

IN COLOMBO, A WAY OUT

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The Supreme Court of Sri Lanka has delivered a sound verdict, one that seemed inevitable from the start of the sordid drama that President Maithripala Sirisena began on October 26 by removing Prime Minister Ranil Wickremesinghe and swearing in old rival and former president Mahinda Rajapaksa in his place. What is surprising is Sirisena's own conviction that he could pull it off. It was under his stewardship, with Wickremesinghe as prime minister of the National Unity Government, that the Sri Lankan parliament voted to curtail the powers of the president with the 19th Amendment. The Supreme Court has ruled that the president violated the Constitution by dissolving Parliament before the constitutionally stipulated period of four and a half years in response to petitions challenging the November 9 dissolution. Article 70(1) of the Constitution is clear that the president is not empowered to do this unless there is a resolution supported by two-thirds of parliamentarians, including those not present. The judgement of the seven-member bench has declared the dissolution null and void.

Just four years ago, Sirisena's dramatic emergence as the challenger from within the Sri Lanka Freedom Party to the authoritarian Rajapaksa, his defiant candidature against the powerful Rajapaksa in the January 2015 presidential election and subsequent victory had made him something of a hero. But he will now go down in history as a leader who dragged his country through two months of instability. It is no secret that Sirisena has never been convinced of his own leadership of the SLFP and has spent the last four years feeling insecure about Rajapaksa's ambitions to return to power. He projected that insecurity to his working relationship with Wickremesinghe, distancing himself from his own PM. To be fair, Wickremesinghe's own actions only deepened the distrust between the two.

Sri Lanka is not yet out of the woods. The Supreme Court has granted Rajapaksa leave to appeal the stay on his functioning as PM but it has rejected Rajapaksa's plea for an interim order vacating the stay. Sirisena could still find a way out by reinstating Wickremesinghe on the basis of his demonstrated strength in parliament. His stubborn insistence that he cannot work with Wickremesinghe as PM does not hold water. The United National Party leader is not without his own shortcomings, but he has convincingly demonstrated a majority in the House as many as seven times since his dismissal by Sirisena. Both won mandates for a five-year term. It would be best if they dedicated the rest of their respective terms to fulfill the promise of the good governance that brought them together and got them elected.

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