

# The Role of the state in Environmental Protection: A critical Analysis of Sri Lanka

K. M. V. Ravihari<sup>1</sup> and V. S. Suriyabandara<sup>2</sup>

## Abstract

This study examines the role of the state in Environmental protection I; A critical analysis of Sri Lanka. In the current situation of Sri Lanka, Environmental protection is hotly debate topic among the people. Environmental sustainability is like the core of development country. The research problem is, why has the Sri Lankan state been unable to effectively ensure environmental protection despite having established policies, laws and institutions? In additional sub purposes are, to examine the existing environmental laws. Policies and regulatory framework in Sri Lanka, to analyze the role of state institution in implementing environmental protection policies, to explore the political factors that influence environmental decision making in Sri Lanka, to examine the challenges faced by the state in ensuring environmental sustainability and to assess the impact of economic development priorities on environmental protection. The writing of this article uses qualitative method. Under the qualitative method using literature resources for this. Specially analysis technique based on previous researchers' findings. Through this study , Political interference often affects environmental decision making and law enforcement, economic development projects are ignore the environmental regulations, clear gap between environmental policies and their practical usage in Sri Lanka and Corruption and lack of accountability weaken environmental government these findings can be identified regarding why has the Sri Lankan state been unable to effectively ensure environmental protection despite having established policies , laws and institutions.

**Keywords:** Environmental protection, Environmental laws, government policies, State role, Sustainable Development

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<sup>1,2</sup>University of Sri Jayewardenepura – Sri Lanka

## Introduction

**E**nvironmental protection has become one of the most pressing global concerns in the 21st century, as the impacts of climate change, biodiversity loss and environmental degradation continue to intensify. Human life is directly dependent on a healthy environment for basic needs such as food, clean water, shelter and air. Earth is the single planet in the cosmos that has been endowed with lives sustaining materials such as water, food, land and air as well as an upmarket biodiversity of planet and animal species endowed with aesthetic and commercial benefits of paramount importance to the population. Life on earth is only feasible due to its environment, which is reliant on natural resources such as water, forest, land and food (Grewal, 2022). This situation highlights the urgent need to protect and preserve the environment for present and future generations. Rapid industrialization, urbanization, population growth and unsustainable consumption patterns have placed immense pressure on natural ecosystems. Countries across the world are increasingly recognizing the need for strong governance mechanisms to protect the environment and ensure sustainable development. In this context, the role of the state is particularly important, as it possesses the authority, resources and institutional capacity to regulate human activities, enforce environmental laws and promote policies that balance economic growth with environmental sustainability. Human development has created the drastic environmental pollution. When the environment of earth sustains injury, it affects human security. There is a connection between environment and life (Upase, 2019).

One of the key reasons why environmental protection is important is its direct impact on human health. Pollution of air, water and soil has led to the spread of various diseases and health problems. For example, air pollution caused by vehicle emissions and industrial activities contribute to respiratory illnesses, while contaminated water sources can lead to waterborne diseases. Protecting the environment helps to reduce these risks and ensure environmental quality is not only an ecological issue but also a public necessity. Environmental protection is also important for the conservation of natural resources. Resources such as forests, water, minerals and energy sources are limited, and many of them are being used at an unsustainable rate. Environment protection helps with many critical societal goals, such as long-term sustainability, a cleaner environment, reduction in climate change and healthier food (Cabelkova, 2023).

Sri Lanka as a developing island nation rich in biodiversity and natural resources, provides an important case for examining the role of the state in environmental protection. We can study this research through some key areas. These are environmental protection, economic development, social responsibility, governance and enterprise sustainable development (Lin.W. L,2024). The country is home to a wide range of eco systems, including forests, wetlands, coastal zones and marine environments. These natural resources not only support bio-diversity but also play a crucial role in the livelihoods of the population, especially in sectors such as agriculture, fisheries and tourism.

However, Sri Lanka is currently facing significant environmental challenges, including deforestation, pollution, climate change impact, loss of bio-diversity and improper waste management. These issues highlight the need for effective state intervention and policy implementation. The state in Sri Lanka has historically taken various measures to protect the environment. These include the establishment of legal frameworks, such as environmental laws and regulations, the creation of institutions responsible for environmental management, and the adoption of national policies aimed at conservation and sustainable development. For example, the introduction of environmental legislation, environmental impact assessment to procedures and protected area systems demonstrates the states commitment to environmental protection. Additionally, Sri Lanka has been a participant in several international environmental agreements, which further reflects its recognition of global environmental responsibilities. Environmental law was initially considered as a part of the broader conception of public international law. (Thilakarathne, 2019)

