixed race, as in the children of one black parent and one white parent.

The white rulers treated all non-whites as inferiors.

The system of Apartheid was particularly oppressive for the blacks. They were segregated. They couldn't even form associations to protest against the terrible treatment.

All public facilities trains, buses, taxis, hotels, hospitals, schools and colleges, libraries, cinema halls, theatres, beaches, swimming pools, public toilets were separate for the whites and blacks.

They were forbidden from living in the white areas.

They did not have the right to citizenship and were treated as aliens in many of the main cities.

The non-whites did not have voting rights

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# Struggle against Apartheid

In 1950, the blacks, coloured and Indians fought against the apartheid system under the umbrella organisation African National Congress (ANC).

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Many sensitive whites also joined ANC to oppose apartheid and played a leading role in this struggle.

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Pressure from United Nations and other countries increased and therefore, the government realised that they could no longer keep the blacks under their rule through repression. The policies changed and discriminatory laws were repealed.

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Bans on political parties lifted and after 28 years of imprisonment Nelson Mandela walked out of the jail as a free man.

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Nelson Mandela along with seven other leaders were sentenced to life imprisonment in 1964 for daring to oppose the apartheid regime in his country. He spent the next 28 years in South Africa's most dreaded prison, Robben Island.

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Finally, at the midnight of 26 April 1994, the new national flag of the Republic of South Africa was unfurled making the newly born democracy in the world.

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## 2. South Africa's struggle towards a new constitution

Time: 20 minutes

Activity: Who am I? What are my struggles? What do I want?

### Facilitation Notes:

- Divide the class into 2 groups.
- Now, that the apartheid government came to an end. The most important thing to note here is that the oppressor and the oppressed in this new democracy were planning to live together as equals. Do you think it was easy to trust each other? Rules are needed to protect them against any kind of discrimination.
- We will start this part with an activity that I am really excited about. Imagine, that you were a part of South Africa's freedom struggle. Now, that the struggle is over, people from different groups are sitting together and discussing what they want South Africa to be like? I am going to divide the class into two groups - Whites and Non-Whites. You will have to do a role play where you are going to discuss about the new South Africa you want to see for yourself. Think about your *fears, concerns and hopes* for the future while putting your thoughts across.
- In your large groups, form smaller groups to discuss the above and nominate one person who will voice these fears, concerns and hopes.
- The White and the Non-White group will then discuss and debate over how each group will safeguard these hopes and diminish their fears and concerns.
- Before, starting let's just recall the rights and privileges enjoyed by the whites.
  - Blacks were forbidden to live in white areas. They could work in white areas only if they had a permit.
  - Voting rights were available only for the whites.
  - Trains, buses, taxis, hotels, hospitals, schools and colleges, libraries, cinema halls, theatres, beaches, swimming pools, public toilets were all separate for the whites and blacks.
  - Blacks couldn't visit churches where the whites worshipped.
  - Blacks couldn't form associations or protest against the terrible treatment.

- Note: The teacher can then conduct a 15-minute Debate in classroom. Although this is not a traditional debate with a for and against side, treat it as a court discussion with different sides fighting for their rights. For more resources on how to run a class debate, see this [link](#)<sup>1</sup>. You can use the board to note down interesting views from each side. For example
  - *Likely Responses:*
    - Group Whites: We fear that in a free South Africa, the black majority will want revenge. They could harm us.
    - Group Non-Whites: We have had an unjust history. We want to correct that. But we are also scared that the richer, more powerful whites will never allow that to happen.

### De-brief

- As you can see everyone had their fears. They wanted to safeguard their interests. The black majority was keen to ensure that the democratic principle of majority rule was not compromised. The white minority was keen to protect its privileges and property.
- Just like the two class teams, South Africans underwent long negotiations where both parties agreed to a compromise. The whites agreed to the principle of majority rule and that of one person one vote. They also agreed to accept some basic rights for the poor and the workers. The blacks agreed that majority rule would not be absolute. They agreed that the majority would not take away the property of the white minority.
- Do you think this compromise was easy? How was this compromise going to be implemented? Even if they managed to trust each other, what was the guarantee that this trust will not be broken in future?
- For these rules were needed, after two years of discussion and debate they came out with one of the finest constitutions the world has ever had.
- A **Constitution** is a written document that contains the set of rules and ideals that people in a society agree to live by.
- **Constitution** is the supreme law that determines the relationship among people living in a territory (called citizens) and also the relationship between the people and government.

