

Constitutionalism in South Asia

Yamuna Niranjani Mendis¹

Constitutions are the intellectual codes and statements of the ways that people are governed or wish to be governed. They are the thoughtful refractions of practices of political communities. Constitutional government is a form of limited government which based on a prescribed division of power among public officials. Most of the conceptions of constitutional government in South Asia are closely associated with western judicial and liberal political traditions. Therefore, Western constitutional perceptions should not be underestimated. In such a context, national survival and regional unity may depend upon a quest for common ground as well as constitutional convictions for competing political groups. This paper closely examines the validity of the Western approach of constitutionalism in South Asia with paying special reference to constitutional crises in Sri Lanka, Pakistan, Bangladesh and India.

The present study reveals that military rulers and elected representatives in south Asia abused the constitutional values and acquired untrammelled power to govern without having popular mandate or due constitutional processes.

Key words: South Asia, Constitutionalism, Political groups, Constitutional crisis, Politics

¹ Department of Economics, University of Kelaniya, Sri Lanka