Fundamental Rights In Sri Lanka | 7b19e0ebbfc1f82cfca7b829fb9c529e

Fundamental Rights: Agenda for Change

This book, a collection of three essays, looks at the legal system's response to violence against women in South Asia. It contains an analysis of three legal systems. All three countries have experienced British colonial rule and their criminal laws are derived from the British legal tradition. All three countries grappled with similar issues and problems in using law as a strategy to combat violence against women. All three faced the problem of reconciling ethnic and religious or customary legal norms with international and constitutionally guaranteed rights to equality and protection from violence. In Pakistan, the official abortion process added new and complex dimensions to the issues of administration of criminal justice and enforcement of family law. Each essay adopts a different approach to an analysis of legal control—focusing on what is considered relevant for their country. Thus, the study on Sri Lanka is a critical review of a range of legal norms and procedures, the one on India is a critique of the implementation of the justice system and the one on Pakistan focuses on the failure to protect women from violence and uses non-legal materials in its discussion of legal controls. This study in this volume clearly demonstrates that the legal system has failed to protect women against violence. There is, nevertheless, recognition of the fact that the law and effective law enforcement mechanisms can serve as serious deterrents to violence. The studies explore the possibility of reforming the legal systems and suggest that multi-ethnic and multi-religious societies of South Asia may accept the concept of drafting general codes that conform with international human rights norms and recognize the people's right to opt for them in the governance of family relations. Examining Sri Lanka's religious and legal past, this is the first extended study of Buddhism and constitutional law. This book examines the engagement between the United Nations' human rights machinery and the respective governmental agencies. Sri Lanka then was joined the United Nations. Sri Lanka has a long and rich history of engagement with international human rights instruments. However, despite active membership in the UN, the country's post-colonial struggles and transitions are emblematic of the limited influence the international organization 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 democratic 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, a shift from examining the colonial and post-colonial trajectories that have partly dictated governmental behavior. It argues that the book seeks to combine and analyze 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 arena. It aims at providing a critical understanding of the history of human rights in Sri Lanka, and its relationship with international law. It also provides a critical analysis of the current state of human rights in Sri Lanka and the challenges facing the country in this regard. The book offers a comprehensive analysis of the country's legal and political systems, and their impact on human rights. It also examines the role of international organizations and their influence on the country's development. The book concludes with recommendations for improving human rights protections in Sri Lanka, and enhancing the country's engagement with international law.