

Law and Social Justice

Balancing Profit, People, and the Planet



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THE INHERENT MARKET IMBALANCE

Markets link the producer of raw materials to the final consumer. But at every step—from the small cotton farmer to the garment factory worker—the drive to maximize profit creates a vulnerability. Without intervention, markets inherently tend toward the exploitation of people.







MAXIMUM PROFIT & COST CUTTING

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THE LAW AS A SHIELD



FOR WORKERS

Minimum Wages Act
(preventing underpayment)

Workplace Safety Laws
(mandatory alarms, emergency exits)

Child Labour Prevention Act
(banning hazardous work for children under 14)



FOR CONSUMERS

Quality Standards
(safety codes for appliances/medicines)

Price Controls
(capping costs of essential goods like sugar and kerosene)



FOR SOCIETY

Environmental Laws
(preventing air and water pollution)

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THE ENFORCEMENT GAP

Merely making laws is not enough. When workers are poor or powerless, the fear of losing future earnings forces them to accept illegal conditions. Employers leverage this desperation.



THE REALITY CHECK. In 2006, the Child Labour Prevention Act banned children under 14 from working in dhabas and homes. Yet, due to a lack of state enforcement and rehabilitation plans, 74% of child domestic workers remained under the age of 16 long after the law passed.

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Bhopal, 1984: The Cost of Negligence



Midnight, Dec 2, 1984

Highly poisonous methyl-isocyanite (MIC) gas leaks from the American-owned Union Carbide (UC) pesticide plant.

Within 3 Days

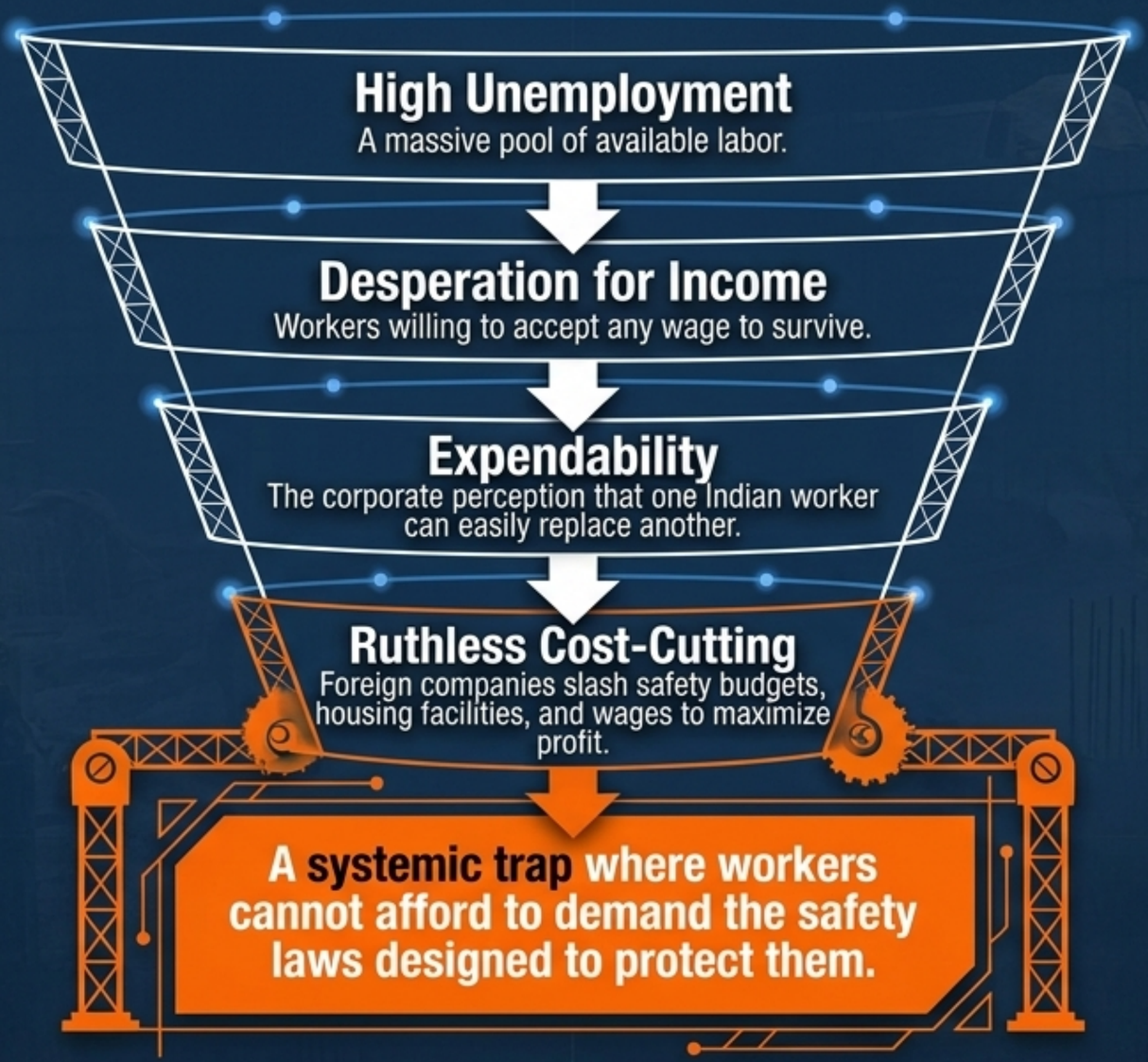
Over 8,000 people dead.

