

Sri Lanka's Crisis: Conflicts of Class and Power

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Executive Summary

Sri Lanka is passing through an unprecedented constitutional and political crisis precipitated by President Maithripala Sirisena's unexpected moves. At the core of this crisis are serious differences and conflicts between the President and Prime Minister Ranil Wickremesinghe, rooted in ideological, governance and personality related issues. There does not appear to be any smooth political resolution of this crisis. Fresh elections promise a better way out but do not appear to be politically and constitutionally feasible at the moment. The Sri Lankan people and the international community can only hope to see a more purposeful and stable Sri Lanka emerging from this crisis.

The Crisis

Sri Lanka is caught in a serious constitutional and political crisis – it either has two or no Prime Ministers. The only person legitimately in office is the President. As a result, the parliament cannot function and has thus witnessed some of the worst scenes in its history. The entire administration stands paralysed. There are street demonstrations and people are anxious and uncertain about the future.

This crisis was triggered on 26 October 2018 by President Maithripala Sirisena's unexpected move to dismiss Prime Minister Ranil Wickremesinghe and appoint, in his place, Mahinda Rajapaksa whom both Sirisena and Wickremesinghe had aligned to defeat in the 2015 general elections. The Sri Lankan President, under the 19th Constitutional Amendment carried out soon after the 2015 elections, can appoint a Prime Minister but cannot remove him. The Prime Minister can be removed only if he resigns, is voted out or in the eventuality of his death. Sirisena knew that Rajapaksa did not have the majority in Parliament to win a confidence vote to be endorsed as Prime Minister. To ensure a majority, Sirisena postponed its meeting from 5 November 2018 to 16 November 2018. This led to frantic efforts on the part of Rajapaksa's group to lure Members of Parliament through offers of money and ministerships. Sirisena himself lobbied hard to help secure parliamentary majority for Rajapaksa by persuading other political groups, including the Tamil National Alliance (TNA), to remain neutral or abstain from voting if they were not prepared to support Rajapaksa. The TNA President R Sampanthan accepted remaining neutral if Sirisena and Rajapaksa could give written guarantees to the Tamils that the constitutional reforms, promised by then-President Chandrika Kumaratunga in August 2000, would be carried out to accommodate Tamil demands,¹ which Sirisena and Rajapaksa disagreed to.

Having failed to muster the support of the requisite 113 in a house of 225 members, Sirisena, in sheer desperation to keep Wickremesinghe out of power, dissolved the

¹ The author's interview with Sambandhan in Colombo on 31 October 2018, under a Kalinga International Foundation (India) visit.

parliament and ordered fresh elections on 5 January 2019. Here again, the President violated the constitution. Under the 19th Amendment, the President cannot dissolve the Parliament unless it has completed four and half years of its elected existence, which is still a good eight months away. Curtailing the President's powers, under the 19th Amendment, to remove the Prime Minister or dissolve the Parliament was in accordance with the promise made by the Sirisena-Wickremesinghe alliance when they came into power in 2015. They had vowed to make sure that the Presidential powers are not abused in the future as was done by President Rajapaksa before 2015.

The Sri Lankan Supreme Court, however, suspended the President's decision to dissolve the Parliament and hold fresh elections. Following the court injunction, the Parliament, under the Speaker's direction, adopted a resolution voting a no-confidence motion in the Sirisena-appointed new Prime Minister, Rajapaksa. Sirisena has refused to accept this parliamentary vote by raising procedural objections, Wickremesinghe and his supporters are looking to counter. Sirisena also called an all-party meet to resolve the parliamentary deadlock but in vain. For the present, therefore, Sri Lankan polity is in a suspended animation.

Though Sirisena's unconstitutional move to suddenly sack the Prime Minister and appoint his one-time adversary instead was unexpected, the conflict between him and Wickremesinghe has been brewing for a long time. In January 2017, Sirisena appointed a Presidential Commission to investigate the Central Bank Bond scam with the alleged involvement of Wickremesinghe and his close associates. Subsequently, it became public knowledge in ruling circles and the media that Sirisena and Wickremesinghe were not working in tandem. They had serious differences on policies and on the way various cases of corruption and criminal acts were being pursued. In April 2018, Sirisena encouraged a no-confidence motion initiated by the joint opposition led by Rajapaksa but dithered only at the last moment. Wickremesinghe won that vote impressively. Sirisena is also believed to have blessed a mass mobilisation initiated by Rajapaksa's group in Colombo in September 2018 to force the Wickremesinghe government to quit. This proved to be ineffective.

Roots of Conflict

There are three popular explanations of the conflict between Sirisena and Wickremesinghe, namely, (i) long standing ideological conflict and power rivalry between the Sirisena-led Sri Lanka Freedom Party (SLFP) and the Wickremesinghe-led United National Party (UNP); (ii) different working styles of Wickremesinghe and Sirisena; and (iii) the roles of external forces like India and China.

