

# Sri Lankan government threatens to disqualify opposition candidate

K. Ratnayake  
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The prospect of a bitter legal and constitutional feud following the Sri Lankan presidential elections heightened after the government threatened legal action to disqualify opposition candidate General Sarath Fonseka. The threat of a legal challenge emerged after it was found that Fonseka was not on the electoral lists on polling day and therefore could not vote.

Fonseka insisted that he had entered his name for the 2008 electoral lists, but it had not been recorded. Election Commissioner Dayananda Dissanayake told the media: “Not having one’s name on the electoral list is not a disqualification [to run as a candidate].” Foreign Minister Rohitha Bogollagama, however, declared: “We are seeking a court order on the suitability of this candidate because he is not eligible to be declared a candidate.” The government has also questioned whether Fonseka, as the holder of a US Green Card, was eligible.

The dispute is a further indication that neither incumbent President Mahinda Rajapakse nor Fonseka will quietly accept the outcome of the poll. The bitterly contested election reflects sharp differences in Sri Lankan ruling circles in the wake of the army’s defeat of the separatist Liberation Tigers of Tamil Eelam (LTTE) last May.

Amid a worsening economic crisis, sections of the ruling elite view General Fonseka as the best political instrument for making savage attacks on the living standards of working people and suppressing political opposition. At the same time, there are concerns about the increasing reliance of the Rajapakse regime on China for assistance at the expense of the country’s traditional orientation to the US and Europe.

The counting of yesterday’s votes is continuing, with the most recent partial count of about one third of electorates giving victory to Rajapakse by a large margin of 59.7 percent to 38.5 percent. Initial postal votes, including by state employees, favoured the incumbent. Prior to polling

day, many commentators expected the final vote to be close.

The Centre for Monitoring Election Violence (CMEV) estimated the turnout in the North, which has been ravaged by 26 years of civil war, at just 20 percent. Many members of the island’s Tamil minority expressed disgust at the choice between Rajapakse, who renewed the war in 2006 and Fonseka who prosecuted the military offensives, by simply not voting.

Throughout the rest of the island, the turnout was around 80 percent, but there was little enthusiasm for either candidate. Many working people point to the continuing deterioration of their living standards despite Rajapakse’s claims that the LTTE’s defeat would bring a new era of peace and prosperity. In many cases, they have voted for what they regard as the “lesser evil”.

A teacher from the Colombo suburbs told the WSWs: “I voted for Fonseka as a protest vote. I was a long-time supporter of President Rajapakse’s party. But we cannot agree with his ruling methods. He works as a dictator and ignores the parliament and judiciary. Even in his election campaign he violated election regulations. He has the world’s largest cabinet but the ministers are just puppets and they don’t have any power. He rules the country through a clique, including his brothers.”

Election day was marred by a number of incidents of violence, including bomb blasts in the northern town of Jaffna. The CMEV confirmed that nearly 100 incidents had taken place, mainly in the northern and eastern areas, and indicated that the figure could rise to 150. In all, nearly 1,000 incidents of election violence, including five deaths, occurred during the campaign. Most were directed against opposition politicians and officials.

There is evidence that the Rajapakse government used the state apparatus to intimidate their rivals. On Monday, the

police criminal investigation department sought a warrant to search the house of United National Party (UNP) leader Ranil Wickremesinghe for weapons. The UNP and Janatha Vimukthi Peramuna (JVP) supported General Fonseka as their common presidential candidate. A court denied the police application.

In another case, the police were denied permission to search the offices of the Wijaya Newspaper group, which publishes the *Sunday Times*, the *Daily Mirror* and other newspapers. The editor of the web site *lanka3news.com*, Prageeth Ekneligoda, which has been supportive of the opposition, has been missing for several days. Over the past four years, journalists and media workers have been among hundreds who have disappeared or been murdered by pro-government death squads.

In Jaffna, the home of Suresh Premachandran, a Tamil National Alliance (TNA) parliamentarian, was attacked on Monday evening. Thugs also attacked the house of his driver and his vehicle. The TNA, which functioned as a mouthpiece for the LTTE until its defeat, has thrown its support behind Fonseka.

Accusations of vote rigging have emerged. Many people, mainly Tamils, on the northern Jaffna Peninsula and surrounding islands did not receive polling cards or did not have national identity cards and so could not vote. Others did not have the opportunity to register as they had been displaced by the war.

After the end of the war, the army rounded up 280,000 civilians who had been living in LTTE-held areas and detained them without charge in huge prison camps near the town of Vavuniya. Last month, Rajapakse, in a bid to woo the Tamil vote, announced they would be free to leave. However, around 100,000 people remain in the camps.

Only about 24,000 people have been registered as voters in the Vavuniya camps. Of those who left the camps, around 16,000 people applied to vote, including about 8,000 people who were eligible to cast their ballots in Kilinochchi. However, many were unable to travel to Kilinochchi because the authorities did not provide enough transport. The CMEV noted that 300 people reached one polling centre in Kilinochchi just five minutes before it closed at 4 p.m. and were not allowed to cast their vote.

Many Tamils were expected to vote for Fonseka as a protest against Rajapakse. One man in the Colombo suburb of Wellawatte told the WWS: "I voted for Fonseka. We

need a change. I heard several people have been arrested here and there. Because of the military's repression, people in Jaffna are thinking about abstaining. We have to accept that both candidates [Rajapakse and Fonseka] are thieves. What can we do?"

The government's threat to disqualify Fonseka as a candidate has the character of an opening shot in continuing political infighting in the Colombo political establishment. If he loses, Fonseka and his supporters may well respond by issuing their own legal challenge to the result on the grounds of ballot rigging and violence. As with the Iranian presidential election, the Sri Lanka result threatens to become embroiled in wider rivalry between the major powers for political influence in Colombo.

Neither faction of the ruling elite represents the interests of working people. The political elites as a whole are united in their determination to impose the burdens of the country's economic crisis onto the working class and the masses.

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