



CITIZENS' RIGHTS, JUDGES AND STATE ACCOUNTABILITY

A.G. Noorani

OXFORD

Citizens Rights Judges And State Accountability

Yijin Wang



Citizens Rights Judges And State Accountability:

Citizens' Rights, Judges and State Accountability Abdul Gafoor Abdul Majeed Noorani, 2002 This volume deals with crisis in various institutions including the judiciary the civil service and elections It highlights the process of accountability in these institutions the citizens rights to know the working of the commissions enquiry the political process article 370 and the armed forces The Supreme Court and the Constitution Salman Khurshid, Lokendra Malik, Yogesh Pratap Singh, 2020

Legal Constraints on EU Member States in Drafting Accession Agreements Narin Idriz, 2022-06-22 Do Member States of the EU have a free hand in drafting Accession Treaties or are there legal constraints on their primary law making powers in this regard That is the main question this book addresses It argues that such constraints do exist and seeks to identify them thereby providing a number of insights into the nature of the EU's legal order The point of departure as well as the main focus of the study is the proposed permanent safeguard clause PSC on the free movement of persons in the Negotiating Framework for Turkey Legal provisions rules principles and norms that might constrain Member States in this regard are identified with reference to the PSC The book examines constraints on Member States stemming from three sources of EU law Association Law based on the existing legal framework built on the EEC Turkey Association Agreement Part I EU Enlargement Law comprised of past practice and existing EU rules on enlargement Part II and the foundations of EU Constitutional Law Part III which constrain Member States whenever they act within the scope of Union law both as primary and secondary lawmakers Part III reveals what the Court of Justice of the EU considers to be the essence or the very foundations of the Union's legal order which it protects against encroachment This is similar to what some constitutional courts do to protect the inner unity or basic structure of their constitutions The findings of this book can be applied to the accession of any candidate state It also sheds light on important implications for future treaty amendments and for identifying possible limits to differentiated integration

The Law and Politics of Unconstitutional Constitutional Amendments in Asia Rehan Abeyratne, Ngoc Son Bui, 2021-11-29 This book explains how the idea and practice of UCA are shaped by and inform constitutional politics through various social and political actors and in both formal and informal amendment processes across Asia This is the first book length study of the law and politics of unconstitutional constitutional amendments in Asia Comprising ten case studies from across the continent and four broader theoretical chapters the volume provides an interdisciplinary comparative perspective on the rising phenomenon of unconstitutional constitutional amendments UCA across a range of political legal and institutional contexts The volume breaks new ground by venturing beyond the courts to consider UCA not only as a judicial doctrine but also as a significant feature of political and intellectual discourse The book will be a valuable reference for law and political science researchers as well as for policymakers and NGOs working in related fields Offering broad coverage of jurisdictions in East Asia Southeast Asia and South Asia it will be useful to scholars and practitioners within Asia as well as to those seeking to better understand the law and politics of the

region Contempt of Court and Freedom of Speech Bibha Tripathi, Freedom of speech and a free and fair justice delivery system are two most important components of democracy and striking a balance between them is a must for its smooth running The law of contempt of court in India has assumed immense social and political significance due to growing judicial tendency to gag and often to subjugate the democratic aspirations and dissent This book presents a critical assessment of the freedom of speech as enshrined in the Indian Constitution and encroachment on it by the proactive approach of judiciary through the instrument of the law of contempt of the court Tracing the history of the contempt of court it discusses at length the various aspects of democracy and freedom of speech the status of contempt of court in various countries the law of contempt and constitutional guarantees and judicial accountability It also tries to explore gender biases in the delivery of justice in the cases related to the contempt of court **Right to Information and the Grievance Redressal System in India** Bibhuti Bhusan Nayak, 2023-01-30 The book critically examines the practice of Right to Information Act and employee s grievance redressal system in India This book initiates the debate on whether the Act leads to an actual redressal of grievances or is it merely an attempt to gather innocuous information which may not have further use It questions whether the absence of an in built redressal mechanism defeats the core purpose with which the Act was promoted The numerous debates and controversies have continued to surface after the implementation of the Act Many frictions were created between the affected parties i e the government bureaucracy judiciary etc on one hand and the general public on the other hand Instead of reducing the burden on the judicial system of India the Act has resulted in increasing the cases related to denial of information from public offices that have reached the courts of law It has led to an additional burden on bureaucracy which is already crumbling under pressure Finally the book argues for public accountability in India and the Odisha state **Altered States** Valerie Sperling, 2009-05-25 Is globalization good for democracy This book examines the accountability of transnational institutions and traces their impact on democratic governance **Practising Self-Government** Yash Ghai, Sophia Woodman, 2013-08-29 Autonomy provides a framework that allows for regions within countries to exercise self government beyond the extent available to other sub state units This book presents detailed case studies of thirteen such autonomies from around the world in which noted experts on each outline the constitutional legal and institutional frameworks as well as how these arrangements have worked in practice to protect minority rights and prevent secession of the territories in question The volume s editors draw on the case studies to provide a comparative analysis of how autonomy works and the political and institutional conditions under which it is likely to become a workable arrangement for management of the differences that brought it into being **Judicial Review of Elections in Asia** Po Jen Yap, 2016-04-14 In the past century Asian nations have experienced a wave of democratisation as countries in the region have gained independence or transitioned from authoritarian military rule towards more participatory politics At the same time there has been an expansion of judicial power in Asia whereby new courts or empowered old ones emerge as independent