There is no denying the contradictions between the SLFP and the UNP, which have been contesting against each other since 1956. They do not see eye-to-eye on most of the national issues of language, ethnicity, development strategy and foreign policy. Their alliance in 2014-15 that took power as the National Unity Government (NUG), was a unique development driven primarily by the desire to oust Rajapaksa for democratic restoration, as he was seen pushing for his family rule and eroding democratic traditions and institutions. As soon as the principal political objective of defeating Rajapaksa was achieved, the main coalition partners became somewhat complacent about the vision and commitment that brought them to power. They started consolidating their respective constituencies to win

the next electoral battle against each other. Keen observers of the Sri Lankan situation were waiting to see when and in what way the NUG coalition would collapse.

The first casualty of the competitive power struggle between the SLFP and the UNP factions of the NUG was consensual decision making. The 19th Amendment had shifted power from the President to the Prime Minister and Wickremesinghe started exercising his new gained power without consulting Sirisena. This did not go well with Sirisena who, while explaining his reasons for dismissing Wickremesinghe in his address to the nation on October 29, said, "Once in the government, Mr Wickremesinghe arrogantly and stubbornly avoided collective decisions and tended to take individual decisions. This behaviour led to many conflicts. Due to his lack of collective decision making through discussion, our country had to face harsh consequences...When many senior leaders were around, I have suggested to him to work together and work collectively...However, he ignored..."²

In this address, Sirisena disclosed that he had no knowledge of many decisions taken by the Prime Minister. He also blamed Wickremesinghe's administration for not taking seriously even the cases of assassination attempts aimed at him, in which not only the police department was lax, but a Minister and India's intelligence agency RAW were also involved.³ In his address, he added that there was nothing right that Wickremesinghe has done over the past nearly four years. Foreign policy issues were also reflected in the Sirisena-Wickremesinghe conflicts but focussing it just on India-China competition in Sri Lanka would be a bit of an exaggeration. The principal foreign policy issue today is of accountability for human rights violations during the last phase of the war that eliminated the Liberation Tigers of Tamil Eelam in 2009. The West, led by the United States (US), the United Kingdom and the European Union, is pressing Sri Lanka to follow the Geneva Resolutions and international parameters in fixing this accountability. Wickremesinghe is seen as more accommodative and soft towards the West. Sirisena stands for greater sensitivity towards the Sinhalese nationalist sentiment, as Rajapaksa had been.

This is not to deny the differences between Sirisena and Wickremesinghe in relation to India-China competition in Sri Lanka. The growing economic and strategic presence of China in Sri Lanka has been a matter of concern for India and many others.⁴ At times, projects have shifted between these two countries as was the case with the house building project in the north, which went from China to India, just before Sirisena sacked Wickremesinghe.⁵ Underlining his differences with Wickremesinghe on the projects awarded to foreign

² Text of the address in Financial Times, Sri Lanka. www.ft.lk/news/president-Maithripala-Sirisena-s-address-to-the-nation/56-665613 , Accessed on 19 November 2018.

³ There is detailed reference to this incident in Sirisena's national address on 29 October 2018. He first disclosed this in a cabinet meeting days before sacking Wickremesinghe. http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=193224; He subsequently refuted the media reports mentioning R&AW in this context and even apologised to Indian Prime Minister Modi, "Sirisena apologises to Modi" *Financial Times Online*, Sri Lanka, 18 October 2018. <http://www.ft.lk/news/Sirisena-apologises-to-Modi/56-664976>;

⁴ Ashok K Behuria, "How Sri Lanka Walked into a Debt Trap, and the Way out", *Strategic Analysis*, Vol. 42, No.2, 168-178.

⁵ This was a US\$300 million project that was first awarded to China but following public protests in Jaffna on the quality of construction by the Chinese, it was awarded to India in October 2018. www.aljazeera.com/news/2018/10/sri-lanka-reverses-300m-china-housing-deal-pm-visits-india-181018121046722.html.

companies, Sirisena, in his national address, said, “Many valuable assets were given to foreigners without tenders. Construction awards were also given without tenders. The emergency cabinet papers were presented to award such tenders and massive construction awards were given despite objections at the Cabinet... I lodged strong protests...If the last week’s Land Ordinance Special Act was passed by the cabinet and then by the parliament, all lands of our Motherland could be bought outright by foreigners without any difficulty.”

There were complaints from India that Indian proposals were slow on being approved by the Sri Lankan government. During Wickremesinghe’s visit to India in October 2018, he promised that Indian projects will not be delayed.⁶ On the grant of the Eastern Container Terminal in Colombo port to India, when Indian Prime Minister Narendra Modi asked Sirisena to clear the decision, Sirisena replied that Wickremesinghe never consulted him on it because such national assets projects must be under taken by Sri Lanka only.⁷ India is also still awaiting the conclusion of the Economic and Technical Cooperation Agreement even after almost 10 years of negotiations, assurances and deadlines.