### 3. Salient features of a constitution

Time: 15 minutes

Materials needed: A chart paper each (for a group of 6-8 students based on classroom strength), sketch pens

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<sup>1</sup> ESL Teachers Board



Notes to the teacher: This is an activity where the students will assemble the features of a constitution based on South Africa's struggle. Divide the class in 5-6 groups and give each group a chart paper and few sketch pens.

Facilitation notes:

- Not only governments, any association needs to have its constitution. It could be a club in your area, a cooperative society or a political party, they all need a constitution.
- Every country has diverse groups of people with varied opinions and interests.
- There are diverse individuals in our classroom too. All of us think differently. To work together effectively we too need rules. I am going to divide the classroom into 5-6 groups. Each group will have a chart paper and few sketch pens. I want you all to write what should be included in the constitution. If you were to design a constitution for your own class.

De-brief:

- What does a constitution do? What do you want to be included in the constitution?
  - *Likely responses-* Lays down rules, everyone agrees to abide by those rules, builds trust, duties and responsibilities, hopes for the future etc.)
- A constitution does many things.
  - First, it generates a degree of trust and coordination that is necessary for different kind of people to live together;
  - Second, it specifies how the government will be constituted, who will have power to take which decisions;
  - Third, it lays down limits on the powers of the government and tells us what the rights of the citizens are; and
  - Fourth, it expresses the aspirations of the people about creating a good society.

4. Understanding South African Preamble

Time: 10 minutes

Materials required: South Africa's Preamble (Refer book)

Notes to the teacher: This is a discussion which introduces students to the South African Preamble and helps them understand why South Africa wanted to heal their past. It will also connect to the previous debate in allowing students to understand the principles and ideals that South Africans wanted to focus on to establish their democracy.

### Facilitation notes:

- When we talk about a constitution expressing the aspirations of the people about creating a good society, how would this good be defined? After years of discrimination and struggle against it let's see what the South African people wished for. Let's read the Preamble of South Africa. After going through it what do you think a Preamble is?
  - *Likely responses*- It is an introduction? It is what the people wanted to see?
- What did the people of South Africa want? Look at the preamble through the eyes of the debate group. Do you think that as Whites and Non-Whites, you find your interests safeguarded? Does it provide you with a glimpse into what could be recorded in its constitution?
  - *Likely responses*: Yes, it protects both parties. Honours everyone who has worked towards the nation and also provides justice to those that were mistreated.
- The words that stand out to me are: Unity, Justice, Respect and Freedom. Do you agree with these words? Why?
  - *Likely responses*: It establishes a common ground for both parties, by bringing them together and preventing any discrimination that might occur between the two.

### De-brief:

- A **preamble** is a brief introductory statement that sets out guidelines to guide people and to present the principles of the document, and to indicate the source from which the ordinary document derives its authority, meaning, and the people.
- South Africans wanted to heal their past. They wanted to right the wrongs. Together, they decided that in search for a solution to the problems, nobody should be excluded, no one should be treated as a second class citizen. They agreed that everybody should become a part of the solution, whatever they might have done or represented in the past.
- They wanted to establish South Africa as a true democracy. A country that will treat all its citizens as one.

### Section III –Assessment

Time: 10 minutes

#### Assessment

##### Q.1. State True or False.

- a. A constitution is not important to a democracy. [False, it is really important to a democracy. A Constitution is a written document that contains the set of rules and ideals that people in a society agree to live by.]

