

CIVICS

Chapter 4: Law and Social Justice



Law and Social Justice

Why are Laws Required?

- Laws are made to govern the country and its people. They are made so that the rights of the common people are not violated by any powerful agencies or by the Government.
- In the marketplace, laws are required because the primary objective of businessmen, contractors and private companies is to earn profits. In such situations, there are chances of workers being exploited in the marketplace. To ensure that workers are being paid fair wages, laws are framed for safeguarding their interests. Laws ensure smooth relations among workers, consumers and producers.
- By framing and enforcing laws, the Government may supervise and control the activities of individuals and private companies to ensure social justice. For example, Right against Exploitation lays down that no person can be forced to work for low wages or under bondage. Similarly, it has been laid down in our Constitution that 'no child below the age of 14 years shall be employed to work in any factory or mines or engage in any other hazardous employment'.

Bhopal Gas Tragedy

The disaster of Bhopal Gas Tragedy led to the loss of many lives with several victims left with severe burns and side effects to bear for their whole lives. Class 8 Law and Social Justice elaborates on this man-made disaster in further detail, here is a summary to refer to:

- Bhopal was the location of one of the world's worst industrial disasters 35 years ago. Union Carbide (UC), an American corporation, had founded a factory on the outskirts of Bhopal. It was in charge of producing pesticides. On December 2, 1984, a highly toxic gas known as methyl-isocyanate (MIC) began leaking from this plant.
- Following this, the surrounding areas were covered with white clouds, and residents began leaving their homes. About 8000 victims died over the next three days, and thousands more sustained severe burns and side effects. The aftereffects can still be observed in individuals today, with over 50,000 people unable to function.
- This tragedy, according to many sources, was not an accident. UC purposefully neglected essential protection precautions to save money. A gas-leaking incident occurred in the plant several years before this accident, killing one worker and injuring many others.

What is the worth of a Worker?

Labour Laws form a pivotal part of the laws put forward by the Indian government and here are some of the major pointers on labour laws as mentioned in Class 8 Law and Social Justice:

- The availability of cheap labor is one of the primary reasons why international companies establish plants in India. As a result, wages in developing countries are higher than in poor regions of India.
- These employers often obtain long hours of work by paying these minimum-wage employee's low salaries. As a result, businesses can save money while also making a lot of money.
- Since India has a high unemployment rate, Indian employees are willing to work in inhumane conditions for even low salaries. Employers cleverly abuse employees' insecurity and disregard safety precautions.

Enforcement of Safety Laws

The next section of Class 8 Law and Social Justice talks about safety laws and the Right to Life as mentioned in the Indian Constitution. Take a look at the important pointers to remember under this section:

- As the enforcer and lawmaker, the government must ensure that workplace safety rules are followed. The Government of India should also ensure that the Right to Life, as enacted in Article 21 of the Indian Constitution, is appropriately implemented.
- When the UC accident happened, India's safety regulations were not taken seriously. Also, the existing, weak protection regulations were not followed. The government permitted the plant to be built in a densely populated area of Bhopal and also failed to recognize the plant's potentially hazardous implications.
- This case goes against the position of a law-making and legislation body. Instead of protecting the needs of those who work there, both the private sector and the government ignored the public's welfare. This is utterly unacceptable. As both local and foreign ventures are setting up factories in India, there is a need for stronger laws to protect the rights of workers and enforce these laws in a better manner.

New Laws to Protect the Environment

- Negligence of safety standards in the country not only endanger the lives of workers but may also threaten the environment.
- There were hardly any laws in 1984 which were related to the safety of the environment. Rivers, groundwater and air were polluted without any regard for the health of the people. Companies such as Union Carbide were the beneficiaries of lower safety standards as they did not have to spend any money on cleaning of the environment. In USA, this was a necessary part of the production process.

- The Bhopal disaster also necessitated the requirement to frame laws for safeguarding the environment. The Government introduced new laws on the environment in which a person or the organisation which polluted the environment was held responsible and accountable for the damage done to the environment.
- The courts have also upheld several judgments on the rights to enjoy pollution-free water and air—an integral part of a Fundamental Right under Article 21 (Right to Life). The Government has to implement laws and impose fines and penalties on people who pollute the environment.
- Many conflicts have emerged as a result of the efforts to clean the environment. For example, many industries which pollute the environment are asked to relocate to far-off places or are forced to close down.
- This results in the loss of employment of many workers. Issues regarding the safety of workers are however hardly addressed. Similarly, the demolition of slums to beautify the city has rendered many people homeless.
- What is important is to look for a peaceful solution where every section of society gains. The Government has to promulgate strict laws to ensure the safety of workers in factories and to protect the environment. People have to play a leading role by not only pressurising industries and the Government to make laws in the interests of the safety of factory workers but also to protect the environment.