constraints on governmental authority This is the first book to assess the judicial review of elections in Asia It provides important insights into how Asian courts can strategically engage with the political actors in their jurisdictions and contribute to a country's democratic discourse Each chapter in the book sheds light on the judicial review of elections and the electoral process in a specific Asian jurisdiction including Common Law Asia namely Hong Kong India Malaysia and Singapore as well as jurisdictions in Civil Law Asia namely Indonesia Japan the Republic of Korea Taiwan and Thailand It fills a gap in the literature by addressing a central challenge to democratic governance namely the problem of partisan self-dealing in the electoral processes By exploring the constantly evolving role of the courts in addressing pivotal constitutional questions this book will be of interest to students and scholars of Asian Law Governance and Politics

Indian Polity And Governance : For UPSC Civil Services and State PSC Examinations Nitin Shivahare, To say anything about the relevance of Indian Polity it was the best of times it was the worst of times While on one hand sweeping changes in the pattern of questioning and less than kind marking in all papers including optional has shaken the confidence of the most ardent of its advocates on the other hand however the indelible presence of a substantial portion of Indian Polity in all papers has proved it beyond doubt that you can love it or hate it but you can never be indifferent towards it This edition presents the dynamic aspect of Indian Polity the living breathing ever changing ever challenging democratic environment which is as complex as elusive and as mind boggling as the realities of India itself Democracy one can say is the arena where the various theories and principles wrestle grapple and jostle with each other to prove their pertinence and justify their existence This book has been done in an equally diligent and devoted manner for revealing the complexities while retaining the simplicity of the subject in hand I hope the present work will prove to be a fascinating informative and enriching read for both students and casual but curious readers alike

Seeing the State Stuart Corbridge, 2005-09-22 Poor people confront the state on an everyday basis all over the world But how do they see the state and how are these engagements conducted This book considers the Indian case where people's accounts in particular in the countryside are shaped by a series of encounters that are staged at the local level and which are also informed by ideas that are circulated by the government and the broader development community Drawing extensively on fieldwork conducted in eastern India and their broad range of expertise the authors review a series of key debates in development studies on participation good governance and the structuring of political society They do so with particular reference to the Employment Assurance Scheme and primary education provision Seeing the State engages with the work of James Scott James Ferguson and Partha Chatterjee and offers a new interpretation of the formation of citizenship in South Asia

Accountability of Judicial Power Piotr Mikuli, 2025-04-29 This book brings together a group of international scholars to discuss theoretical and comparative considerations of judicial accountability Accountability of the judiciary is an essential element in a democratic state ruled by law Its design must take into account the need to ensure both the legitimacy of the judiciary and its independence The work discusses accountability

in the light of recent research including studies on the crisis of the rule of law in the contemporary world The book adopts a broad approach to accountability which has various facets referring both to the courts that is the organisational element of the judicial branch of government and to judges its individual dimension It is divided into four parts the first deals with the essence of the concept of accountability of the judiciary the second discusses the emerging standards relating primarily to the individual accountability of judges and the third discusses the position of constitutional judges through the lens of accountability The fourth and final part provides a detailed consideration of the specific accountability mechanisms The book will be a valuable resource for academics researchers and policymakers working in the areas of constitutional law and politics and accountability studies

Decoding Intolerance: Riots and the Emergence of Terrorism in India Prateep K. Lahiri, Kuldip Nayar, 2009-10-01 The rioting in Jabalpur Madhya Pradesh in 1961 was a watershed event for India After the Partition it was the first time such large scale communal violence had taken place The author Prateep K Lahiri on his first posting was involved in bringing the situation under control Some time later in 1969 as district magistrate of Indore Lahiri played a key role in dealing with the outbreak of communal violence in that city While the violence in both instances appeared to have been spontaneously provoked by an incident just like in Gujarat in 2002 the reasons that later emerged for the rioting revealed the deeper malaise that continues to affect our social system Decoding Intolerance Riots and the Emergence of Terrorism in India is a significant book by an administrator who has observed the minutiae of the crisis from close quarters and scrutinized the role of the police and the state administration The author synthesizes various dimensions of the issue including the changing perceptions of Indian Muslims in the recent past the history of religious fundamentalism and how it manifests as communal unrest both in India and elsewhere The phenomenon of terrorism which has reared its ugly head over India and the world is also touched upon to understand the implications it has had on the shifting political scenario Decoding Intolerance critically analyzes the recurrence of communal violence and offers a persuasive argument about the problem with a focus on its prevention in the future

