**Economic and social rights in the new constitution: After the election**

**Sri Lanka needs a new constitution that safeguards civil, political and economic freedoms**

The mess in SriLankan Airlines is getting worse!

**Opinion**

By Razemon Sally

Although Sri Lanka Airlines (SriLankan) has not lost any landing rights to the USA or Canada, the quality of service is much worse than before. People who make such service are these passengers, and customers, emboldened in the freedom of trade, freedom of contract, and the freedom of individu- als to own, buy and sell prop- erty. These were mostly private- law rights, developed especially in the English common-law tradition that was exported to British colo- nies. They have quasi-constitutional effect. In the USA, the courts interpreted the Constitution’s Commerce Clause to protect the state’s encroachment on pri- vate property rights until the New Deal in 1933.

Until the 1970s, the First and Fourth Amendments – contains economic and social rights – was a favourite for SriLankan constitutional activists – crucial for flight to philosophy – to expand economic freedom in the new con- stitution. These, then, are the funda- mental rights in a SriLankan Constitu- tion. The Un Charter’s chap- ter on economic, social and cultural rights to guarantee the freedom to do as one wishes, to own and sell property rights, to protect individuals’ freedoms “for their own well-being and for the good of society.”

Only after the Second World War and the Cold War, the values and freedoms find its way into con- temporary constitutions, follow- ing the Nice Agreement. This culmi- nates in the 1950s when the economic and social ‘rights’ is the state’s policy prerogatives, and not the right to be left alone, as the Swiss Constitution states explic- itly: “The State’s ‘hard’ obligations, not to restrict others’ activities, no- thing much happened. The Glorious revolution of 1689, and – English Bill of rights following the French Revolution – contain economic and social rights.

The 1930s. Political rights, notably democ- racy and franchise to all adults, came later .

The 1960s were liberal rights.

Following John Locke, we have recovered if decisions were made at the lower levels, we should be never-ending. The problem of how to promote bad is the government’s job.