New Laws to Protect the Environment

In 1984, India had very few laws regulating the environment, and these laws were rarely enforced. The environment was regarded as a 'free' body, with industry free to pollute the air and water. Whether it was our waterways, air, or groundwater, the climate was being contaminated, and people's safety was neglected. The polluter had to be held responsible for the environmental harm. Class 8 Law and Social Justice chapter notes that the government is in charge of enacting laws and policies to control waste, clean up wetlands, and impose heavy fines on polluters.

Environment as a Public Facility

Here are some important pointers mentioned under the section on environment being used as a public facility in Class 8 law and social justice:

- In recent years, Indian courts have issued strict orders concerning environmental concerns. Such orders have also had an effect on people's livelihoods. For example, a Court Order in Delhi directed that factories located in Delhi's residential areas relocate.

The majority of these factories polluted the surrounding areas and even the Yamuna River.

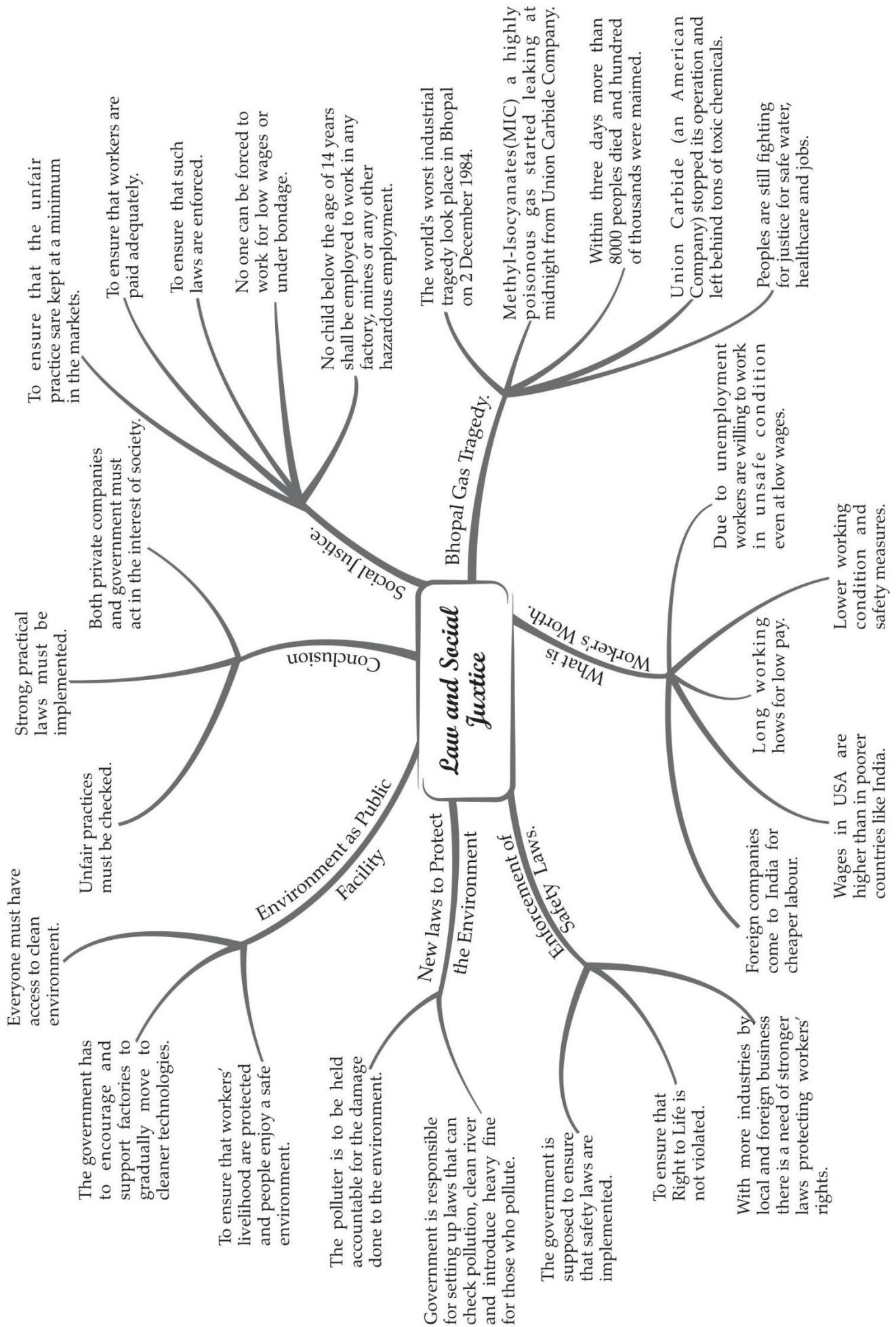
- Many employees were laid off when plants closed down. Others were forced to move too far locations where these factories had been moved. Also, in new areas, factories allowed pollution to continue forever, and workers' safety was not given priority.
- The government should devise strategies to ensure that every person benefits from a safe climate. Cleaner processes and technologies should be implemented in the plants. The government should also support this initiative. Those that pollute the atmosphere should face severe consequences. It will ensure that workers' living areas are secure.