Today

50,000 survivors permanently disabled, maimed, or suffering severe respiratory and congenital disorders.

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What is a Worker's Worth?



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A Tale of Two Factories: The Cost-Cutting Double Standard

	Union Carbide Plant, West Virginia, USA	Union Carbide Plant, Bhopal, India
Warning Systems	Computerized monitoring	Manual gauges and human senses
Evacuation Plan	Emergency plans in place	Nonexistent
Safety Training	6 months mandatory	Slashed to 15 days
Work Crew Size (1980-1984)	Maintained	Cut in half (from 12 to 6 workers)
Night-Shift Supervision	Active	Post abolished entirely

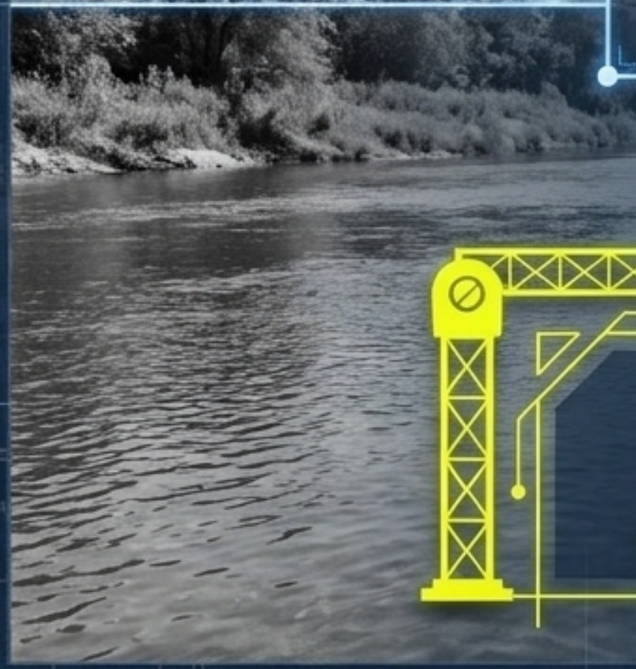
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~~Free Entity~~ ×

Pre-1984: The environment was treated as a ‘free’ entity. Industries polluted air and groundwater without restriction, forcing local populations to pay the invisible health costs.

