

Ch 4 Understanding Laws

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Exercises

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.

Answer

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.

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

Answer

The two reasons why historians refute the claim that the British introduced the

Rule of Law in India are

→ Colonial law was arbitrary, e.g. Sedition Act of 1870

→ Indian nationalists played a prominent role in the development of the legal sphere in British India.

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.

Answer

Women's groups worked hard and untiringly towards the passing of the new law on domestic violence in India. They used different forums like public protests, hearings, meetings with other organizations, press conferences and petitions to the government to introduce a new reformed bill on domestic violence to include demands like monetary relief and protection against being evicted from the shared household. While earlier, domestic violence only entailed "injury or harm or threat of injury or harm" by an adult male against a woman. The Protection of Women from Domestic Violence Act 2005 extended to include physical, economic, sexual, verbal and emotional abuse.

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.

Answer

This line refers to the protests of Indian nationalists against the violation of the rule of law by British authorities. Indians were discriminated against in their own country by the British colonists and the Sedition Act of 1870 was the most prolific example of the breach of the rule of law. This Act was remonstrated against by Indian freedom fighters in favour of a more just set of rules based on ideals of equality.

Many Indians began to practice the legal profession and used it to demand and gain equal rights for all. Thus, Indians played a major role in the evolution of the rule of law during times of colonial rule.