

## AMENDING TO DESTROY

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It is not surprising that the Rajapaksa government in Sri Lanka is bringing in the 20th Amendment Bill, which seeks to make the office of the executive president even more powerful than envisaged in the original 1978 constitution. The amendment is likely to go through because Prime Minister Mahinda Rajapaksa has a two-thirds majority in Parliament. But it is bound to have detrimental consequences for the internal stability of Sri Lanka, where presidential authoritarianism has in the past played dangerously with ethnic and religious faultlines. Five years ago, the United National Front led by then president Maithripala Sirisena and then Prime Minister Ranil Wickremesinghe ushered in progressive constitutional reforms through the 19th Amendment, whittling down the president's powers, empowering the prime minister, and making both more accountable. It also strengthened other institutions. For instance, the reason the Sri Lanka Election Commission is taken more seriously now is because its top officials are appointed through a broad-based Constitutional Council. The 20th is aimed at undoing all this and more.

Worryingly, a campaign is picking up speed for similarly getting rid of the 13th Amendment, which came about through India's intervention in the 1980s, and was aimed at providing a modicum of devolution of political power to the Tamil minority. There was violent opposition to the amendment when it was adopted in 1987, leading to an insurrection by a Sinhalese nationalist group in which thousands were killed and many more disappeared. The 13th gained acceptance later even among those opposed to it, even as, from its inception, it has fallen short of Tamil expectations.

Doing away with it would be to remove the only concession to devolution to Tamils that the Sri Lankan polity has made. Indeed, India has repeatedly stressed that implementing the 13th Amendment in letter and spirit is the way forward for addressing Tamil political aspirations. The answer to Sri Lanka's political and other breakdowns has always been obvious and promised by many — the abolition of the executive presidency. But that promise is forgotten immediately after gaining power. President Sirisena could not summon the will to fulfill this promise, despite having the opportunity and the parliamentary majority to do so. President Gotabaya Rajapaksa and his brother, Prime Minister Mahinda Rajapaksa, see the presidency as their key to continuing in power. But they must think through any move to do away with the 13th amendment, before giving in to the short term euphoria induced by their brute strength in parliament.

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