Conclusion

- In a variety of cases, rules are required to shield the public from unfair practices. For example, to make a profit, business owners, private businesses, and contractors engage in unethical practices such as hiring minors in dangerous activities, paying low salaries to employees, ignoring environmental risk, failing to provide workers with safety protocols, and so on.
- To prevent injustice, the government should make, maintain, and enact rules to regulate the actions of private corporations. Weak laws have the potential to do substantial damages.

MIND MAP : LEARNING MADE SIMPLE

CHAPTER-28



Important Questions

Multiple Choice Questions-

Question 1. According to census over 12 million children in India aged between 5 and 14 work in various occupations including hazardous ones.

- (a) 2002
- (b) 2001
- (c) 2011
- (d) None of the above

Question 2. Which gas has been leaked from UC plant in Bhopal gas tragedy?

- (a) Nitrogen oxide
- (b) Methyl – isocyanite
- (c) Carbon dioxide
- (d) Carbon monooxide

Question 3. In which years did the Bhopal gas tragedy happen?

- (a) 1984
- (b) 1994
- (c) 1992
- (d) 1985

Question 4. Right to Life is under which Article of the Constitution?

- (a) Art 22
- (b) Art 25
- (c) Art 23
- (d) None of the above

Question 5. Emissions from vehicles are a major cause of

- (a) Environmental pollution
- (b) Air pollution
- (c) soil pollution
- (d) All of the above

Question 6. What are Power looms?

- (a) Small units with 4 – 6 looms
- (b) Workers of textile mill
- (c) Both (a) & (b)

(d) None of these

Question 7. The government of India gives what status to deny workers from their wages?

(a) legal

(b) Justice

(c) Illegal

(d) All of above

Question 8. Where did the Supreme Court of India is located?

(a) Chandigarh

(b) Punjab

(c) Haryana

(d) New Delhi

Question 9. Under which articles the Right to Life is provided to people?

(a) 21

(b) 22

(c) 25

(d) 24

Question 10. All persons are equal before whom?

(a) Police

(b) Minister

(c) Law

(d) Court

Question 11. How can the government ensure social justice?

(a) By enforcing less money

(b) By enforcing laws

(c) By enforcing command

(d) None of these

Question 12. What does the Right against Exploitation state?

(a) No promotion in salary is given

(b) No one can force to work

(c) No salary is given

(d) None of these

Question 13.

- (a) Cheap labor
- (b) Cheap transportation
- (c) Higher demands
- (d) None of these

Question 14. Why do we need laws?

- (a) To protect our right
- (b) To protect our goods
- (c) To protect our labor
- (d) None of these

Question 15. What is a market?

- (a) Place of depositing money
- (b) Place of selling and buying things
- (c) Place of hiring labor
- (d) None of these

Very Short:

1. When did the methyl-isocyanite (MIC) start to leak from the U.C. plant.
2. How many people were dead within 3 days during Bhopal gas tragedy?
3. What is the full form of CNG?
4. What is the duty of the government with regards to Article 21?
5. Where is West Virginia located?
6. What was there for 12 million children in the 2001 census?
7. What does the Right against Exploitation say?
8. When does the Enforcement become even more important?
9. What role does the government have for the betterment of society?
10. What type of laws can cause serious harm?

Short Questions:

1. With any example state that how markets everywhere tend to be exploitative of people??
2. What does the law of minimum wages say?
3. How does the laws protect the interests of producers and consumers in the market?
4. Who was Aziza sultan? What statement made by her.
5. Who were the most exposed to poison gas of Bhopal gas tragedy?

