

# Right to Constitutional remedies

- \* 1972 Constitution of Sri Lanka
- \* There was no mechanism to enforce FR enshrined in the 1972 Constitution
- \* 1978 Constitution
  - \* Article 17 & Article 126

# Fundamental Rights In Sri Lanka

**S. Sharvananda**



## **Fundamental Rights In Sri Lanka:**

**Fundamental Rights in Sri Lanka** S. Sharvananda, 1993      **Sri Lanka's Development Since Independence** W. D. Lakshman, Clement Allan Tisdell, 2000 Social political economic and constitutional developments are considered as well as the evolution of science and arts in the development process This is in accordance with the Sri Lankan tradition of seeing the world as a connected whole **BOOK JACKET**      *Rights, Emergencies and Judicial Review* Imtiaz Omar, 2023-07-03 This book makes a significant contribution to the understanding of issues of comparative constitutionalism in emergent politics Recurrent states of emergency in Malaysia Sri Lanka and Bangladesh provide the background for a comparative examination of constitutional emergency powers individual rights and judicial review This work examines the extent to which the Court in these countries has performed its expected role identifies problems in approaches to interpretation which have been adopted and suggests alternatives to constitutional interpretation and judicial review The alternatives explored are drawn from contemporary western jurisprudence including those of Ronald Dworkin and writers of the Critical Legal Studies tradition The juxtaposition of western jurisprudential development to issues of constitutionalism in the countries under survey is a bold attempt to seek some common ground in conceptualizing rights and techniques of juristic interpretation in western and eastern legal cultures The theoretical framework of the study is well perceived the arguments convincing This carefully researched work makes a valuable and scholarly contribution to the study of comparative constitutional law and jurisprudence      *Sri Lanka, Human Rights and the United Nations* Thamil Venthana Ananthavinayagan, 2019-04-30 This book examines the engagement between the United Nations human rights machinery and the respective governments since Sri Lanka then Ceylon joined the United Nations Sri Lanka has a long and rich history of engagement with international human rights instruments However despite its active membership in the UN the country's post colonial trials and tribulations are emblematic of the limited influence the international organisation has exerted on this country in the Global South Assessing the impact of this international engagement on the country's human rights infrastructure and situation the book outlines Sri Lanka's colonial and post colonial development It then considers the development of a domestic human rights infrastructure in the country It also examines and analyzes Sri Lanka's engagement with the UN's treaty based and charter based human rights bodies before offering conclusions concerning the impact of said engagement The book offers an innovative approach to gauging the impact of international human rights engagement while also taking into account the colonial and post colonial imperatives that have partly dictated governmental behaviour By doing so the book seeks to combine and analyse international human rights law post colonial critique studies on biopower and critical approaches to international law It will be a useful resource not only for scholars of international law but also for practitioners and activists working in this area

**The Global Emergence of Constitutional Environmental Rights** Joshua C. Gellers, 2017-05-18 Over the past 40 years countries throughout the world have similarly adopted human rights related to environmental governance and protection in

national constitutions Interestingly these countries vary widely in terms of geography politics history resources and wealth This raises the question why do some countries have constitutional environmental rights while others do not Bringing together theory from law political science and sociology a global statistical analysis and a comparative study of constitutional design in South Asia Gellers presents a comprehensive response to this important question Moving beyond normative debates and anecdotal developments in case law as well as efforts to describe and categorize such rights around the world this book provides a systematic analysis of the expansion of environmental rights using social science methods and theory The resulting theoretical framework and empirical evidence offer new insights into how domestic and international factors interact during the constitution drafting process to produce new law that is both locally relevant and globally resonant Scholars practitioners and students of law political science and sociology interested in understanding how institutions cope with complex problems like environmental degradation and human rights violations will find this book to be essential reading