The Environmental Awakening



Shared Public Facility

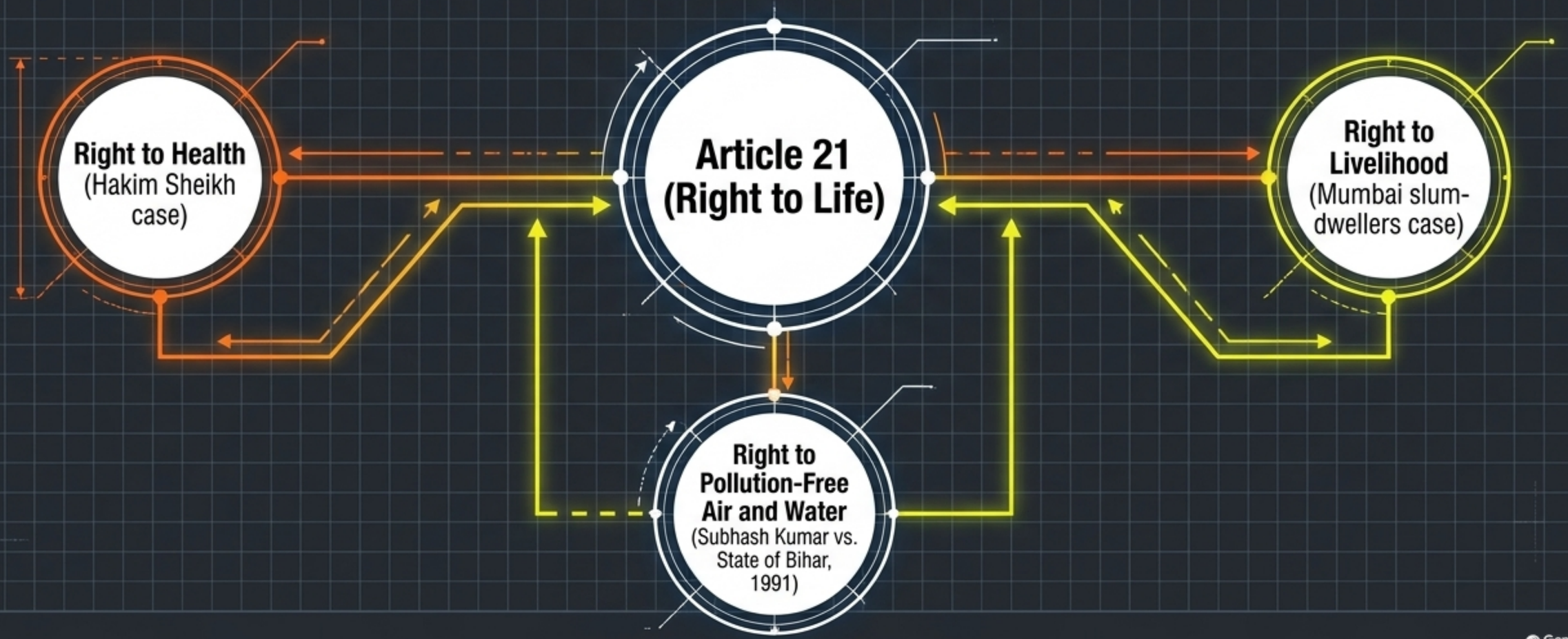
Post-1984: Pressure from activists forced the government to introduce new laws. The paradigm shifted: The polluter must be held accountable. The environment is a shared resource for future generations, not fuel for unchecked industrial development.



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Expanding the Shield: The Constitution as a Living Ideal

