

## COMMENT 252 - Sri Lanka in disarray - what next?

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Due to a twin political and economic crisis, Sri Lanka is facing its most challenging situation since independence (1948). The impacts of the 2019 terrorist attacks ('Easter Bombings'), the COVID-19 pandemic, and the Russian invasion of Ukraine were compounded by years-long economic mismanagement, nepotism, corruption, and increasing authoritarianism. Unsustainable levels of external debt - accelerated by projects linked with the Chinese Belt- and Road Initiative , balance-of-payment challenges, and hyperinflation all contributed to the complete collapse of the economy. Sri Lankans thus faced severe economic hardships, rising poverty levels and declining living conditions. The people blamed the then administration, dominated by the Rajapaksa family , as responsible for their deteriorating situation, leading to the eruption of mass protests in 2022.

On the surface, anti-government protesters seem to have been successful, since the country witnessed in the following months changes in the positions of president, prime minister, and the cabinet. Confronted with escalating protests and public pressure , Prime Minister Mahinda Rajapaksa resigned on May 9. As a 'conciliatory move', President Gotabaya Rajapaksa appointed Ranil Wickremesinghe as new prime minister. This decision, instead of calming the situation, further fuelled public anger. Moving into the Prime Minister's Office for the sixth time, Wickremesinghe is identified by protesters as part of the political establishment which created the crisis. The protest movement intensified. A few months later, on July 13, President Gotabaya Rajapaksa fled the country; he

resigned a couple of days later (from Singapore). On July 15, then Prime Minister Wickremesinghe was appointed as new (acting) President, and on July 22, Dinesh Gunawardena was appointed as new Prime Minister. Wickremesinghe's appointments, first as Prime Minister and then as President, were of course perceived by observers as a 'disregard for the widespread public sentiment against the previous government'.

At the moment, the situation seems calm, most likely due to the intense use of the security apparatus. It is argued here that the authorities were only able to enforce a semblance of stability, for the core problems leading to the crisis remain partly untouched. The popular uprising was not only about a change of the government – the protesters called for a 'systemic change'. They demanded the abolishment of the strong executive presidency which appears to be antithetical to restructuring the political system. During the last decades, it was argued by the ruling Sinhalese Buddhist elites that the multi-ethnic and religiously heterogeneous Sri Lanka needs a strongman ruler. This served as a justification for the consolidation and strengthening of presidential power via several constitutional amendments. Such executive presidency is seen by many analysts as a gateway for authoritarian rule; it also became a symbol of the country's dysfunctional institutional structures and poor policy decisions by the Rajapaksas.

Considering the large scale of the protests, which were nationwide and included all sections of society and ethnic-religious groups, can one hope for a window of opportunity for substantial political-constitutional reforms? Does the current interim President have the necessary political space – and will – to promote such a legislative move? Some are doubtful. According to expert Bhavani Fonseka, a senior researcher at the Colombo-based Centre for Policy Alternatives, 'there is no escaping the Rajapaksas in Sri Lanka politics as it stands now.'

In spite of the resignation of the Rajapaksa's from the country's top administrative posts, 'the same political elite still call the shots'. The political party Sri Lanka Podujana Peramuna (SLPP) holds the majority in the parliament – and also remains under full control of the Rajapaksa family and its allies. As such, 'meaningful reforms are unlikely'. Moreover, Wickremesinghe's appointment as President was

undertaken through SLPP support. This dependence on the SLPP, meaning on the Rajapaksa brothers, significantly limits the president's political leverage. Furthermore, Wickremesinghe is using the same measures as the Rajapaksas, meaning authoritarian repression of political dissent. Consequently, some observers see Wickremesinghe as a 'duplicate' of the Rajapaksas. In other words, Wickremesinghe 'represents the continuity of the political order' which the 2022 protest movement 'fought to change'.

In an attempt to support stability, on October 21 the country's lawmakers approved the 22nd Amendment to the Constitution, 'setting the stage to empower the Parliament over the executive president.' Additionally, it makes the Cabinet of Ministers and the National Council accountable to the parliament. However, opposition parties and civil society representatives raised criticisms that this constitutional act 'is not far-reaching enough in promoting accountability and reducing government powers.' According to the Bar Association of Sri Lanka, it 'does not place adequate checks and balances on the powers of the executive president.' The lawyer body argues that the 22nd Amendment 'does not completely restore the status quo' prior to the 20th Amendment of 2020, which was pushed through by former President Gotabaya Rajapaksa so as to gain tremendous executive presidential powers. Fonseka points out that the president retains much power since he is still able 'to prorogue parliament, to hold ministries and the constitutional council will still have mostly government appointees.'

The current administration, which consists of the old political personnel, is clearly prioritising economic challenges without spending sufficient efforts to tackle the crisis' political dimension. Said administration ignores the fact that it lacks legitimacy; it continues to centralise decision-making, and maintains authoritarian structures within the political-institutional system of the country. For Wickremesinghe is an appointed interim president, not an elected president. The fact that Wickremesinghe's Union National Party has only one seat in parliament is another factor putting his political legitimacy in question. Furthermore, he apparently does not make any efforts to set the stage for holding anticipated presidential elections, despite having promised to do so. That the local body elections were postponed due to claimed lack of funds contributes to the lack of

public trust and legitimacy.

There are no doubts regarding the need to fix the economy. But when such a goal is to be conducted at the expense of restoring a legitimate, democratically elected government, the country could descend into deeper chaos. The country urgently requires a democratically elected government and meaningful political and constitutional reforms. If not, a renewed citizens' protests in 2023 can't be ruled out – despite some important steps in the right direction introduced by current authorities.

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