## **Review of the Literature**

The lack of state role of Environmental protection is most important contemporary issue in Sri Lanka. This research, which address the question of why has the Sri Lankan state been unable to effectively ensure environmental protection despite having established policies, laws and institutions? identifies two primary theoretical areas that need to be addressed. Accordingly, the literature review can be conducted based on the theoretical fields of environmental politics and public policy.

| Title                                                                                                               | Year | Writer             | Research findings                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------|------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>From policy to practice: The role of Sri Lankan environmental legislation on sustainable development journey</i> | 2024 | Pathmanandakumar.v | This research paper examines state role of environmental protection in Sri Lanka from legal perspective. In this research paper explain what are the articles important for protecting environment under the 1978 Constitution deeply. These are, Articles 27 (14) of Sri Lanka's 1978 constitution mandates environmental duties for the state, while article 28(f) imposes a responsibility on every citizen to protect environment. One by one act and articles have described like this. As well as explain how to build sustainable development in Sri Lanka through the environmental protection. Unauthorized construction in Sri Lanka very harmful threat for the natural disasters and climate changing. Specially deforestation and buildup illegal construction. But this research paper not discuss about that. |
| <i>Role of State in Protecting the environment</i>                                                                  | 2022 | Grewal.U & et      | This study has explained well what is importance of environment protection? and also what were the ways of environmental protection in ancient era? Under the environment protection ways of ancient era, Buddhism, Islam and environment, and holy Quran described deeply. According to this, this research paper explains environment protection ways through the religious perspective. And also explain functions of legal frame work for the protecting environment. But in this research paper examine legal frame work of India, not mention legal framework of Sri Lanka.                                                                                                                                                                                                                                            |

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| <p><i>The environmental state: Nature and the politics Environmental protection</i></p>                       | <p>2021</p> | <p>Christopher M. Rea &amp; Fricked .S</p> | <p>This research paper has described main characterize of environmental states. These are, accommodate the vast empirical differences in geopolitical history, territorial size and ecology, political institution organization and economic, military and cultural specify.</p> <p>These features help to build up environmental welfare in these countries. As well as what is the environmental state? For the question, well defined answer in this paper widely. But government regulations, policies how to affect developing environmental sustainability not discussed deeply.</p>                                                                               |
| <p><i>Environmental protection or economic growth? The effects of preference for individual freedoms.</i></p> | <p>2023</p> | <p>Cabelkova.I &amp; et</p>                | <p>This research paper has studied freedom and environmental sustainability deeply. In this way, this research mainly focuses, regulations of personal behavior. Which can be monitored via all kinds of surveillance means, including street camera, monitoring of emails and collecting and storing personal information. And also described pro-environmental values. Under the pro-environmental values in this explained, environmental attitudes, environmental knowledge, subjective norms and emotional values. In this study dicuss, how to use Self-discipline for protecting environment. But not discuss environmental protecting in Sri Lankan context.</p> |

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| <i>Research on Environmental protection laws and policies for sustainable green development</i> | 2023 | Kumar.P & Kumar. S | <p>This research examines the green growth's worldwide performance on environmental security and analyzes the factors of natural resources protection that are pertinent to green development. Under the natural resource's protection describe, importance of environmental laws and policies, promoting sustainable</p> <p>Materials, renewable energy sources and other eco- friendly methods. And also discuss in this research green economy. Green economy can divide main five groups. These are human resources, financial resources, technological innovation, government policy and environmental regulations. But not mention what is the gap of legal frame work for protecting environment in Sri Lankan context.</p> |
| <i>Environmentnal protection and sustainable development.</i>                                   | 2012 | Souvik.S           | <p>The study has examined well about that destroyed environment by people. Man became the butcher of nature, droughts, floods, tsunami, massive shifts in climatic patterns, heating, acid rains, widespread desertification, loss of the atmosphere's ozone barrier and a wide range of previously unheard-of ill-ness are only a few examples of damages imposed on the environment. We spent lives sustaining materials such as water, food, land and air. But sadly, our planet destroys day by day. Specially industrialization, technical evolution and deforestation for agriculture expansion. In this paper limited discuss state role.</p>                                                                               |

Although many scholars have examined the Environmental protection, there is still limited research specifically addressing environmental protection in Sri Lankan context. And also, many researches not specify how to conduct state role for protecting environment practically. They mainly attention theoretical frame work. A literature gap exists when previous studies have not fully explored an important part of a topic. Otherwise, they have not been discussed in clearly and only those points have been mentioned or limited discussed. After discussing each of those papers or material, the research gap relevant to this topic has been showed one by one in each paragraph. By identifying this research gap and filling that void, this study will be conducted.