Global Business, Local Law Amanda Perry-Kessaris, 2016-04-22 This volume establishes a theoretical framework for exploring the role of host state legal systems courts and bureaucracies in mediating relations between foreign investment civil society and government actors It then demonstrates the application of that framework in the context of the south Indian city of Bengaluru formerly Bangalore Drawing on the law and community approach of Roger Cotterrell the volume identifies three mechanisms through which law might in theory ensure that social relations are productive by expressing any mutual trust which may hold actors together by ensuring that actors participate fully in social life and by coordinating the differences that hold actors apart Empirical data reveals that each of these legal mechanisms is at work in Bengaluru However their operation is limited and skewed by the extent to which actors use abuse and or avoid them Furthermore these legal mechanisms are being eroded as a direct result of the World Bank's investment climate discourse which privileges the interests and values of foreign investors over those of

other actors *Constitutional Questions and Citizens' Rights* A.G. Noorani, 2005-12-05 This omnibus brings together two highly acclaimed volumes of essays written by India's leading constitutional expert and political commentator A G Noorani. The volume also includes nine new essays that examine key issue areas that emerged in the debate on institutions and citizens rights later. The essays explore the Indian Constitution and its basic structure Parliament and the making of foreign policy the issue of lobbying and the need for appropriate legislation as also ethical codes for parliamentarians and ministers. Further the omnibus includes a discussion of Courts and their powers of contempt journalist's rights and freedom of information in addition to an analysis of the choice of candidates by political parties. Written in the author's trademark lucid style *Constitutional Questions in India* scrutinizes almost every constitutional problem that arose in the last two decades. The essays in this volume deal with issues concerning the President Parliament the states the Judiciary the Civil Services the Election Commission the armed forces and the process of accountability on which the constitutional machinery is based. *Citizens Rights Judges and State Accountability* follows the discussion of the executive and legislative branches with a discussion of India's institutions the Judiciary Civil Services and the elections and various commissions of enquiry constituted by the government. It is supplemented with insights into the freedom of information and the citizen's rights to know and specific articles on the Constitution parliamentary resolutions foreign policy and the armed forces. While highlighting the process of accountability across these institutions the volume demonstrates how citizens can assert their rights in the face of institutional disinterest and injustice Citizens' Right to Standing in Federal Courts Act, S. 680 United States. Congress. Senate. Committee on the Judiciary, 1981 Human Rights and Peace Ujjwal Kumar Singh, 2009-01-06 Human Rights and Peace Ideas Laws Institutions and Movements redefines the ambit of peace presenting a radically different perspective of looking at its relationship with human rights. It deals with the transformation of both the definition and practice of peace showing how it has now taken the domain of human rights into its fold. Through experiential articles on the themes of ideas laws institutions and movements this collection reveals how people's struggles against specific forms of institutionalised violence take the form of calls for peace. It brings together hitherto unpublished writings on peace and human rights. It also includes some rare articles extracted from landmark published pieces. This book is an insightful resource for students and researchers of Peace Studies Human Rights Politics and International Relations. It is also an invaluable idea bank for activists think tanks and policy makers who seek to understand the evolving paradigm of peace and human rights **Supporting Human Rights and Democracy**, 2004 Shows how the United States worked worldwide in 2003 and 2004 to expose and remedy human rights violations and to foster the evolution of vibrant stable democracies *The Human Toll of the Kashmir Conflict* Shubh Mathur, 2016-02-01 Since 1989 when the movement for Kashmiri independence took the form of an armed insurgency it has been one of the most highly militarized regions in the world. This book is based on the idea that preserving memory is central to the struggle for justice and to someday rebuild a society shattered by two decades of armed conflict.

World Development Report 2006 Francisco H. G. Ferreira, Michael Walton, 2005-01-01 Inequality of opportunity both within and among nations sustains extreme deprivation results in wasted human potential and often weakens prospects for overall prosperity and economic growth concludes the 2006 World Development Report To correct this situation and reduce poverty more effectively Equity and Development recommends ensuring more equitable access by the poor to health care education jobs capital and secure land rights among others It also calls for greater equality of access to political freedoms and political power breaking down stereotyping and discrimination and improving access by the poor to justice systems and infrastructure To level the playing field among countries and thereby reduce global inequities that hurt the poor in developing countries the report calls for removal of trade barriers in rich countries flexibility to allow greater in migration of lower skilled people from developing countries and increased and more effective development assistance

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