

Class 8

Chapter 4

Understanding Laws

Date : 05.09.2020

Question-1

Write in your own words what you understand by the term the 'rule of law'. In your response include a fictitious or real example of a violation of the rule of law.

Solution:

Law is a system of rules, usually imposed through a Government or Institution and is applied to govern a group of people. It shapes politics, economics and society in numerous ways.

The most common example of a violation of the rule of law can be seen on the roads.

Motorists and pedestrians do not follow the traffic rules.

Motorists do not adhere to speed limits nor do they stop behind the line at traffic signals. Pedestrians rarely use the zebra crossing and cross the road at will causing harm not only to themselves but also to other road users.

Question-2

State two reasons why historians refute the claim that the British introduced the rule of law in India.

Solution:

Historians refute the claim that the British introduced the rule of law in India because colonial law was arbitrary, and the Indian nationalists played a prominent role in the development of the legal sphere in British India.

Question-3

Re-read the storyboard on how a new law on domestic violence got passed. Describe in your own words the different ways in which women's groups worked to make this happen.

Solution:

Domestic violence against women was very common in India in the early 1990s. Throughout the 1990s, the need for a new law was raised in different forums like Public Meeting and women's organisations. In 1999, Lawyers Collective, a group of lawyers, law students and activists, after nation-wide consultations took the lead in drafting the Domestic Violence (Prevention and Protection) Bill. This draft bill was widely circulated. Meetings were held all over the country supporting the introduction of this Act.

The Bill was first introduced in Parliament in 2002, but it was not to the satisfaction of all.

Several women's organisations, like the National Commission for Women made submissions to the Parliamentary Standing Committee requesting changes in the Bill. In December 2002, after reviewing the request made by the National Commission for Women, the Parliamentary Standing Committee submitted its recommendations to the Rajya Sabha and these were also tabled in the Lok Sabha. The Committee's report accepted most of the demands of the women's groups.

Finally a new Bill was reintroduced in Parliament in 2005. After being passed in both houses of

Parliament, it was sent to the President for his assent. The Protection of Women from Domestic Violence Act came into effect in 2006.

Question-4

Write in your own words what you understand by the following sentence on page 44-45: They also 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.

Solution:

The Sedition Act of 1870 was a turning point in the struggle for freedom in India. According to the Sedition Act any person protesting or criticising the British government could be arrested without due trial.

Indian nationalists began protesting and criticising this arbitrary use of authority by the British. They also 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 nineteenth century, the Indians started asserting themselves in the colonial courts.

The Indian Legal profession began emerging as a force to reckon with and the Indians demanded respect in the courts. Indians started using law to defend their legal rights.

Indian judges began to play a greater role in making decisions.

Thus the Indians played a major role in the evolution of the rule of law during the colonial period.