

Sri Lankan parliament passes amendment to restrict presidential powers

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After weeks of haggling between the minority government led by the United National Party (UNP) and the opposition coalition, the Sri Lankan parliament passed amendment (19A) to the country's constitution on April 28 to restrict certain powers of the executive presidency.

The government and President Maithripala Sirisena declared that the amendment was a "historic achievement" to "free the country from the dictatorial constitution." The opposition coalition headed by Sri Lanka Freedom Party (SLFP) boasted that the constitutional change could not have passed without its support. The media joined the chorus to praise for the so-called victory of democracy.

These claims are a fraud. The 19th amendment is designed to refashion the constitution to hoodwink the working class and poor by providing a democratic façade for repressive measures being prepared to ram through the austerity demands of the International Monetary Fund (IMF).

It was the UNP government of President J. R. Jayawardene that enacted the 1978 constitution that established the executive presidency and reduced parliament to a rubber stamp. Jayawardene calculated that stronger presidential powers were needed as his government sought to impose its "open economic policy" to transform the island into a cheap labour platform.

In the past three decades, more than a dozen amendments have been passed strengthening presidential powers. The 18th amendment enacted in 2010 under former president Mahinda Rajapakse enabled the ability to appoint top judges and civil servants and removed the two-term limit on the presidency.

The latest amendment reinstated the two-term limit;

restricted presidential immunity by allowing fundamental right petitions against his actions; and changed the president's power to dissolve the parliament after one year to four and a half years. The appointment of top officials including to the election commission and the judiciary will now be assigned to "independent commissions."

The president still has considerable powers as head of government and the state including to appoint the prime minister and cabinet. He is also the commander in chief of the armed forces.

Sirisena had been part of the Rajapakse government before he abruptly resigned to contest the January 8 presidential election with the UNP's backing. Their campaign focussed on denouncing Rajapakse's dictatorial rule, nepotism and corruption and calling for the restoration of parliamentary rule in an effort to exploit widespread anger over the government's attacks on living standards and democratic rights.

Sirisena's defection had been engineered behind the scenes by former president Chandrika Kumaratunga and UNP leader Ranil Wickremesinghe, both of whom have close connections in Washington. The US hostility towards Rajapakse was not over his autocratic rule but his government's close relations with China, which is the target of the Obama administration "pivot to Asia."

The 19th amendment was not about defending the democratic rights of working people. Rather the UNP wanted to put on a show of "democracy" in the lead-up to parliamentary elections while consolidating their own position and the state apparatus by concentrating power in the hands of parliament and the prime minister. It was forced to back off at the insistence of coalition partner Jathika Hela Urumaya (JHU) and the opposition Sri Lanka Freedom Party (SLFP). The

Supreme Court in determining the constitutionality of the bill expressed reservations about restricting all presidential powers through a parliamentary bill.

The government showed its own anti-democratic character by including a clause to penalize private media bodies if they failed to adhere to the election commission's regulations during an election. It withdrew the clause after widespread criticism.

The bill was passed after two days of parliamentary debate with 214 votes out of the 225-member parliament. One SLFP parliamentarian Sarath Weerasekara, a former top navy officer, voted against the bill, saying it posed a threat to "national security."

Frontline Socialist Party (FSP) parliamentarian Ajith Kumara shelved the party's demand for the abolition of the executive presidency tacitly supported the bill by abstaining. The FSP, a breakaway faction of the communal Janatha Vimukthi Peramuna (JVP), explained its abstention by saying that it did not want to be identified with Sinhala extremists such as Weerasekara.

The JVP was instrumental in bringing about the amendment by working closely with the UNP and president in the National Executive Council, a top advisory body. While declaring that the party wanted to remove all the powers of the executive president, JVP leader Anura Kumara Dissanayake declared in parliament that "we support the bill because something is better than nothing."

All of this posturing is a sham. There is no constituency for democratic rights in the Sri Lankan bourgeoisie. Ever since formal independence in 1948, successive Sri Lankan governments have ridden roughshod over the democratic rights of the working class and rural poor through the extensive use of emergency powers to crack down on resistance by workers and the poor.

The ruling elite has repeatedly whipped up anti-Tamil chauvinism to divide the working class and entrenched police state methods of rule during the protracted communal war against the separatist Liberation Tigers of Tamil Eelam (LTTE). So-called parliamentary rule up to 1978 did not stop government attacks on democratic rights and living conditions.

The government claims the parliament will be dissolved in a few weeks after passing another amendment on electoral reforms. Whichever party

comes to power will deepen the assault on democratic rights and living conditions. The government is under IMF orders to reduce its budget deficit to 4.4 percent of the GDP this year from 6 percent last year. Democracy is not compatible with the deepening gulf between rich and poor.

The country is also caught up in the international geopolitical tensions provoked by the US "pivot to Asia." Washington and other imperialist powers are monitoring the political development in Sri Lanka. On April 23, just before Sirisena's speech on his "one hundred day achievements," the envoys of the US, Britain and Germany all extended their "fullest support" to his policies.

Deputy US Ambassador Andrew Mann declared that there was an "immense potential for the expansion of bilateral cooperation" and pointed to the upcoming visit of Secretary of State John Kerry who is scheduled to arrive in Colombo tomorrow. Washington is keen to establish Sri Lanka as an important strategic asset in its preparations for war against China.

The working class and poor can only defend their democratic rights on the basis of an intransigent political struggle against all factions of the bourgeoisie on the basis of international socialism. The Socialist Equality Party fights for a workers' and peasants' government in the form of a Socialist Republic of Sri Lanka and Eelam as part of a Union of Socialist Republics of South Asia.



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