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Sri Lanka: Dismantling of Democracy

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By Prof.V. Suryanarayan

The political turmoil following the appointment of former President Mahinda Rajapakse, who does not have the confidence of parliament, as Prime Minister on October 26 will have far reaching repercussions in Sri Lanka and the region. The unprecedented move by the Sri Lankan President Maitripala Sirisena, without consulting Prime Minister Ranil Wikramasinghe, his cabinet and the parliament is an illustration of Presidential despotism and abuse of discretionary powers.

Events are moving so fast in the Island Republic that like Alice in Wonderland one has to run in order to remain at the same place. For those of us who teach Sri Lankan political system to the students, there is another dilemma. How can I explain and rationalize the present situation – a country simultaneously having two Prime Ministers and two cabinets? Whose dictates people will have to follow? What I did was to provide an illustration from the history of France. When the Jacobins assumed political ascendancy and unleashed the reign of terror, Marie – Jeanne Roland, well known French writer, was executed on November 8, 1793. She exclaimed, “O’ liberty, what crimes are committed in thy name!”.

The Executive Presidency, which was an integral feature of the 1978 Republican Constitution, created lot of political controversy. President Jayewardene is reported to have made the statement, “Under the Constitution the President can do anything except making a man into a woman and a woman into a man”. By early 1990’s the two major Sinhala political parties – UNP and SLFP – had come to the conclusion that the executive Presidency should be replaced by Westminster type of democracy where the President will become a figurehead and powers would be exercised by the Prime Minister, with the support of Parliament. The introduction of a new form of Government would require

amendment to the existing Constitution, which requires two thirds majority; what is more, the amendment has to be approved by the people in a referendum. The competitive nature of Sinhala politics turned out to be a major bottleneck. Thus when Chandrika introduced the draft of a new Constitution in parliament in 2000, it was opposed by Ranil and the UNP tooth and nail. What is more the minority parties, representing the Muslims and hill country Tamils, were not keen on a new Constitution. For under the proportional system of representation, which was introduced in 1978, they were able to get more seats in the parliament.

In order to circumvent the obstacle, Ranil got the 19th amendment to the Constitution approved by Parliament in 2015. Under the 19th amendment, the President can appoint a new Prime Minister under certain conditions - death of the Prime Minister, Prime Minister's resignation in writing and his losing the confidence of the parliament. As far as losing the confidence of parliament is concerned, Ranil Wikramasinghe was able to defeat a no confidence motion in parliament on April 14, 2018.

What is more disgraceful, the President has suspended Parliament until November 16, thus preventing an immediate floor test. It is crystal clear that this step had been taken by the President to enable Mahinda to lure as many members of parliament as possible to his side, by means fair or foul. How fragile democracy is in Sri Lanka is evident from media reports of persecution of the staff of Government owned lake House and national television channel Rupavahini.

These developments are extremely disconcerting because Sri Lanka, during the 1950's and 1960's, was the most vibrant democracy in Asia. The governments changed at regular intervals through free and fair polls. All the essentials of parliamentary democracy – free press, independence of judiciary, free and fair polls, active trade unions and strong student's movements – were in existence. Today all these welcome features have become memories of the past.

First experience with emergency took place in April 1971, following the outbreak of the revolt led by Janatha Vimukti Peramuna (JVP). The emergency continued for six years. Large number of students and political activists were detained without trial. With the escalation of ethnic conflict in the early 1980's the Tamil areas in the north and the east had been under emergency rule. The Constitution was tampered and democratic institutions were subverted. Political assassinations became common. The ethnic fratricide led to the dismantling of democracy and Sri Lanka became one the most notorious killing fields of the world.

The decimation of the Tigers, which had by then become one of the most ruthless terrorist organizations in the world, was a great achievement of President Mahinda Rajapaksa. Though India did not provide any military assistance it made significant intelligence inputs. What is more, New Delhi successfully mobilized international support to Colombo when the member states of European Union wanted to censure Sri Lanka for gross human rights violations.

The assurance given by Colombo that it would make sincere attempts at ethnic reconciliation and devolve powers to the Tamil provinces were forgotten. In fact, in the first meeting between Prime Minister Narendra Modi and Sri Lankan President Mahinda Rajapaksa, (soon after

Modi's swearing in as Prime Minister0 Narendra Modi expressed concern that Colombo was going slow on settling the Tamil issue. More frustrating, Mahinda began moving closer to Beijing to "cut India to size".

In the formation of the United National Front of Good Governance, which catapulted Maitripala Sirisena to the post of President in January 2015, New Delhi made its benign inputs. Ranil and Chandrika, who were not even on talking terms, were brought together. With the solid support of the minority groups – Sri Lankan Tamils, Hill country Tamils and Muslims – Sirisena was voted as President. The alliance also won the parliamentary elections and Ranil was appointed as the Prime Minister. The new government had the goodwill of India, United States, European Union and various UN Organisations. Some of its initiatives like the 19th amendment to the Constitution, the Right to Information Act and return of army occupied land to civilians were welcomed by the people. However, on the crucial issue of devolution to Tamil provinces and punishment of those guilty of war crimes the Government began to drag its feet.

The dramatic developments in Sri Lanka constitute a major setback for Indian diplomacy. One of the major objectives of New Delhi's foreign policy is to have friendly governments in neighboring countries. Obviously China has gained the maximum leverage. According to informed sources, Mahindra was in constant touch with Chinese embassy officials. And China, to quote Stun Tzu, well known strategic thinker, has "won the battle without waging a war".

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