**Sri Lanka Journal of International Law**, 1993      **The Asian Yearbook of Human Rights and Humanitarian Law**  
Matthias Vanhullebusch, Steve Foster, Ben Stanford, 2024-10-07 The Asian Yearbook of Human Rights and Humanitarian Law aims to publish peer reviewed scholarly articles and reviews as well as significant developments in human rights and humanitarian law It examines international human rights and humanitarian law with a global reach though its particular focus is on the Asian region Volume 8 of the Yearbook covers a wide range of topics focusing on accountability under various legal regimes which have been organized along four parts Governance and Accountability Justice and Accountability Economic and Social Justice and Violence and Accountability      Religious Offences in Common Law Asia Li-ann Thio, Jaclyn L Neo, 2021-02-25 This book provides in depth comparative analysis of how religious penal clauses have been developed and employed within Asian common law states and the impact of such developments on constitutional rights By examining the theoretical and conceptual underpinnings of religious offences as well as interrogating the nature and impact of religious penal clauses within the region it contributes to the broader dialogue in relation to religious penal clauses globally whether in countries which practise forms of secular or religious constitutionalism Asian practice is significant in this respect given the centrality of religion to social life and indeed in some jurisdictions to constitutional or national identity Providing rigorous studies of common law jurisdictions that have adopted similar provisions in their penal code the contributors provide an original examination and analysis of the use and development of these religious clauses in their respective jurisdictions They draw upon their insights into the background sociopolitical and constitutional contexts to consider how the inter relationship of religion and state may determine the rationale and scope of religious offences These country by country chapters inform the conceptual examination of religious views and sentiments as a basis for criminality and the forms of harm that attract legal safeguards Several chapters examine these questions from a historical and comparative perspective considering the underlying bases and scope as well as evolving objectives of these provisions Through these examinations the book critically

interrogates the legacy of colonialism on the criminal law and constitutional practice of various Asian states **State and Nation in South Asia** Swarna Rajagopalan, 2001 What makes a national community out of a state Addressing this fundamental question Rajagopalan studies national integration from the perspective of three South Asian communities Tamilians in India Sindhis in Pakistan and Tamils in Sri Lanka that have a history of secessionism in common but with vastly different outcomes Rajagopalan investigates why integration is relatively successful in some cases Tamil Nadu less so in others Sindh and disastrous in some Sri Lanka Broadly comparative and drawing together multiple aspects of political development and nation building her imaginative exploration of the tension between state and nation gives voice to relatively disenfranchised sections of society **Recognising Human Rights in Different Cultural Contexts** Emily Julia Kakoullis, Kelley Johnson, 2020-06-26 This book explores the journey of the United Nations Convention on the Rights of Persons with Disabilities CRPD as it is interpreted and translated from International Human Rights Law into domestic law and policy in different cultural contexts Beginning with reflections on culture disability and human rights from different disciplinary perspectives the work is then organised as snapshots of the journey of the CRPD from the international level to the domestic the process of ratification the process of implementation and then the process of monitoring the CRPD s implementation in States Parties cultural contexts Leading global contributors provide cutting edge accounts of the interactions between the CRPD and diverse cultures revealing variations in the way that the concept of culture is defined This collection will appeal to academics and students in Law and Socio Legal Studies Disability Studies Policy Studies and Social Work Sociology Anthropology and those training to be service providers with persons with disabilities *Human Rights Reports* United States. Department of State, 1977 **Sri Lanka News** , 1995 **Public Administration in South Asia** Meghna Sabharwal, Evan M. Berman, 2017-09-25 A state of the art one stop resource Public Administration in South Asia India Bangladesh and Pakistan examines public administration issues and advances in the Indian subcontinent The book fulfills a critical need These nations have the largest public administration programs in South Asia yet existing knowledge on them is fragmented at best Bringing together leading scholars from these countries this book provides both an insider perspective and a scholarly look at the challenges and accomplishments in the region Focusing on the machinery of government the book explores questions such as What is the history of public administration development How are major decisions made in the agencies Why are anti corruption efforts so much a challenge What is the significance of intergovernmental relations What is the success of administrative reform What are examples of successful social development programs How successful is e government and what are its challenges Why is civil service reform difficult to achieve How is freedom of information being used as a means to combat corruption and invoke grassroots activism What can be learned from the successes and failures While public administration practice and education have become considerably professionalized in the last decade a sufficiently in depth and well rounded reference on public administration in these

countries is sorely lacking Most available books tackle only aspects of public administration such as administrative reforms civil service economic developments or public policy and are country specific None provide the in depth analysis of the sphere of public action in South Asia found in this book It supplies an understanding of how public administration can be either the source of or solution to so many of the problems and achievements in the Indian subcontinent

**Encyclopedia of Human Rights** David P Forsythe, 2009-08-27 Winner of the 2010 Dartmouth Medal this major five volume encyclopedia offers comprehensive coverage of all aspects of human rights theory practice law and history The set will provide situation profiles and full coverage of the development of the movement historical cases of abuse the key figures major organizations and a range of other issues in economics government religion and journalism that touch on human rights theory and practice In addition to providing original analytical articles covering standard subjects such as the right to health and health care Amnesty International the Balkan wars and former President of Ireland Mary Robinson it offers innovative coverage of such subjects as the Internet intellectual property rights the American civil rights movement globalization and Brazil in historical context Focusing primarily on developments since 1945 it offers an unrivaled reference source for students and researchers even human rights experts are likely to find much original material and keen insights in many of the entries