6. How are the people of working class exploited economically?
7. What does the right against exploitation state?

Long Questions:

1. How did the Indian government introduce new laws on the environment after the Bhopal disaster?
2. How can laws ensure that markets work in a manner that is fair? Give two examples to support your answer.
3. Do you think the victims of the Bhopal gas tragedy got justice? Discuss.?
4. Can you think of other ways in which the environment can be protected? Discuss in class.
5. Write a short note on Child Labour Prevention Act.

Answer Key:

MCQ:

1. (b) 2001
2. (b) Methyl – isocyanite
3. (a) 1984
4. (d) None of the above
5. (a) Environmental pollution
6. (c) Both (a) & (b)
7. (c) Illegal
8. (d) New Delhi
9. (a) 21
- 10.(c) Law
- 11.(b) By enforcing laws
- 12.(b) No one can force to work
- 13.(a) Cheap labor
- 14.(a) To protect our right
- 15.(b) Place of selling and buying things

Very Short Answer:

1. At midnight on 2nd December 1984 methyl isocyanite (MIC) a highly poisonous gas started leaking from the U.C. plant.
2. Within three days, more than 8000 people were dead.
3. CNG – Compressed Natural Gas.

4. Duty of government is to ensure that the Right to Life guaranteed under Art 21 of the Constitution is not violated.
5. West Virginia is located in the U.S.A.
6. According to the 2001 census, over 12 million children in India aged between 5 and 14 work in various occupations including hazardous ones.
7. The Right against Exploitation says that no one can be forced to work for low wages or under bondage.
8. Enforcement becomes even more important when the law seeks to protect the weak from the strong.
9. The government has the role of making 'appropriate laws' and also has to enforce the laws.
10. Laws weak in nature and poorly enforced can cause serious harm.

Short Answer:

Ans: 1. Many of the people directly or indirectly involved in the production of the shirt – the small farmer producing cotton, the weavers of erode or the workers in the garment-exporting factory – faced exploitation or an unfair situation in the market. Markets everywhere tend to be exploitative of people – whether as worker, consumers or producers.

Ans: 2. To ensure that workers are not underpaid, or paid fairly, there is a law on minimum wages, a worker is paid less than the minimum wage by the employer. The minimum wages are revised upwards every few years and law on minimum wages is meant to protect workers. *

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Ans: 4. Aziza sultan was the survivor of the Bhopal gas tragedy. According to her the statements was: "At 12.30 am I woke to the sound of my baby coughing badly. In the half-light I saw that the room was filled with a white cloud. I here people shouting 'run, run'. Then I started coughing, with each breath seeming as if I was breathing in fire. My eyes were burning".

Ans: 5. Most of those exposed to the poison gas came from poor, working-class, families, of which nearly 50,000 people are today too sick to work.

Ans: 6. They are made to work for lower pay and for longer hours.

Ans: 7. The Right against Exploitation says that no one can be forced to work for low wages or under bondage.

Long Answer:

Ans: 1. The Bhopal disaster brought the issue of environment to the forefront thousands of persons who were not associated with the factory in any way were greatly affected because of the poisonous gases leaked from the plant. This made people realise that the existing laws, though weak, only covered the individual worker and not persons who might be injured due to industrial accidents.

In response to this pressure from environmental activists and others in the years following the Bhopal gas tragedy, the Indian government introduced new laws on the environment. Henceforth, the polluter was to be held accountable for the damage done to environment.

The environment is something that people over generations will share, and it could not be destroyed merely for industrial development. The courts also gave a number of judgment upholding the right to a healthy environment as intrinsic to the Fundamental Right to Life.

Ans: 2. To ensure that workers are not underpaid, or are paid fairly, there is a law on minimum wages. A worker has to be paid not less than the minimum wage by the employer. There are also laws that protect the interests of producers and consumers in the market. These help ensure that the relations between these three parties – the worker, consumer and producer – are governed in a manner that is not exploitative.

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Ans: 4. Ways to protect environment

- Use reusable bags
- Print as little as necessary
- Recycle
- Use a reusable beverage containers
- Save electricity!
- Save water
- Avoid taking cars or carpool when possible

Ans: 5. According to the 2001 census, over 12 million children in India aged between 5 and 14 work in various occupations including hazardous ones. In October 2006, the government amended the Child Labour Prevention Act, banning children under 14 years of age from working as domestic servants or as workers in dhabas, restaurants, tea shops etc. It made employing these children a punishable offence. Anyone found violating the ban must be penalised with a punishment ranging from a jail term of three months to two years and/or fine of Rs 10,000 to Rs 20,000.