

## FELICITATION FOR JUSTICE C.G. WEERAMANTRY

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It is only appropriate that we should now and then remember the services of all those who have contributed to the development of law and Justice Christopher Gregory Weeramantry occupies a very prominent place among such people. You have all listened to accounts of different sides of Justice Weeramantry and now I am entrusted with the daunting task of speaking about the immense contribution made by ‘*Sri Lankābhīmānya*’ Justice Weeramantry in the myriad roles he played in all fields of law – professional, judicial, academic, arbitral, and authorship, as he celebrates the completion of fifty years since appointed as a judge.

Justice Weeramantry is not only the country’s most renowned jurist, he is also one of the foremost international legal thinkers of our time. The academic record of Justice Weeramantry shows that he was born to excel. He excelled in his academic career throughout. In all the exams which he undertook he secured the available Fellowships, Scholarships and Prizes. He obtained a Bachelor of Arts degree with Honours from the University of London. Though Justice Weeramantry won an Exhibition in History at the University of Ceylon he declined the Exhibition awarded to him and joined the Ceylon Law College, where he passed with First Class Honours in the Preliminary and Final Examinations. He also obtained a Bachelor of Laws degree from the University of London. Some of his contemporaries at the law college were J.F.A. Soza, Malcolm Perera and Barnes Ratwatte – who became Supreme Court Judges, Eardly Perera PC and A.K. Premadasa PC.

He was called to the Bar as an Advocate of the Supreme Court in 1948, the year Sri Lanka gained its independence and after seventeen years of highly successful period of practice as a trial lawyer Justice Weeramantry was invited to accept a seat on the Supreme Court bench. He was initially appointed as a Commissioner of Assize as was customary, for a period of two years and subsequently appointed as a judge of the Supreme Court, in 1967. He holds the record for being the youngest lawyer at the Bar and also the youngest judge ever to be appointed to the Supreme Court.

Justice Weeramantry’s scholarship, his erudition and his clarity of exposition can be seen in his judgments during his tenure on the Supreme Court bench. His judgment in *De Costa v. Bank of Ceylon* (1972 NLR 501) has been cited overseas and adopted by overseas text writers. Also his judgments in the fields of administrative and industrial law have become leading precedents in the Sri Lankan legal system. Besides, Justice Weeramantry has also been party to numerous orders and judgments that have

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This speech was delivered at the Bandaranaike Memorial International Center Hall (BMICH) on the 25<sup>th</sup> November 2015, felicitating ‘*Sri Lankābhīmānya*’ Judge C.G. Weeramantry on his completing 50 years since appointment as a judicial officer.

furthered the cause of justice in this country. All through his judicial career Justice Weeramantry has upheld the rule of law while also being conscious of the needs of the under-privileged and vulnerable groups of society. He is a revolutionary thinker who redefined the law's role in relation to some of the most controversial issues of our time. It is indeed difficult to spell out the plethora of judgments which bear testimony to his judicial qualities.

He would have had an unusually long career on the Supreme Court bench spanning over 23 years with the retiring age being 65 and in a short time would have also been the Chief Justice of the country's apex Court. However, changing course in April 1972, Justice Weeramantry resigned from the Supreme Court and moved to Australia with his family, to accept the prestigious Sir Hayden Starke Chair in Law at the Monash University. This move marked a significant change in direction in what was already a distinguished legal career. As he describes it, "the move into academia was for Justice Weeramantry a plunge into the unknown".

The move to Monash was the beginning of quite an extraordinary journey in which Justice Weeramantry progressively expanded his expertise from contract and comparative law, to international and human rights law, to environmental law, to the emerging areas of law, science and technology to name just a few. Justice Weeramantry states in his monumental work titled "Towards One World" that although law has always been his principal field of interest, it has always been in association with education, an interest he inherited from his father, to whom education was a vocation.