## **Methodology**

This study adopts a qualitative research design to explore state role of environmental protection in Sri Lanka. The methodology that has used for the study is qualitative in nature and descriptive analysis method has been followed to analyze the gathered data. For the study, only secondary data sources have been used. The theoretical framework has been featured with the environmental politics, ecological modernization theory and public policy. Conceptual wise, the concepts of sustainable development, environmental law and environmental governance been applied for the study. The study also employs a comparative analytical framework to examine the differing approaches and interests. The author collects information through the research journals that discuss this problem.

## **Data evaluation**

The author evaluates the contents of the research journal obtained so that the research data to be discussed can be in accordance with what is desired.

## **Data analysis and interpretation**

The author analyzes the research data obtained so that it can then be summarized and rewritten in the resulting article. The data analysis technique used by the author is the content analysis technique where the author will analyze the results of research that has been carried out based on suitability with the topic discussed and the time of implementation of the research.

Results and Discussions

Based on the results of the literature search conducted by the author, there were research journals found that discussed the topic, the role of the state in environmental protection: critically analyze of Sri Lanka. Under the discussion, analyze secondary data and based on secondary data, describe research topic research problem and theoretical frame depth. The research shows that environmental protection is contemporary issue in Sri Lanka. It is also important and updated research topic current situation. Specially discuss political impact how to relate for this, why has the Sri Lankan state been unable to effectively ensure environmental protection despite having established policies, laws and institutions? when studying this, should be discussed that under the main key components.

#### ❖ **Weak law enforcement in Sri Lanka**

Weak enforcement of laws is one of the main reasons why environmental protection in Sri Lanka remains ineffective. Although the country has established strong legal frame work such as the national environmental act no.47 of 1980, the actual implementation of these laws is often inadequate. Many environmentally harmful activities including illegal sand mining, deforestation and industrial pollution, continue due to the failure of authorities to strictly apply regulations. Environmental protection as the name suggests, aims to protect the environment, reduce environmental pollution, and replace over-development and consumption with low- carbon life and sustainable use of resources. Good environment protection policies can improve industrial upgrading and product quality development (Lin. W & et, 2024). This highlights a significant gap between the existence of laws and their practical enforcement.

Furthermore, weak accountability and lack of strict legal action contribute to the problem. Individuals and business that violate environmental laws are not always punished promptly, allowing harmful practices to continue. In vedic times and ancient times environment protection was one of the ethical elements. In this era punished by king, for the cutting trees, killing animals and harming the environment (Grewal, 2022). Although citizens have a duty to protect the environment under article 28(f) of the constitution of Sri Lanka, the absence of strong enforcement mechanism discourages compliance. Therefore, despite having comprehensive environmental laws and constitutional support, weak enforcement remains a critical barrier to achieving sustainable environmental protection in Sri Lanka.

### ❖ Political Interference

Political interference is a major factor that weakens environmental protection in Sri Lanka. Although the country has established strong legal frameworks such as the National Environmental act no 47 of 1980 and 27(14) of the constitution of Sri Lanka, political actors often influence how these laws are applied in practice. Environmental decisions, including approvals for large scale development projects, are sometimes made based on political interests rather than environmental sustainability. The Uma Oya project was a project implemented according to political agendas at the time, disregarding environmental science and engineering considerations. The environmental damage caused by it has been extensive. Additionally, 8300 homeowners reported cracked houses and sinkholes formed in the affected areas. The drying of wells and springs further exacerbated the situation, leading to public unrest and widespread social upheaval. These risks rising global warming and temperatures in this area (Jayanath.M.G.S, 2025).

Furthermore, political influence often affects the functioning of environmental institutions such as the central environmental authority. Appointments, funding decisions, and enforcement priorities can be shaped by political agendas rather than environmental necessity. Despite citizen's responsibilities under article 28(f) of the constitution of Sri Lanka to protect the environment, political interference compromises both policy implementation and public trust. As a result, even with a strong legal framework, environmental degradation continues, highlighting the critical role of politics in shaping environmental outcomes in Sri Lanka.

### ❖ Corruption

Corruption is a major factor that weakens environmental protection in Sri Lanka. It occurs when officials misuse their power for personal gain, often allowing illegal environmental activities to continue. Even though laws such as the National Environmental act no. 47 of 1980 are in place to regulate pollution and protect natural resources, corruption can prevent these laws from being properly enforced. For example, illegal permits may be issued to industries or violations may be ignored in exchange for bribes. Corruption affects the industrial exploitations of forests and small-scale forest management in several ways, In industrial forestry, corruption has affected the zoning of forested land into conservation and logging land uses and the allocation of logging concessions in return of financial and or political favors (Tacconi. L, 2020).

