

8th Standard- Social Science

Civics-Understanding Laws

In Indian democracy, the Parliament is in charge of making laws. According to the constitution, all are equal before law.

The rule of law applies equally to all citizens and no one can be above the law. Neither a government servant nor even the president of the country.

Any crime or violation of law is subject to specific punishment.

In ancient times, there were so many laws. The British Government introduced the rule of law. This law was arbitrary.

In India, citizens can express their unwillingness by holding meetings or writing in newspapers to accept repressive laws.

When any law favors one group and disregards the other, then it is called Controversial Law. This type of law leads to conflict.

In India, the court has the power to cancel or modify any type of controversial law framed by the Parliament.

All persons in independent India are equal before the law. It means that the law cannot discriminate between persons on the basis of their religion, caste or gender. Laws apply equally to all citizens of the country and no one, not even the President of the country is above the law.

Any crime or violation of law has a specific punishment.

But in ancient India laws did not apply equally to all. Even the punishment that two persons received for the same crime varied depending on their caste backgrounds, with lower castes being more ruthlessly penalised.

Even the colonial government failed to establish the rule of law in India. The colonial law was arbitrary. The Sedition Act of 1870 presents the best example of the arbitrariness of British law. Under this Act, any person protesting or criticising the British government could be arrested without due trial.

Indian nationalists raised voice against the arbitrary use of authority by the British. They began fighting for greater equality and wanted to change the idea of law from a set of rules that they were forced to obey, to law as including ideas of justice.

By the end of the 19th century, the Indian legal profession also began emerging and demanded respect in colonial courts.

Indian judges began to play a greater role in making decisions. Their efforts did not go in vain. The rule of law emerged during the colonial period.

When the Indian Constitution came into existence, laws for the country began to be made by our representatives.

The Indian Parliament makes laws for the entire country.

Whenever, people think that a new law is necessary, they propose for it. The Parliament then comes forward and does what is required.

The issue of domestic violence was raised by the people. It was brought to the attention of the Parliament which in due course passed a law 'The Protection of Women from Domestic Violence Act' to uproot this issue.

The role of citizens is crucial in helping Parliament frame different concerns that people might have into laws.

Sometimes it so happens that laws passed by the Parliament turn out to be unpopular. Sometimes a law can be constitutionally valid and hence legal, but it can continue to be unacceptable to people because they feel that the intention behind it is unfair and harmful. In such a situation, people might civilize this law by holding meetings, etc.

When a large number of people begin to raise voice against a wrong law, then the Parliament has to change it.

We can make it clear through an example. Various municipal laws on the use of space within municipal limits often make hawking and street vending illegal. No one will dispute the necessity for some rules to keep the public space open for people's convenience. At the same time one cannot deny that hawkers and vendors provide essential services. This is their means of livelihood.

Hence, if the law favours one group and disregards the other it will be controversial and lead to conflict. In such a situation people can go to the court which has the power to modify or cancel laws if it finds that they do not adhere to the constitution.

In a democratic country like India people have full right to protest unjust laws.

Rule of Law: It means that all laws apply equally to all citizens of the country and no one can be above the law.

Sedition: This applies to anything that the government might consider as stirring up resistance or rebellion against it. The British passed the Sedition Act in 1870. Under this Act any person protesting or criticising the British government could be arrested without a trial.

Evolution: In the chapter, it refers to the way in which protecting women against domestic violence developed from an urgently-felt need to a new law that can be enforced in the entire country.

Hindu Succession Amendment Act, 2005: According to this law, sons, daughters and their mothers can get an equal share of family property.

Domestic violence: It refers to the injury or harm or threat of injury or harm caused by an adult male, usually the husband, against his wife: Injury may be caused by physically beating up the woman or by emotionally abusing her. Abuse of the women usually includes verbal, sexual and economic abuse.

Criticize: In the chapter, the term refers to citizens who find fault with the functioning of government.

Repressive: In the chapter, the term refers to laws that use brutal methods to control persons and prevent them from exercising their Fundamental Rights.

