

Textbook for Class VIII

Social Science

Social and Political Life - III

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Unit Three



Teacher's Note

Students are going to be introduced to the judiciary through these chapters. Yet, aspects of this system like the police, the courts etc. are probably something that students are already quite familiar with either through the media or perhaps through personal experience. In this unit the effort is to combine some basic knowledge on the judicial system with more hands-on information on the criminal justice system. The first chapter covers topics that will be reinforced in the higher classes. The effort while teaching this should be to provide students with a sense of the significant role played by the judiciary in upholding the principles enshrined in the Constitution. The second chapter explains the role of different individuals in the criminal justice system and here it is crucial that students understand the connection between each person's role and the idea of justice for all that the Constitution provides.

Before starting Chapter 5, it might be useful to reiterate the discussion on the 'rule of law' from the previous unit. This can then lead to a discussion on the role of the judiciary in upholding the rule of law. Five separate though inter-related concepts on the judiciary have been discussed in Chapter 5. The reason why the independence of the judiciary is key to its functioning is a complex idea but something that students need to understand. This can be conveyed at a more basic level using examples of different decision-making processes that the student is familiar with. The structure has been illustrated through a case and students should be encouraged to discuss other cases to better understand the working of the judicial process. The last concept of 'access to justice' highlights the role of the Public Interest Litigation (PIL) in facilitating justice. It also touches upon the 'delay' in providing justice. The student's growing knowledge of fundamental rights should be used while discussing this section.

Chapter 6 has been included in order to make students more aware of the role played by different persons in the criminal justice system and the process that needs to be followed in order to ensure a fair trial. The chapter takes as its starting point a storyboard in which a case of theft is highlighted and uses this as the reference point to discuss the roles of the police, the public prosecutor, the judge, as well as what a fair trial should include. It is very likely that the students will have their own opinions, which might be quite cynical, on the ways in which the criminal justice system works. Your role as a teacher will be to balance their cynicism with a discussion of the ideal as outlined in the chapter. This can be done in two ways: one, through a continued emphasis on the link between this ideal functioning and the principles enshrined in the Indian Constitution as discussed in earlier chapters, and two, through restating the difference that an informed and aware public can make in the working of these institutions.

Bhopal Gas Tragedy

The world's worst industrial tragedy took place in Bhopal 24 years ago. Union Carbide (UC) an American company had a factory in the city in which it produced pesticides. At midnight on 2 December 1984 methyl-isocyanate (MIC) a highly poisonous gas - started leaking from this UC plant...



The next morning

Remembers Aziza Sultan, a survivor: "At about 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 heard people shouting 'run, run'. Then I started coughing, with each breath seeming as if I was breathing in fire. My eyes were burning."

Within three days, more than 8,000 people were dead. Hundreds of thousands were maimed.

The disaster was not an accident. UC had deliberately ignored the essential safety measures in order to cut costs. Much before the Bhopal disaster, there had been incidents of gas leak killing a worker and injuring several.



Members of UC Employees Union protesting.



Gas victims with the Gas Relief Minister

Despite the overwhelming evidence pointing to UC as responsible for the disaster, it refused to accept responsibility.

In the ensuing legal battle, the government represented the victims in a civil case against UC. It filed a \$3 billion compensation case in 1985, but accepted a lowly \$470 million in 1989. Survivors appealed against the settlement but the Supreme Court ruled that the settlement amount would stand.

UC stopped its operations, but left behind tons of toxic chemicals. These have seeped into the ground, contaminating water. Dow Chemical, the company who now owns the plant, refuses to take responsibility for clean up.



Bags of chemicals lie strewn around the UC plant



Mass cremations



A child severely affected by the gas

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. Among those who survived, many developed severe respiratory disorders, eye problems and other disorders. Children developed peculiar abnormalities, like the girl in the photo.



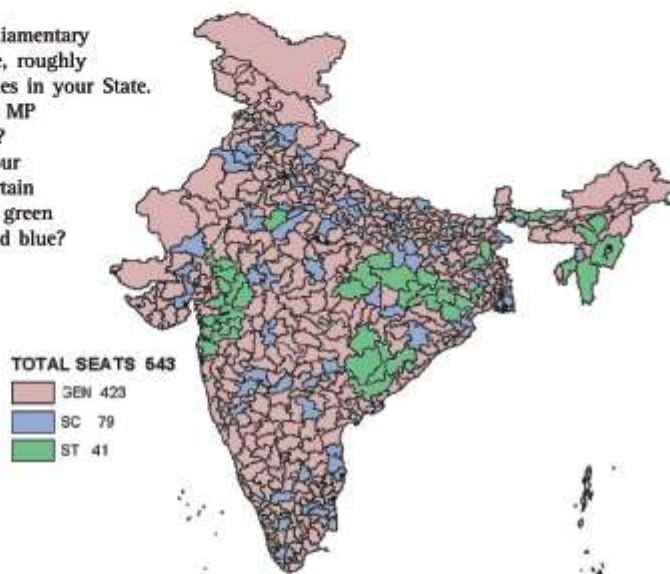
The struggle for justice goes on.

24 years later, people are still fighting for justice: for safe drinking water, for health-care facilities and jobs for the people poisoned by UC. They also demand that Anderson, the UC chairman who faces criminal charges, be prosecuted.

Exercises

1. Why do you think the nationalist movement supported the idea that all adults have a right to vote?

2. In this 2004 map of Parliamentary constituencies alongside, roughly identify the constituencies in your State. What is the name of the MP from your constituency? How many MPs does your state have? Why are certain constituencies coloured green while others are coloured blue?



3. You've read in Chapter 1 that the 'Parliamentary form of government' that exists in India has three tiers, two of which are the Parliament (central government) and the various State Legislatures (state governments). Fill in the following table with information on the various representatives from your area:

	State Government	Central Government
Which political party(ies) is/are currently in power?		
Who (name) is the current representative from your area?		
Which political party currently forms the Opposition?		
When were elections last held?		
When will the next elections be held?		
How many women representatives are there (from your state)?		

With the help of the table below let us understand this further.

Eighth Lok Sabha elections held in 1984

Political Party	No. of MPs elected
National Parties	
Bharatiya Janta Party (BJP)	2
Communist Party of India (CPI)	6
Communist Party of India (Marxist) (CPM)	22
Indian Congress Socialist (ICS)	4
Indian National Congress (INC)	404
Janata Party (JNP)	10
Lok Dal (LKD)	3
Regional Parties	
All India Anna DMK (AIADMK)	12
Dravida Munnetra Kazhagam (DMK)	2
All India Forward Block (FBL)	2
Indian Congress (J) (ICJ)	1
Jammu Et Kashmir Conference (JKN)	3
Kerala Congress (J) (KCJ)	2
Muslim League (MUL)	2
Peasants and Workers Party of India (PWP)	1
Revolutionary Socialist Party (RSP)	3
Telugu Desam Party (TDP)	30
Independents	5
Grand Total	514

Note: The Lok Sabha elections were not held in Assam and Punjab during 1984.

Who will form the government? Why?

Who will be called the opposition? What is its role?

Who will be present for discussions in the Lok Sabha?

Is this process similar to what you have read about in class 7?

The photograph on page 28 shows results from the 3rd Lok Sabha elections held in 1962. Use the photograph to answer the following questions:

a. Which state has the highest number of MPs in the Lok Sabha? Why do you think this is so?

b. Which state has the least number of MPs in the Lok Sabha?

c. Which political party has won the most seats in all states?

d. Which party do you think will form the government? Give reasons why.