



Together, Understanding our Constitution and Building our Nation

Information for South Sudanese Citizens on Constitutional Development

Factsheet 1: What is a Constitution (I)?

This factsheet is one in a series on the constitutional development process. It covers basic concepts, including: what is a constitution? What is the content of a constitution? Who owns a constitution? Who should respect the constitution? What role does a constitution play in a country?

What is a constitution?

A constitution is the fundamental and supreme law of a country. It is sometimes called the *mother of all laws* because other laws are born from it and must be consistent with it.

A constitution is a framework for governance that defines how the government is formed and run. It also describes how people are appointed or elected to offices of government.

A constitution is sometime referred to as the fundamental law of the land. The constitution:

- Defines the **vision and mission** of a country and sets out the countries objectives;
- Establishes the character of a government by defining the **basic principles** to which a society must conform;
- Describes the **organization of the government**, and provides for regulation, distribution, and limitation of the functions of different government departments; and,
- Prescribes the extent and manner of the exercise of a government's **sovereign powers**.

Who must obey the constitution?

Constitutions often begin with the words “We the People...” Everyone must abide by, respect, uphold and defend the constitution. This includes citizens who are young and old, women and men, community members and leaders. It also includes government institutions.

What is the role of a constitution?

A constitution is an agreement among the citizens about how a country should be governed.

A constitution is a framework for governance. The constitution:

- Establishes the character of a government by defining the basic principles to which a society must conform;
- Describes the organization of the government and regulation, distribution, and limitations on the functions of different government departments;
- Prescribes the extent and manner of the exercise of its sovereign powers; and,
- Spells out how the government is formed and run.

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