**KEY SUBJECT AREAS INCLUDE ORGANIZATIONS AND INSTITUTIONS** American Civil Liberties Union World Health Organization UNICEF Carter Center **LEADING FIGURES** Adolf Hitler Steve Biko Elie Wiesel Simone de Beauvoir Joseph Stalin Eleanor Roosevelt Pol Pot Shirin Ebadi Kim Jong Il **HUMAN RIGHTS EVENTS AND CRISES** Darfur Irish Famine Soviet Gulag Central America in the 1980s Colonialism Belgian Congo AIDS **HUMAN RIGHTS NORMS** Ethnic Cleansing Women s Rights Religious Freedom Torture International Law Disability Rights

*Asian Yearbook of International Law, Volume 5 (1995)* Sik Ko Swan, J.J.G. Syatauw, M.C.W. Pinto, 2020-01-29 The Asian Yearbook of International Law is the first publication dedicated primarily to international law as seen from an Asian perspective It provides international law articles written by experts from the region and other articles relating to Asian topics The editorial board national correspondents advisory council and governing board comprise a diverse group of academics and government officials from a wide range of countries and positions The Asian Yearbook of International Law offers a number of useful features articles notes legal materials such as the state practice in a number of Asian countries and participation in multilateral treaties Asia and international organizations chronicle of events for the covered year literature including book reviews and a bibliography selected documents treaties agreements and other relevant primary documents and an index Its range of features assures that the Yearbook comprehensively covers the critical events legislation and issues of the past year and that users can easily access all of this information Academics and practitioners who deal with international public law in Asia will appreciate this unique complete resource The Asian Yearbook of International Law provides insight into Asian views and practices especially for non Asian readers and also promotes the dissemination of knowledge of international law in Asia Some of the topics covered in

this volume the right to legal assistance recent developments in Asian investment treaty expropriation clauses the law and practice of India on effectuation of international law in the municipal order and China's ratification of the 1982 UN Convention on the Law of the Sea      **The Judicial Application of Human Rights Law** Nihal Jayawickrama, 2002-12-12 10

The right to life      **Buddhism and Law** Rebecca Redwood French, Mark A. Nathan, 2014-07-28 This volume challenges the concept of Buddhism as an apolitical religion without implications for law      **Law and Society in East Asia** Christoph Antons, 2017-07-05 The massive and complex process of change in East Asia over recent decades has brought about a transformation in the nature of law and legal institutions in the region Whilst the process of change has to some degree mimicked western models of law and legal change there have been significant differences in approach due to the different social foundations of East Asian societies The more obvious of these has been the variety of ways in which rule of law ideas have been adopted in many East Asian countries where the role of the state is more dominant when compared with Western models This volume brings together a selection of the most important writings on East Asia of researchers in recent years and shows the broad range of questions which researchers have been addressing about the effect of law reform and legal change in societies dominated by traditional values and political forces and at a time of massive economic change      **Asian Comparative Constitutional Law, Volume 1** Ngoc Son Bui, Mara Malagodi, 2023-05-18 This is the first in a 4 volume set that provides the definitive account of the major issues of comparative constitutional law in 19 Asian jurisdictions Volume 1 explores the process and contents in the making of a new constitution The book provides answers to questions on the causes processes substance and implantation involved in making new constitutions such as What are the political social and economic factors that drive the constitution making How are constitutions made and who makes them What are the substantive contents of constitution making What kinds of legislation are enacted to implement constitutions How do courts enforce constitutions The book considers the impact of decolonisation globalisation and social political dynamics which have led to the enactment of numerous independent constitutions in Asia including Vietnam 2013 Nepal 2015 and Thailand 2017 The jurisdictions covered include Bangladesh Cambodia China Hong Kong India Indonesia Japan Malaysia Mongolia Myanmar Nepal North Korea the Philippines Singapore South Korea Sri Lanka Taiwan Thailand and Vietnam An essential reference for those interested in Asian constitutional law      *Decentralization and Health Policy in South Asia* Nisha Bellinger, 2024-09-02 This ambitious and insightful book provides a unique regional perspective on health policy across South Asia focusing on how the decentralization of policy and governance leads to differing health outcomes across different countries in the region Comparing the contexts and outcomes in Sri Lanka Pakistan India Nepal and Bangladesh the book asks how power sharing arrangements between central and subnational layers of government nevertheless result in varying levels of success across issues such as infant and under five mortality rates The book argues that it is the role of central government in formulating policy and how this feeds into regional implementation that partly explains the disparities in

health outcomes across the region The book will interest students and scholars of South Asia politics global health and health policy more generally



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