Justice Weeramantry has lived his life on a very broad canvas and has achieved all these in one single life than would be within the grasp of most people if they lived their lives several times over. He has five Higher Doctorates. He was awarded higher Doctorate in Laws (L.L.D.) by the University of London, Doctor of Laws (*Honoris Causa*) Monash University, Doctor of Laws (*Honoris Causa*) National Law School of India, Doctor of Literature (*Honoris Causa*), University of London and honoured with its highest award, the Degree of Doctor of Laws (*Honoris Causa*) by the University of Colombo. The Sri Lankan government bestowed on him its highest honour of '*Sri Lankābhīmānya*' in 2003. During his celebrated legal career I believe Justice Weeramantry has also authored more than 25 books, written well over 250 articles in law journals and lectured to distinguished audiences in over 50 countries. He is the President and Patron of several international peace-related organizations. Justice Weeramantry was appointed Patron, McGill Center for International Sustainable Development Law, Counsellor, American Society of International Law; President, International Association of Lawyers Against Nuclear Arms, Chairman, Judicial Integrity Group, to name a few. He also established the Weeramantry International Centre for Peace Education and Research in 2001, and played a crucial role in strengthening and expanding the rule of international law. It was in the field of international law that Justice Weeramantry made a profound impression. As all of you will remember, Justice Weeramantry's book on "Law of Contracts" received praise in

practically every legal journal that reviewed it. The Law Quarterly Review, the South African Law Journal, the Judicial Review, and the International and Comparative Law Quarterly were some of them.

His writings have contributed immensely to changing views on the many subjects he has written. Justice Weeramantry through his writings has voiced opinions that have shaped the policies, not only of institutions like the United Nations and the World Court, but have informed the decisions made by the governments of entire countries. He has won a garland of academic honours and awards in recognition for his work. He was lauded in 2006, by UNESCO for his efforts to promote peace. He was also awarded the Alternative Nobel Prize - Right Livelihood Award and the Lifetime Achievement Award of the Nuclear Age Peace Foundation. When the City of The Hague celebrated its 750th Anniversary in 1996, Justice Weeramantry was selected as the personality representing the Hague's excellence in international law, one of 18 areas in which the Hague had achieved distinction over the years.

Justice Weeramantry's increasing stature on the international stage led to his appointment as the Chairman of the Nauru Commission of Inquiry. The Commission was set up by the Government of Nauru in 1987 to investigate responsibility under international law for rehabilitation of the phosphate lands of Nauru which had been ruined during international trusteeship. The Nauru Commission case made Justice Weeramantry a household name among jurists worldwide. Justice Weeramantry's professional contribution has been sententious to propel him to be elected to the distinguished post of Judge of the International Court of Justice and subsequently elevated to the position of Vice President of the said court. Justice Weeramantry remains the only Sri Lankan ever to be appointed to the International Court of Justice to date.

His international judicial output totalled over 20 opinions. He wrote a number of separate and sometimes dissenting opinions. In them he expressed his views rather comprehensively. His judgments, seeking to advance the frontiers of international law and make it more multi-cultural and future oriented have made a profound impact on the content and direction of international law.

It's impossible to do justice to all of Justice Weeramantry's accomplishments at today's event. However, I hope that the accounts of different splendoured personality of Justice Weeramantry given by our distinguished speakers - as a thinker, a scholar, an interpreter, an educator and a reformer provided some flavour of the extent and impact of his career and work.

John Ruskin said "I believe that the first test of a great man is his humility. I don't mean by humility, doubt of his power. But really great men have a curious feeling that the greatness is not of them, but through them. And they see something divine in every other man and are endlessly and incredibly merciful." Justice Weeramantry more than meets this test.

Knowledge and wisdom is not limited and confined to any geographical region or person. It is hard work of the hungry soul who constantly sows the seeds of learning. Today, I am sure that people of this country will take pride in the foremost son of Sri Lanka who continues to illuminate with brilliance. The echo begins at a certain point of time and it continues to reverberate the air, long after the source of sound has ceased. Such has been the impact of Justice Weeramantry who has left an echo effect that will remind us of his persona forever. Sir, your journey of accomplishment, will continue to inspire us to achieve heights for centuries to come. We wish you and your family a pleasant and peaceful onward odyssey. May your roads continue to be auspicious.

Justice Weeramantry in his memoirs has written extensively about his father. So let me conclude with a stanza from the *Thirukkural* – “Son’s duty to father is to make the world ask, for what austerities of his, he has been blessed with such a son”.

Thank You.