Sonargaon University (SU)

Research Monograph
On
Judicial Enforceability of Economic, Social and Cultural Rights: A Comparative Study of Modern Constitutions

Research Monograph Submitted for the partial fulfillment of the award of the degree

in

LL.M. (Master of Laws)
Department of Law
Sonargaon University (SU)

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Date of Submission : 7th July, 2024

Letter of Transmittal

To

Md. Abdul Alim

Lecturer

Department of Law

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Subject: Submission of Research Monograph on "**Judicial Enforceability of Economic, Social and Cultural Rights: A Comparative Study of Modern Constitutions"**

Dear Sir,

This is a great pleasure to submit the Research Monograph on **"Judicial Enforceability of Economic, Social and Cultural Rights: A Comparative Study of Modern Constitutions"** as a partial requirement for the fulfillment of my LL.M. (Master of Laws) course under the Department of Law of the Sonargaon University (SU).

I have given due efforts to make this Research Monograph as fruitful one and to make it as informative as possible. I hope that this paper will not be the formality of academic course completion rather, it will be a source of information for other purpose on this topic.

Yours sincerely

.....

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Declaration

I do hereby declare that the Research Monograph Title **"Judicial Enforceability of Economic, Social and Cultural Rights: A Comparative Study of Modern Constitutions"** prepared solely by me and which has been submitted to the department of Law, Sonargaon University (SU) for achieving the LL.M. (Master of Laws) Degree. This is an original work of nine. No part of this research, in any way of or in from, has been submitted to any University or Institution for any Degree, Diploma or for other similar purposes.

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Supervisor Certificate

This is to certify that the work presented in this dissertation is based on the work, carried out by the author herself under my supervision in Department of Law, Sonargaon University (SU).

It is also certifying that the work presented here is original and suitable for submission as the style and contents, for fulfillment of LL.M. (Master of Laws) program.

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Md. Abdul Alim
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Acknowledgement

***In the name of Allah, the Beneficent, the Merciful".** Praise by Allah & thanks to Allah for patronizing me to finish this Research Monograph. I am very happy to finish it. It is a great Research of my life. It is a long cherished hope of my life to become a great lawyer. That's why I have admitted in the Department of Law in Sonargaon University (SU) to fulfill my dream. But through my whole study life in this field, I did not get much more opportunities to examine and show my knowledge and skill in this wide field. Lastly I have got a great chance to make my study meaningful when I got the chance to prepare a Research Monograph on **Judicial Enforceability of Economic, Social and Cultural Rights: A Comparative Study of Modern Constitutions.**

I acknowledge my grateful to respected course teacher **Md. Abdul Alim** for instructing me how to prepare a Research Monograph and on this subjects he helped me to complete my task sincerely.

I am also thankful to my classmate as they help me to complete the Research Monograph. I am extremely paying my solitude to all the authors and writers whose works help me to draft this original Research Monograh.

Overall I am thanking everyone who inspired me to write this Research Monograph.

Thank you

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Abstract

The implementation of economic, social and cultural rights (esc rights) continues to pose uncertainties in the modern world. Given that many states constitutionally treat such rights as aspirational and not justiciable, it is difficult to enforce them judicially at the domestic level. Bangladesh has embodied these rights in Part ii of its Constitution as a social welfare goal of the State. This article takes Bangladesh as a case study and examines the international legal framework for the implementation of esc rights at the domestic level. Making a comparison with other jurisdictions, such as India and South Africa, the article examines the approach of the judiciary of Bangladesh (the Supreme Court) in giving effect to these rights. Lastly, the article argues that the court should devise appropriate and effective enforcement mechanisms for these rights.

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