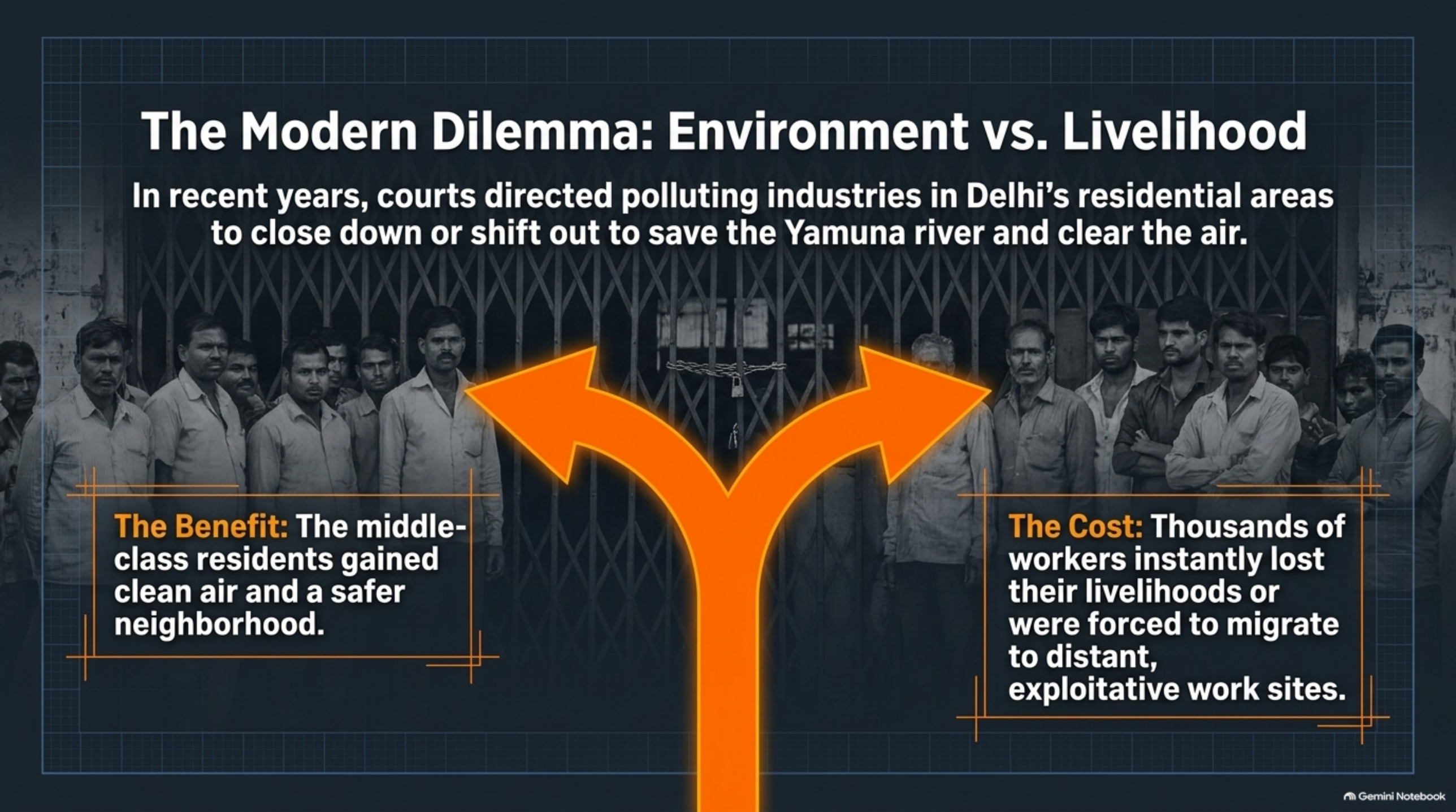
The Supreme Court ruled that Life means more than mere animal survival. It includes the right to the full enjoyment of life, requiring the government to check pollution, clean rivers, and penalize polluters.



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The Modern Dilemma: Environment vs. Livelihood

In recent years, courts directed polluting industries in Delhi's residential areas to close down or shift out to save the Yamuna river and clear the air.

