

Arrested Sri Lanka comedian Natasha Edirisooriya granted bail

Wasantha Rupasinghe

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Sri Lankan standup comic Natasha Edirisooriya was released on 100,000-rupee (\$US320) bail in Colombo on July 5, following the intervention of a high court judge. She was arrested on May 28 at Katunayaka International Airport and spent more than one month in remand prison after being accused of having “defamed Buddhism” during her performance on the “Modabhimanaya” (Fool’s Pride) comedy program in April.

Several Buddhist monks and Sinhala extremists initiated a virulent chauvinist campaign against Edirisooriya, demanding that she be severely punished for insulting Lord Buddha following her April performance.

The Commissioner of Buddhist Affairs and several monks then lodged a formal complaint with the Criminal Investigation Department (CID) of the police, calling for her arrest under section 3 (1) of the International Covenant on Civil and Political Rights (ICCPR) Act. Presented to parliament in 2007 by the Minister of Foreign Affairs Rohitha Bogollagama under President Mahinda Rajapakse’s government, the ICCPR has always been used against political dissidents.

As the *World Socialist Web Site* explained in a June 11 article calling for the comedian’s immediate release, Edirisooriya’s arrest was a direct attack on basic democratic rights, including the right to the freedom of speech. Its purpose was to whip up communalist sentiment and divert the growing popular anger against the Wickremesinghe government’s brutal austerity policies.

While reactionary Buddhist elements and sections of the media desperately attempted to stir up wider communal sentiment, their efforts were not successful. Instead, Edirisooriya’s arrest created a significant public backlash and international opposition.

Hours before bail was granted on July 5, Colombo Fort magistrate Thilina Gamage ordered the comedian to be further remanded till July 12. He was overruled later that

day by High Court Judge Aditya Patabendige in response to a petition filed on Edirisooriya’s behalf.

Magistrate Gamage rejected a previous bail application for Edirisooriya on June 21, while granting bail to social media activist Bruno Divakara, also arrested for “abetting”—i.e., publishing the comic’s video on his YouTube channel.

Gamage claimed that Edirisooriya “deliberately defamed Lord Buddha” and that “the crime” in her comedy “cannot be diminished.” He also referred to Sri Lanka’s constitution, which, he said, “awarded primacy to Buddhism,” and that therefore, “Lord Buddha’s name was defamed (by Edirisooriya).”

Addressing the media on June 21, Manoj Gamage, a lawyer for a Buddhist monk petitioner, praised the magistrate court’s denial of bail as a “great judgment” and denounced those calling for the separation of religion and the state. These remarks, and of those of Magistrate Gamage, underscore the deep connections between Sri Lanka’s political establishment and the state apparatus, including judiciary, with Sinhala-Buddhist chauvinism.

The establishment of Buddhism as the priority religion in the 1972 constitution, along with Sinhala as the official language in 1956, were part of the efforts of the ruling class to divide and weaken the working class on communal lines. The separation of religion from state is a fundamental democratic principle.

In his 12-page bail order overruling the Fort magistrate’s ruling, Colombo High Court Judge Aditya Patabendi said the ICCPR had “to be interpreted within freedom of speech and expression.”

He ruled that “no evidence has been established [that the audience for Edirisooriya’s comic routine] had engaged in any hostility or violence in relation to the target group or against the target group which is Buddhists...”

“[I]t is not the task of the investigator to arrest a

person,” just because of a complaint made by a Buddhist monk or influential person, he added.

While these limited points have some validity, it would be a mistake to present the High Court as a defender of democratic rights. Edirisooriya has been bailed out but there is no guarantee that she will not be found guilty and prosecuted on the concocted allegations hurled against her.

The High Court decision to overrule the magistrates court indicates that a section of the ruling class and the establishment want to avoid international criticism and political pressure.

Local and international human rights organisations, including Amnesty International South Asia, raised concerns over Edirisooriya’s arrest and demanded her immediate release and withdrawal of all charges. Amnesty said the ICCPR act “has been used time and time again to restrict freedom of expression.”

UN Deputy High Commissioner for Human Rights Nada Al-Nashif critically highlighted the arrest of Edirisooriya during the ongoing 53rd session of the Human Rights Council. “The past months have unfortunately witnessed the old reflex of using draconian laws to curtail opposition and control civic space, with a heavy-handed approach to protest too often, including the arrest of protest leaders and forceful crowd control measures, as well as the persistent use of the military in police functions,” she said.

UN Deputy High Commissioner for Refugees Kelly T. Clements warned that a full report on human rights in Sri Lanka would be presented at the council 54th session to be held between September 11 and October 13 this year.

Imperialist countries led by the US have in the past used grave violations of human rights in Sri Lanka as political leverage to pressure Colombo to break economic and political links with China. These powers have no concern for the democratic rights of the Sri Lankan people but cynically use it to pursue their own strategic interests.

Undoubtedly, the government has taken the UN representative’s remarks as a warning of another “tough” resolution against human rights violations could be brought at the next Human Rights Council session.

The Colombo High Court, moreover, has been closely associated with a number of anti-democratic attacks during the April–July protests in 2022 and justified the arrest of thousands of anti-government protesters. It has also endorsed the arrest of writer Shakthika Sathkumara

and others accused of defaming Buddhism. Likewise, the courts have issued numerous orders prohibiting strikes and protests by workers.

On July 4, journalist Tharindu Uduwaragedara was summoned to the CID to record a statement regarding a comment he made during a press conference on May 29 opposing the arrest of Edirisooriya.

Communalist campaigns by Sinhala-Buddhist extremists have been encouraged by President Wickremesinghe and his government. Just as Edirisooriya was arrested, Wickremesinghe advised his minister of public security to establish a special police unit to “investigate into and act on persons or groups that disrupt religious harmony.”

Joining this chauvinist campaign, Janatha Vimukthi Peramuna (JVP) general secretary Tilvin Silva told a press conference that Edirisooriya had “no right to hurt the religious beliefs that are being embodied within hearts of people” and “such actions do not come under the freedom of expression.” Silva denounced the comedian for paving the way for the world to “defame our country.”

This was echoed the same day by Pubudu Jayagoda, propaganda secretary of the pseudo-left Frontline Socialist Party (FSP). He told that the media that Edirisooriya’s comic routine was “an attack on cultural and religious beliefs of the people who suffering from various issues.... Buddhists thoughts have been hurt.” He claimed the comic was among those who wanted to divide the masses who had united in the last year mass uprising.

Sri Lanka workers cannot rely on capitalist institutions such as the courts to defend their democratic rights. There is no constituency among any faction of bourgeoisie or among their pseudo-left hangers-on that defends democratic rights.

In line with the ruling elites internationally, the Sri Lankan capitalist class is intensifying its attacks on democratic rights and taking steps towards dictatorial forms of rule. The working class can only defend its basic democratic rights by breaking from every faction of capitalist class and mobilising its independent political strength in the fight on the basis of a socialist program to abolish capitalist system. Its ally in this political struggle is the international working class.



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