Sri Lankan government moves to revive the death penalty

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As part of a right-wing "law and order" campaign, the Sri Lankan government is pushing to reinstate the death penalty, which has not been carried out for more than 30 years, although it remains formally on the legal books.

The push for executions is part of a deepening assault on basic democratic rights by a government that is already responsible for the torture, extra-judicial murders and the killing of civilians by the military and associated death squads.

Citing a justice ministry source, the *Daily Mirror* reported on September 4 that the ministry would propose "to the cabinet the holding of a referendum for the re-activation of the death penalty for those convicted of serious crimes... as a deterrent to the increasing number of serious crimes in the country."

Rehabilitation and Prison Reforms Minister Chandrasiri Gajadeera told the media recently that immediate steps would be taken to facilitate executions. The ministry advertised for two vacancies for hangmen and interviewed 176 applicants for the posts.

A number of ministers have publicly campaigned for the death penalty. Child Development and Women's Affairs Minister Tissa Karaliyadda told the *Nation* in July that the death penalty should be imposed for those convicted of rape, with no amnesty given. "I hope to present a cabinet memorandum requesting to amend the laws regarding the matter," the minister said.

Media Minister Keheliya Rambukwella told the *Daily News*: "The cabinet and members of parliament have reached a common belief that the death penalty should be implemented for child molesters and drug lords."

Even though the Penal Code and the 1978 Constitution provide for the death penalty, it has not been carried out since June 23, 1976. Successive presidents have withheld constitutionally required ratifications for executions, due to widespread public opposition to the death penalty. In 2011, courts imposed 107 death sentences. By June this year, 818 prison inmates across the island had been condemned to death.

The government is moving to revive the death penalty amid a reactionary clamour in the media, and by religious figures and politicians, for executions to be used as a deterrent to an alleged rising rate of serious crimes.

The National Child Protection Authority estimated that more than 20,000 incidents of child abuse occurred during the first half of this year. Homicides are also high, about 750 per year, and are taking on brutal forms. Two recent double murders, each involving an elderly mother and her daughter in Kahawatta in Rathnapura district, were particularly shocking.

The rising crime rate, however, is an expression of the decay of capitalist society, above all as a result of nearly three decades of communal war by Colombo governments against the Liberation Tigers of Tamil Eelam. The brutalising impact of civil war has been compounded by a worsening economic crisis that is deepening the social divide between rich and poor, and creating festering social problems.

Many of the murders, often of rape victims, are taking place in rural areas where poverty is rampant. Almost a quarter of Sri Lankans live below the official poverty line, and four fifths of the poor live in rural areas. Army deserters have been involved in a number of reported cases of murder and rape, sexual harassment and abductions.

Over the past two decades, around 65,000 soldiers deserted the army. Some 36,400 of them have been arrested since the end of the war in 2009. Many who remain at large belong to an extensive criminal

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underworld with close connections to politicians, from the local level right up to government ministers. As well as being involved in drug peddling and other forms of organised crime, these thugs carry out political violence in return for protection.

The growing prevalence of child abuse also has social roots. Sociologist Siripala Hettige from the University of Colombo has linked such crimes to rising unemployment, which hit 3.8 percent in rural areas and 4.9 percent in urban areas by the end of 2011. Young people, in particular, are often forced to leave their villages for an unstable life looking for work in the cities.

"The vast majority of school leavers don't have proper jobs," the professor said. "They come to the city but can't hold down stable employment. And with the average age of marriage steadily going up from 22 to 28, there are a lot of very frustrated people around. This group of young people keeps moving around, looking for sexual opportunities."

On the death penalty, Amnesty International classifies Sri Lanka as retentionist in law but abolitionist de facto. More than two thirds of countries have abolished the death penalty in law or in practice. None of the retentionist countries has shown any reduction in crime rates, despite regular executions.

The "law-and-order" push for the reactivation of the death penalty is a political diversion from the underlying social ills, for which the Colombo political establishment, and the profit system it defends, are responsible.

The widespread opposition in Sri Lanka to the death penalty has deep political roots going back to the stand taken by the Trotskyist movement—the Bolshevik Leninist Party of India (BLPI) in 1940s. Despite the subsequent liquidation of the BLPI into the Lanka Sama Samaja Party and the LSSP's political degeneration, the LSSP continued to oppose executions.

In an eloquent parliamentary speech in 1956 against the death penalty, LSSP leader Colvin R de Silva correctly argued that crime is a social disease. A person was prevented from committing crimes if "his education, his upbringing, the position he holds in society, the entire context of his life stands in the way of his giving vent to what is fundamentally an anti-social desire," he explained.

The revival of the death penalty is a warning to the working class. Amid rising economic and social tensions, President Mahinda Rajapakse is further strengthening the police-state apparatus, developed during three decades of war, to meet the resistance of working people to the onslaught on their living standards. Executions in the name of combatting rape and murder will only pave the way for the use of the death penalty against political opponents.

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