



SNS COLLEGE OF ENGINEERING

Kurumbapalayam (Po), Coimbatore – 641 107

AN AUTONOMOUS INSTITUTION



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A BALANCED OUTLOOK ON LAW

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The 'balanced outlook on law' in engineering practice stresses the necessity of laws and regulations and also their limitations in directing and controlling the engineering practice. Laws are necessary because, people are not fully responsible by themselves and because of the competitive nature of the free enterprise, which does not encourage moral initiatives. Laws are needed to provide a minimum level of compliance.

The following codes are typical examples of how they were enforced in the past:

Code for Builders by Hammurabi:

Hammurabi the king of Babylon in 1758 framed the following code for the builders: "If a builder has built a house for a man and has not made his work sound and the house which he has built has fallen down and caused the death of the householder, that builder shall be put to death. If it causes the death of the householder's son, they shall put that builder's son to death. If it causes the death of the householder's slave, he shall give slave for slave to the householder. If it destroys property, he shall replace anything it has destroyed; and because he has not made the house sound which he has built and it has fallen down, he shall rebuild the house which has fallen down from his own property. If a builder has built a house for a man and does not make his work perfect and the wall bulges, that builder shall put that wall in sound condition at his own cost"

This code was expected to put in self-regulation seriously in those years.

Steam Boat Code in USA:

Whenever there is crisis we claim that there ought to be law to control this. Whenever there is a fire accident in a factory or fire cracker's store house or boat capsize we make this claim, and soon forget. Laws are meant to be interpreted for minimal compliance. On the other hand, laws when amended or updated continuously, would be counter productive. Laws will always lag behind the technological development. The regulatory or inspection agencies such as Environmental authority of India can play a major role by framing rules and enforcing compliance.

In the early 19th century, a law was passed in USA to provide for inspection of the safety of boilers and engines in ships. It was amended many times and now the standards formulated by the American Society of Mechanical Engineers are followed.

Proper Role of Laws:

Good laws when enforced effectively produce benefits. They establish minimal standards of professional conduct and provide a motivation to people. Further they serve as moral support and defense for the people who are willing to act ethically.

Thus, it is concluded that:

1. The rules which govern engineering practice should be construed as of responsible experimentation rather than rules of a game. This makes the engineer responsible for the safe conduct of the experiment.

2. Precise rules and sanctions are suitable in case of ethical misconduct that involves the violation of established engineering procedures, which are aimed at the safety and the welfare of the public.

3. In situations where the experimentation is large and time consuming, the rules must not try to cover all possible outcomes, and they should not compel the engineers to follow rigid courses of action.

4. The regulation should be broad, but make engineers accountable for their decisions, and

5. Through their professional societies, the engineers can facilitate framing the rules, amend wherever necessary, and enforce them, but without giving-in for conflicts of interest.