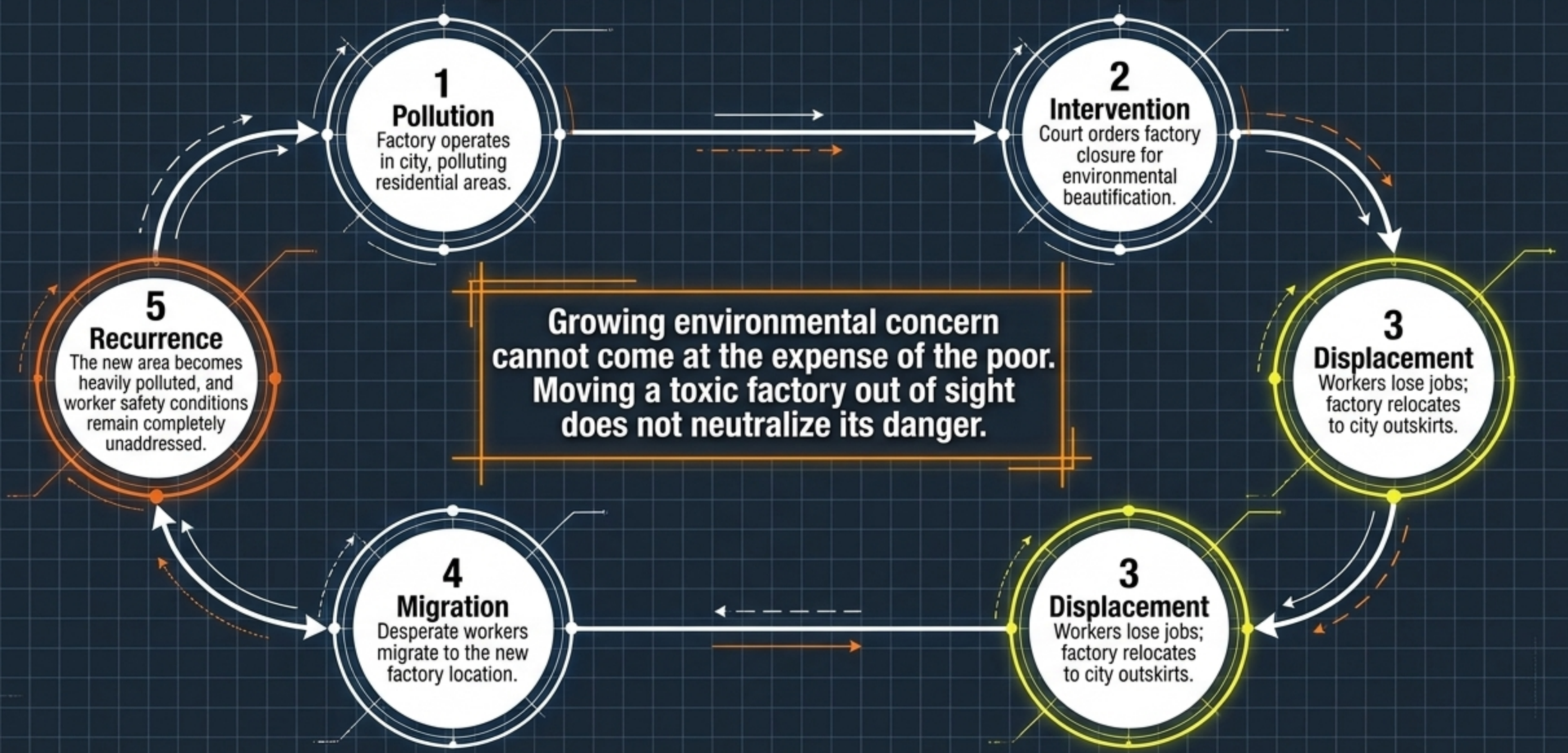


The Benefit: The middle-class residents gained clean air and a safer neighborhood.

The Cost: Thousands of workers instantly lost their livelihoods or were forced to migrate to distant, exploitative work sites.

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Shifting the Problem, Not Solving It



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The Global Loophole: Toxic Colonialism

This dynamic exists between nations as well. Advanced countries relocate toxic, hazardous industries (pesticides, asbestos, ship-breaking) to South Asian countries like India, Bangladesh, and Pakistan.

They exploit weaker labor laws and lax environmental enforcement to keep their own countries safe and clean, exporting the human and environmental costs.

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Finding the Balance

True Social Justice

Solutions where everyone benefits from a clean environment.