One coming issue is the lack of transparency in decision – making processes. Environmental approvals, such as Environmental impact assessments, can sometimes be influenced by political or financial interests. This reduces the credibility of institutions responsible for environmental management. As a result, harmful projects may be approved without proper evaluation, leading to long term environmental damage. Corruption also weakens accountability. Officials who fail to enforce environmental laws are rarely punished, and legal actions against violators are often delayed. Although the constitution highlights the importance of environmental protection under article 27(14) of the constitution of Sri Lanka, corruption undermines these principles in practice. Therefore, corruption remains a key obstacle to effective environmental governance and sustainable development in Sri Lanka.

#### ❖ **Priority on Economic Development**

Giving priority to economic development over environmental protection is a major reason for environmental degradation in Sri Lanka. The government often focuses on projects such as infrastructure development, industrial expansion, tourism and urbanization to promote economic growth. While these projects are important for national development, they sometimes ignore environmental sustainability. Environmental protection regulations are not always strictly followed when economic benefits are prioritized. The environment kuznet curve hypothesis is actually an extension of kuznet curve hypothesis on the relationship between economic growth and income inequality. The EKC hypothesis posits that as the economy develops, at the initial stage, the environment begins to pollution and degradation until a turning point is reached whereby, even as the economy continues to grow, there is a decline in the negative impact on the environment. Such as urbanization, industrialization and high level of energy consumption (Alabai.M.K, 2021).

In many cases large scale development projects are approved quickly to attract investment and create employment opportunities. However, this can lead to deforestation, pollution and natural habitats. Environmental impact assessments which are required under the national environmental act, may be rushed or influenced to favor developments projects. As a result, environmental concerns are often overlooked in decision making processes. Furthermore, although the constitution under the article 27(14) of the constitution of Sri Lanka emphasizes the responsibility of the state to protect and improve the environment, economic

priorities often take precedence in practice. This imbalance between development and environmental protection creates long term environmental risks. Therefore, prioritizing short term economic gains over sustainable developments remains a key challenge in Sri Lanka's environmental government.

#### ❖ Lack of Resources

Lack of resources is a significant reason for weak environmental protection in Sri Lanka. Although the country has strong legal frameworks such as the marine pollution prevention act no 35 of 2008, mines and minerals act no 33 of 1992 and national heritage wilderness areas act no.3.of 1988. The institutions responsible for implementing these laws often face shortages of financial, human and technical resources. Agencies like the central environmental authority require adequate funding, trained staff and modern equipment to effectively monitor environmental activities, but these are often limited. Specially finance resources. The government has taken a number of a steps to protect the country biodiversity. But more effort is required. By increasing investment in conservation. Because lack of financial resources mainly affects to protect environment activities for the Sri Lankan government (Suraweera. C, 2024).

Due to insufficient financial resources, regular inspections and monitoring of industries and development projects are not carried out properly. This allows illegal activities such as pollution, deforestation and improper waste disposal to continue without detection. In addition, the lack of skilled personnel reduces the quality of environmental assessments and enforcement actions. Advanced technology needed for environmental monitoring such as pollution detection system, is also not widely available. Therefore, without adequate funding, expertise, and technology Sri Lanka faces serious challenges in ensuring proper environmental protection.

#### Conclusion

In conclusion, this study highlights that Sri Lanka possesses a comprehensive legal and institutional framework for environmental protection, yet significant challenges remain in ensuring its effective implementation. Laws such as the National Environmental act No. 47 of 1980 and constitutional provisions like article 27(14) of the constitution of Sri Lanka and article 28(f) of the constitution of Sri Lanka clearly demonstrate the state's commitment to safeguard the environment. However, the existence of these legal instruments alone is not sufficient to guarantee

environmental sustainability. The research findings reveal that weak law enforcement, corruption, political interference, lack of resources and the prioritization of economic development over environmental concerns are key factors that undermine effective environmental governance. These issues create a gap between policy formulation and practical implementation. Allowing environmental degradation to continue despite strong legal provisions. In particular, institutional inefficiencies and lack of accountability further weaken the ability of authorities to enforce environmental laws consistently and fairly. Moreover, the study emphasizes that environmental protection is not solely the responsibility of the state but also requires active participation from citizens, private sector actors and civil society. Strengthening public awareness and encouraging community involvement are essential to support enforcement mechanism and promote sustainable practices. At the same time, reforms are needed to improve transparency, reduce corruption and enhance institutional capacity.

Therefore, for Sri Lanka to achieve effective environmental protection, it is crucial to move beyond policy creation and focus on proper implementation, monitoring and accountability. A balanced approach that integrates economic development with environmental sustainability is necessary for long term national well-being. Only through strong political will, efficient institutions and public cooperation can the state fulfill its responsibility to protect and preserve the environment for present and future generations.

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Correspondence:

K. M. V. Ravihari

vigesharaviharik@gmail.com

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