

Sri Lankan court blocks functioning of Rajapakse cabinet

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In a move that leaves Sri Lanka without a functioning government, an appeals court yesterday issued an interim order restraining Prime Minister Mahinda Rajapakse and his cabinet of ministers, state and deputy ministers from exercising their powers.

The court decision dramatically deepens the political crisis triggered when President Maithripala Sirisena unconstitutionally sacked Ranil Wickremesinghe as prime minister on October 26 and appointed former President Rajapakse in his place.

The court order was in response to a legal petition signed by 122 MPs, including Wickremesinghe, to prevent the functioning of prime minister and ministers appointed by Sirisena. Wickremesinghe, who is supported by his United National Party (UNP), the Tamil National Alliance (TNA), Sri Lanka Muslim Congress (SLMC) and Janatha Vimukthi Peramuna (JVP), insists he was removed unconstitutionally and thus remains prime minister.

The petitioners declared that despite two no-confidence motions passed by the parliament on November 14 and 16, Rajapakse and his ministers continue as a cabinet and take governmental decisions.

The case is being heard before two judges—the court’s president Preethi Padman Surasena and Arjun Obeysekera. They have set the next hearing for December 12 and 13, and ordered Rajapakse and other ministers to appear and explain on whose authority they are acting.

Lawyers for Rajapakse and his ministers called on the court to dismiss the petition on technical grounds that the no-confidence motions had not been properly documented. They also argued that the country would plunge into anarchy if the cabinet were prevented from functioning.

Judge Surasena, however, rejected the argument,

saying that “the damage that would be caused by allowing a set of persons who are not entitled in law to function as the prime minister or the cabinet of ministers or any other minister” would be more harmful. He said the court order was an interim one and not a final determination.

The court decision further undermines the position of Sirisena and Rajapakse in the worsening factional infighting in the Colombo establishment that has now proceeded for more than a month and shows no signs of any compromise or resolution.

Sirisena is engaged in one round of talks after another in a desperate attempt to end the political crisis. Yesterday the president met with UNP leaders for a second time to resolve the deadlock. After the meeting, however, the UNP said the talks failed. The UNP presented Sirisena with the affidavits from 122 MPs calling on him to reappoint Wickremesinghe as prime minister, which he flatly rejected.

In a meeting with TNA leaders yesterday, Sirisena said he would “take the necessary action within the next 24 hours” to end the political turmoil. Ominously, he said he would summon the country’s national security council and other officials. While he did not elaborate, it is a clear warning that Sirisena is considering the use of the military to impose his rule.

Sirisena is facing another legal challenge to his decisions to prorogue parliament, then dissolve it on November 9. The Supreme Court has temporarily overturned the dissolution and today begins hearing the petition against the president’s proclamation.

Following the appeals court order, Rajapakse immediately issued a statement declaring he did not agree with the judgment. Claiming that constitutional interpretations can only be made by the Supreme Court, Rajapakse said he would appeal to the highest court

today, requesting that it stay the interim order restraining him and his ministers.

Rajapakse declared it was more important to be dedicated to “the struggle for political stability in the country in the struggle to win a general election.” Rajapakse and his allies are calculating that they can win an election, if one is called, by capitalising on the widespread alienation with the previous “unity” government over its attacks on living conditions.

Addressing a public meeting, a jubilant Wickremesinghe declared that the appeals court order was a “victory for the democracy,” adding: “What we want is to strengthen the democracy and the parliament.”

The claims by the rival Wickremesinghe and Rajapakse camps to be defending democracy are utterly bogus. Both have long histories of using police-state measures against working people. Their factional warfare erupted in response to a rising tide of opposition among workers and the poor to the International Monetary Fund’s austerity program, imposed by successive Colombo governments.

Sirisena broke from then President Rajapakse and ousted him in the 2015 presidential election in a Washington-backed regime-change operation, in league with Wickremesinghe. Sirisena was able to exploit the widespread hostility to the Rajapakse government’s autocratic methods of rule, austerity measures and the atrocities committed during the communal war against the separatist Liberation Tigers of Tamil Eelam.

However, the “unity” government of Sirisena and Wickremesinghe faced mounting opposition as it implemented the same IMF austerity agenda and used the police and military against striking workers and protests by students and the poor. After a landslide defeat in local elections earlier this year, Sirisena distanced himself from Wickremesinghe and then in October joined forces with Rajapakse, whom he had denounced as a dictator in the 2015 election.

The UNP and the Sri Lanka Freedom Party (SLFP) of Sirisena and Rajapakse represent the dominant bourgeois factions that have ruled the country since 1948, using anti-democratic methods and instigating anti-Tamil communalism that led to the devastating 30-year communal war. Whichever faction succeeds in grabbing power will resort to dictatorial forms of rule to suppress the developing mass opposition.

Yesterday, Colombo was in turmoil with protests by workers and youth. Hundreds of temporary workers sacked by the housing ministry defied police and demonstrated to demand their jobs back. A protest by unemployed university graduates was attacked by police. Today, hundreds of thousands of tea plantation workers are due to begin an indefinite strike for higher wages.

The intervention in the political crisis by the Supreme Court, and now the appeals court, is an expression of fears in ruling circles that the flagrant breach of constitutional norms will further fuel the disillusionment among working people in parliament and the entire political establishment. As a result, workers and youth could take a revolutionary direction.

The political crisis in Colombo has been compounded by the escalating confrontation between the US and China, which are both seeking to boost their influence in Colombo and throughout the region. Washington backed the ouster of Rajapakse in 2015 because he was regarded as too close to Beijing and, in the current situation, has lined up with Wickremesinghe. The Trump administration is undoubtedly engaged behind the scenes in undermining Rajapakse and Sirisena.

The working class cannot place any faith in either faction of the ruling class, which is united in its determination to suppress the growing opposition and protests, using whatever means necessary including the military and police. What is necessary is the independent mobilisation of workers, youth and the poor on the basis of an international socialist program to fight for a workers’ and peasants’ government. That is the perspective of the Socialist Equality Party.



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