Cleaner Technologies

Government must actively encourage and financially support factories to upgrade their processes, rather than simply shutting them down.



Stronger Enforcement

Routine, rigorous site inspections to ensure worker safety laws are an uncompromisable baseline, regardless of location.



Heavy Fines

Ensuring the cost of polluting is far higher than the cost of implementing safe, clean technology.

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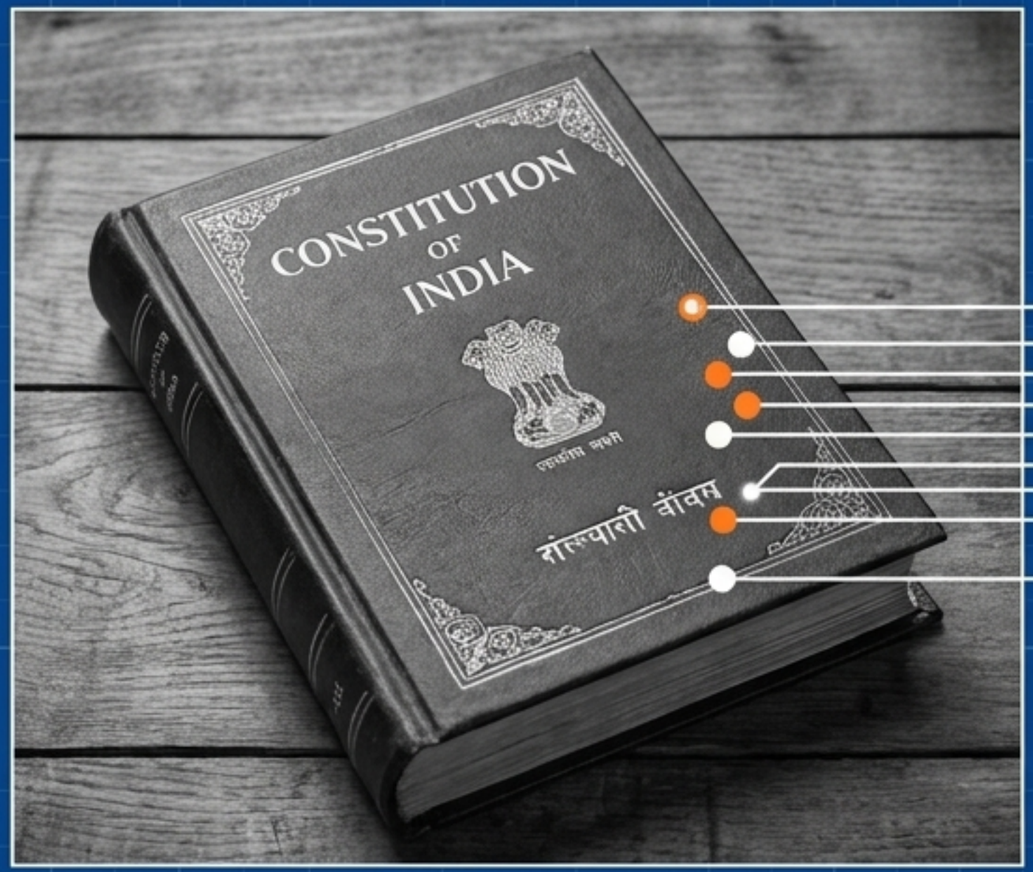


Pressure Creates Justice

The government plays a leading role, but it is public demand that forces the Constitution to adapt.

- **Workers' Unions:** Leveraging combined power to negotiate fair wages, strict work rules, and workplace safety.
- **Citizen Activism:** Campaigns (like the global student support for Bhopal) keep forgotten tragedies in the public eye.
- **Legal Challenges:** Ordinary citizens filing cases to demand dignity and self-respect.

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The Living Ideal

Justice is never finished. Laws that are weak or poorly enforced cause serious harm. But our Constitution contains an intrinsic flexibility. It is a **living document**, continually **expanded and shaped by ordinary people** demanding that the right to a safe life, a fair wage, and a clean environment becomes a reality for all.

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