- b. A preamble is a concluding statement. [False, a preamble is an introductory statement.]
- c. Segregation means division. [True]
- d. Apartheid was a form of racial discrimination unique to South Africa. [True]
- e. Nelson Mandela was a famous South African leader who fought against apartheid. [True]
- f. A constitution is a set of rules that govern a society. [True]
- g. The blacks enjoyed freedom in South Africa during the British rule. [False, Blacks suffered discrimination and were treated as second class citizens along with non-whites during the British rule.]

Q.2. Which of these was the most salient underlying conflict in the making of a democratic constitution in South Africa?

- a. Between South Africa and its neighbours
- b. Between men and women
- c. Between the white majority and the black minority [Answer]
- d. Between the coloured minority and the black majority

Q.3. Read the following statements about a constitution. Give reasons why each of these is true or not true.

- a. The authority of the rules of the constitution is the same as that of any other law.  
[Not True, An ordinary law is passed by the parliament and can be changed on its own will. On the other hand, rules of the constitution have greater authority and the parliament has to abide by them. For amending these rules, a special procedure has to be adopted.]
- b. Constitution lays down how different organs of the government will be formed.  
[True. The Constitution has laid down the framework for the government formation. It has put in place the structure, power and functions of the three organs of the government, i.e. executive, legislative and judiciary.]
- c. Rights of citizens and limits on the power of the government are laid down in the constitution.  
[True. The rights of the citizens are laid down in the Constitution as fundamental rights, which are enforceable by law. The powers and functions of the government are divided into the executive, legislative and judiciary. It is done to keep each organ under check by the other organs to ensure power functioning of the government.]
- d. A constitution is about institutions, not about values.

[Not True. The Constitution is the supreme law of the country. It lays down the composition powers and functions of the various institutions of government. The Constitution is guided by values which are found in the form of Preamble. Principles and values such as equality, liberty, fraternity, brotherhood, secularism and justice are included in the Preamble of the Constitution.]

#### **Section IV – Closure**

Time: 5 minutes

#### **Summary by students**

Get a student to summarise the definition and features of democracy. 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.

- When South Africa became a democracy after struggling against Apartheid, a system of racial discrimination which divided people on the basis of colour they wanted to heal their past. Therefore, they decided that in search for a solution to the problems, nobody should be excluded, no one should be treated as a second class citizen. They agreed that everybody should become a part of the solution, whatever they might have done or represented in the past.
- To guarantee that this trust will not be broken in future, a constitution was needed, A **Constitution** is a written document that contains the set of rules and ideals that people in a society agree to live by. It is the supreme law that determines the relationship among people living in a territory (called citizens) and also the relationship between the people and government.
- A constitution does many things.
  - It generates a degree of trust and coordination that is necessary for different kind of people to live together;
  - It specifies how the government will be constituted, who will have power to take which decisions;
  - It lays down limits on the powers of the government and tells us what the rights of the citizens are; and
  - It expresses the aspirations of the people about creating a good society.
- South Africa's Preamble to the constitution sums up this spirit of Unity, Justice, Respect and Freedom

- A **preamble** is a brief introductory statement that sets out guidelines to guide people and to present the principles of the document, and to indicate the source from which the ordinary document derives its authority, meaning, and the people.

### **Section V- Homework**

- Find out answers to the following:
  - a. The constitution of South Africa speaks of both past and the future. Justify in 200 words.
  - b. Make a list of similarities and dissimilarities between the struggles of South Africa and India on the following point:
    - i. Nature of colonialism
    - ii. Relationship between different communities
    - iii. Leadership: Gandhi/Mandela
    - iv. Party that led the struggle
    - v. Method of struggle
  - c. Why do you think South Africans call themselves a rainbow nation?

### **Section VI – Additional Resources**

#### **Resources for teachers**

1. Video: India-South Africa: Part I - A Bond Forged By History  
An inspiring film on the journey of South Africa from the days of Apartheid, to becoming a Constitutional Democracy.  
Link: [YouTube](#)

#### **Resources for students**

1. Video: History Channel - Miracle Rising South Africa [ Full Movie ]  
This video shows how South Africa fought for Independence and became a democracy.  
Link: [YouTube](#)



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