

Key Notes

Chapter – 04 Civics Understanding Laws

- **Do Laws Apply to All:**

- (i) All persons in independent India are equal before the law.
- (ii) The law cannot discriminate between persons on the basis of their religion, caste or gender.
- (iii) All laws apply equally to all citizens of the country and no one can be above the law.
- (iv) Any crime or violation of law has a specific punishment.
- (v) In ancient India, there were innumerable and overlapping local laws which did not apply equally to all.
- (vi) The punishment for the same crime varied depending upon their caste background with lower castes being more harshly penalized.
- (vii) The British colonialists introduced the rule of law in India. The colonial rule was arbitrary.
- (viii) The British law of the Sedition Act of 1870 set a perfect example of the arbitrariness.
- (ix) Under this Act, a person protesting or criticising the British government could be arrested without due trial.
- (x) Indian nationalists began protesting and criticizing the arbitrary use of authority by the British.
- (xi) 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.
- (xii) By the end of 19th century, the Indian legal profession began emerging and demanded respect in colonial courts.
- (xiii) Indian judges began to play a greater role in making decisions.
- (xiv) With the adoption of the constitution, laws for the country began to be made by the representatives.

- **How Do New Laws Come About:**

- (i) The Parliament has an important role in making laws.
 - (ii) An important role of Parliament is to be sensitive to the problems faced by people.
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- (iii) The issue of domestic violence was brought to the attention of the Parliament and the process adopted for this issue to become law.
- (iv) The Protection of Women from Domestic Violence Act 2005 was implemented to protect women from being abused and injured by male.
- (v) The role of citizens is crucial in helping Parliament frame different concerns that people might have into laws.

- **Unpopular and Controversial Laws:**

- (i) Sometimes the Parliament passes laws that turn out to be very popular.
 - (ii) Sometimes a law can be constitutionally valid and legal, but it can continue to be popular and unacceptable to people because they feel that the intention behind it is unfair and harmful.
 - (iii) People might criticize this law, hold public meetings, write about it in newspaper, report to TV news channels etc.
 - (iv) In a democracy, citizens can express their unwillingness to accept repressive laws framed by the Parliament.
 - (v) When a large number of people begin to feel that a wrong law has been passed, then there is pressure on the Parliament to change this.
 - (vi) If the law favours one group and disregards the other, it will be controversial and lead to conflict.
 - (vii) The court has the power to modify or cancel laws if it finds that they don't adhere to the Constitution.
 - (viii) In India, people have the right to protest against unjust laws.
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