

## **CH: CONSTITUTION DESIGN**

### **Giving Rise to New Constitution**

As the protests and struggles against apartheid increased, the blacks could no longer be kept under the rule of the government through repression. The white regime changed its policies. Discriminatory laws were repealed. Ban on political parties and restrictions on the media were lifted. Nelson Mandela was released after 28 years in the Robben Island Prison. The apartheid government came to an end on the midnight of 26 April 1994, paving way for the formation of a multi-racial government.

Following the emergence of the new democratic South Africa, the party that ruled through oppression and brutal killings and the party that led the freedom struggle sat together to draw up a common constitution. This constitution gave to its citizens the most extensive rights available in any country. Together, they decided that in the search for a solution to the problems, nobody should be excluded.

### **Why the Need for Constitution?**

Take the example of South Africa to see why we need the constitution and what constitutions do. The oppressor and oppressed were planning to live together as equals in the new democracy. Each section wanted to safeguard their interests and wanted substantial social and economic rights. Through negotiations, both parties came 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 and that the majority would not take away the property of the white minority. How was this compromise to be implemented? The only way to build and maintain trust in such a situation was to write down some rules of the game that everyone would abide by. These supreme rules that no government would be able to ignore are called a constitution.

Every country has diverse groups of people. All over the world people have differences of opinion and interests. The 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. Find what constitutions do below:

- 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 the 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
- Fourth, it expresses the aspirations of the people about creating a good society

All countries that have constitutions are not necessarily democratic. But all countries that are democratic will have constitutions.

READ THE ABOVE ARTICLE CAREFULLY AND TRY TO UNDERSTAND AND GIVE THE ANSWER OF THE FOLLOWING QUESTIONS:

**1. Why do you need a CONSTITUTION?**

**2. Write the importance of CONSTITUTION.**

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