Conflicts of Class and Power

Behind the differences between both leaders is the critical role of their cultural/class issues and power ambitions. This should be seen in the context of the rise of new native Sinhala Sri Lankan leadership against its traditionally ruling westernised, anglicised upper caste Sinhala elites. Sirisena represents the former and Wickremesinghe the latter. The beginning of this conflict can be traced back to 1956, when upper caste, westernised S W R D Bandaranaike won the elections on the slogan of ‘Sinhala only’ to break the dominance of the English language. Sirisena belongs to the lineage of R Premadasa and even Rajapaksa, who comes from the lower Sinhala social strata, does not speak English fluently, feels comfortable in traditional Sinhala attire, takes pride in their rural background and deploys native Sinhala nationalism for achieving their political ambitions. Sirisena publicly admitted that his differences with Wickremesinghe were cultural. He underlined in his national address, “I believe that Mr Wickremesinghe and his group of closest friends, who belonged to a privileged class and did not understand the pulse of the people...”⁸

During the Presidential elections in 2015, Sirisena had promised to give up the presidency after the first term but he has not committed to this. Following a serious drubbing of the SLFP-UNP alliance in the local elections in February 2018, he was quick to realise that Rajapaksa was a preferred ally to help him secure a second term. As the longest serving Secretary of the SLFP and a Minister of long standing, Sirisena has been keen for his

⁶ See the Reports in Indian newspaper *The Hindu*, on 13 July and 30 October 2018 respectively. <https://www.thehindu.com/news/international/india-wants-sri-lanka-to-expedite-joint-projects/article24413761.ece>. <https://www.thehindu.com/news/national/meeting-between-prime-minister-narendra-modi-and-sri-lankan-prime-minister-ranil-wickremesinghe/article25271952.ece>.

⁷ Modi and Sirisena had an animated discussion on this issue on the side lines of BIMSTEC Summit in Kathmandu in September 2018. The author’s interview with a senior Sri Lankan Foreign Officer in October 2018 in Colombo.

⁸ Text of Sirisena’s national Address on 29 October 2018. For a class analysis of the present conflict between Sirisena and Wickremesinghe also see Dr Dayan Jayatilleka, “10 theses on Sri Lanka’s existential crisis: Roots, dynamics, dimensions”. <http://www.ft.lk/columns/10-theses-on-sri-lanka-s-existential-crisis--Roots--dynamics--dimensions/4-667178>.

elevation for a long time. During Rajapaksa's campaign for the second presidency in 2010, he had informally assured Sirisena that he would be made Prime Minister after the former's victory. That did not happen.⁹ So he defected to join Wickremesinghe in 2014 for his own presidency and to oust Rajapaksa. Now that he does not find Wickremesinghe of as much help in his second presidency, he has re-joined Rajapaksa in pursuance of his power aspirations. And Rajapaksa shares Sirisena's opposition to the Sinhala upper caste westernised leadership.

The question that needs to be addressed is why has Rajapaksa joined hands with Sirisena? It is obviously to pave the way for his own return to power. The assurance of second term support to Sirisena may be in exchange for his access to prime ministership which has become powerful after the 19th Amendment. Rajapaksa himself cannot contest for presidency again until there is a Constitutional amendment. Nor can his brother as he has US citizenship (second), or his own son, Nimal Rajapaksa, who is four years younger than the qualifying age. Rajapaksa's best option is to get to the centre of power structure, go in for elections to obtain a 2/3 majority to change the Constitution and, in the meanwhile, close down several corruption and criminal cases pending against him and his family members. It is illustrative in this respect that Sirisena dismissed the senior police officer in charge of investigations into Rajapaksa's criminal cases of disappearances and corruption, though, to his great embarrassment, the President had to reverse this decision under public pressure.¹⁰

How will this crisis be resolved? There are no signs that Sirisena will reinstate Wickremesinghe, even if a reconfirmed parliamentary vote rejects Rajapaksa. He may appoint another Prime Minister and see if the Parliament will endorse it. The best solution would, however, be to go for elections, but all the parties opposed to Sirisena's moves may not readily endorse it under the fear that this option would suit Rajapaksa and will bring him back to power. These parties are working to forge a new alliance of the UNP, TNA and Janatha Vimukthi Peramuna, taking along all those SLFP members who did not endorse the Sirisena-Rajapaksa alliance. A suspected Rajapaksa victory in future elections is possible but not easy because, in the February 2018 elections, Rajapaksa only won 42-43 per cent of the popular vote. Issues at that time were the failure of the Sirisena-Wickremesinghe's NUG. In the forthcoming elections, the main issue would be Sirisena's constitutional adventures and Rajapaksa's power games. In the failure of the NUG, Sirisena was an equal party. It remains to be seen as to how the Sri Lankan voters will respond to these issues. Sri Lanka is in for challenging times and the international community is watching keenly to see the kind of forces that will emerge to dominate it.

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⁹ Interview with close associates of Sirisena and senior Sri Lankan leaders in Colombo in October 2018. *Financial Times Online*, 21 November 2018. "Lasantha's daughter delivers damning indictment of President on OIC Nishantha Silva's removal" <http://www.ft.lk/opinion/Lasantha-s-daughter-delivers-damning-indictment-of-President-on-OIC-Nishantha-Silva-s-removal/14-667243>.