

# Sri Lankan prime minister denounces newspaper lawyers as “traitors”

Our reporter  
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Sri Lankan Prime Minister Ratnasiri Wickremanayake made an extraordinary statement in parliament on July 21, branding five lawyers as “traitors” because they had appeared for the *Sunday Leader* in a defamation case filed by Defence Secretary Gotabhaya Rajapakse. Wickremanayake also endorsed an article that appeared on the defence ministry website attacking the lawyers in a similar fashion.

The case against the *Sunday Leader*, which is sympathetic to the opposition United National Party (UNP), is a longstanding one. Gotabhaya Rajapakse took the newspaper to court in December 2007 claiming one billion rupees (\$US9 million) in damages in response to two articles. The *Sunday Leader* suggested that Rajapakse had unduly benefited from an aircraft deal involving the Sri Lankan air force.

Rajapakse stepped up the pressure last December by calling on the court to impose an injunction on the newspaper against the publication of defamatory articles. The court issued the enjoining order, and the *Sunday Leader* agreed to abide by it. In June, Rajapakse and his supporters seized on two articles—one on himself and a second on Liberation Tigers of Tamil Eelam (LTTE) leader V. Prabhakaran—to claim that he was being likened to Prabhakaran and again being slandered. The judge ordered the newspaper to show cause why it should not be charged with contempt of court.

Clearly under pressure, the two lawyers who were appearing for *Sunday Leader*, Sunil Lankathilaka and Reshan Gamage, withdrew from the case on June 23, citing the newspaper’s alleged breach of the enjoining order as the reason. The official defence ministry web site triumphantly declared that they had “withdrawn, claiming that they cannot appear against Defence

Secretary Gotabhaya Rajapakse due to his dedication to the country.”

On July 10, the defence ministry posted a new article aimed at intensifying the campaign against the *Sunday Leader* and its five new lawyers. Entitled “Traitors in Black Coats Flock Together”, it attacked lawyers Srinath Perera, Upul Jayasuriya, S. Sumanthiran, Viran Corea and Athula Ranagala, declaring that the “new team has a history of appearing for and defending LTTE suspects in the past.”

The article cited unnamed “senior lawyers” as saying that the newspaper’s legal team represented “anti-patriotic sentiment fired by pro-UNP activism”. One branded “the behaviour of the five as an insult to the whole profession and totally unacceptable ... when Sri Lanka is enjoying its veritable independence after 30 long years.” He concluded by declaring the five lawyers were traitors to the nation.

The Bar Association of Sri Lanka (BASL) condemned the article and called for its removal from the website. Asserting the basic right to a legal defence, its press release declared: “The BASL condemns any and all endeavours to prevent lawyers appearing for clients and or clients having the services of lawyers and will resist any pressure exerted to prevent persons retaining lawyers and or lawyers appearing for clients.”

The International Bar Association Human Rights Institute (IBAHRI) also wrote to the Sri Lankan defence secretary calling for the withdrawal of the article, along with an earlier article entitled “Who are the Human Rights Violators?”, which attacked lawyers appearing for LTTE suspects. IBAHRI warned that the articles could “seriously compromise the physical safety of the lawyers named.”

In a reply on July 21, the defence secretary refused to withdraw the “Traitors” article and continued his attack

on the lawyers. Responding to opposition criticisms in parliament on the same day, Prime Minister Wickremanayake declared: “The entire Sri Lankan community and the world recognise the Defence Secretary Gotabhaya Rajapakse as a true patriot.”

Wickremanayake defended the official defence ministry website saying it had rightly denounced the lawyers appearing for the *Sunday Leader* as traitors. “Persons who violate the country’s constitution and the Supreme Court rules are traitors to the national cause irrespective of the profession they hold. Therefore any lawyer, doctor or ordinary citizen could be described as a traitor if he or she violates the country’s constitution,” he said.

Wickremanayake failed to explain how lawyers had violated the country’s constitution by defending their clients. In reality, it is the government itself that is increasingly acting outside the constitution and the law. President Rajapakse, for example, has ignored a Supreme Court ruling directing him to abide by the 17<sup>th</sup> amendment to the constitution and establish a Constitutional Commission. The commission would pave the way for the appointment of other bodies required by the constitution to oversee the appointment of state officials—cutting across the president’s installation of close cronies to these positions.

The attacks on the *Sunday Leader* and its lawyers are part of a broader government campaign to intimidate the media and political critics. President Mahinda Rajapakse and his ministers have bitterly attacked anyone who has pointed, even in a limited way, to the war crimes carried out by the military or to the regime’s abuses of democratic rights. Following the defeat of the LTTE, the government has detained nearly 300,000 Tamil civilians in internment camps.

Emanating, as it does, from the defence ministry website, the accusation of “traitor” is not simply name-calling, but a definite threat. Over the past three years, hundreds of people have been murdered or “disappeared” by pro-government death squads acting with the complicity of the security forces. The *Sunday Leader* office itself has been attacked several times by suspected pro-government thugs.

In 2007, Iqbal Athas, a longstanding defence correspondent for the Colombo-based *Sunday Times*, was intimidated into silence after he wrote several articles relating to the same defence ministry deal

involving the purchase of MiG fighters from the Ukraine. In August 2007, a gang of pro-government thugs gathered outside his house denouncing him as a “guerrilla accomplice”. Threats were also made to *Sunday Times* staff over the publication of Athas’s articles. (See: “Sri Lankan government silences journalist over defence corruption scandal”)

In January this year, the newspaper’s editor-in-chief, Lasantha Wickrematunge, was murdered in broad daylight on the way to his office in Colombo. Gunmen on motorbikes were able to stop his car, kill him and escape, despite the heavy security presence in the capital. To date, the police have not produced even a preliminary investigative report into the murder.

The determination with which Rajapakse is pursuing the *Sunday Leader* is a warning to all working people. As the government intensifies its “economic war”, to place the burden of the current economic crisis on the working class, it will not hesitate to use the same anti-democratic methods against the growing opposition to its policies.



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