

Summary of the Plenary Speech

Political Centralisation as the Main Obstacle to Sustainable Development

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President Ranil Wickremesinghe has pledged to resolve the country's ethnic conflict by the time of its 75th Independence anniversary next February.

In 1948, when the country attained independence from British colonial rule after 150 years its prospects were bright. It was even called the Switzerland of the East. But these expectations have not been realized.

The constitution that Sri Lanka inherited from the British was unitary, with parliament enjoying legislative powers that were checked and balanced by independent courts and civil service.

In 1972 the Soulbury constitution given by the British was replaced by the first Republican constitution. The powers of parliament, and the elected politicians, were elevated, and the judiciary and civil service was made subordinate.

This eroded the system of checks and balances. The elected politician was now supreme.

The power of the politicians was further increased by the second Republican constitution of 1978. This constitution created an executive president. J R Jayewardene, the first executive president, said that the only power he did not have now was to make a man into a woman and vice versa.

My first thesis is that the supremacy of the elected politicians over other institutions of the state has created a culture of impunity and lack of accountability. This situation has worsened over time. Even in the midst of the present economic crisis, allegations of corruptions are not investigated and the responsible politicians are not held accountable.

The passage of the 22nd Amendment by 174 votes with only one dissension can be considered to be a victory for President Ranil Wickremesinghe under whose leadership a significant restructuring of the state's system of checks and balances has taken place with virtual unanimity. By way of contrast, the ruling

party has seen its disintegration in three or more parts. There were only about 30 plus MPs out of a total of 134 in the government who opposed the 22nd Amendment and the effective removal of its party's national organizer from parliament.

The passage of the 21st Amendment will reduce some of the powers of the presidency particularly with regard to appointments to the independent commissions and high officers of state. These included the Chief Justice, judges of the Supreme and Appeal courts, the members and chairpersons of the Election Commission, Human Rights Commission and Police Commission and the IGP. This power will now be transferred to the Constitutional Council over which the president will have influence but not unilateral power.

It is expected that the members of the constitutional council will reflect a genuine balance between government and opposition. They need to be selected by the president together with the prime minister and the opposition parties as well. The three civil society members of the Constitutional Council who can best ensure a non-partisan selection will be appointed jointly by the prime minister and leader of the opposition.

My second thesis is that the unitary and centralized system of government has proved to be susceptible to exploitation by politicians who exploit race and religion as the primary form of political mobilization.

Race and religion-based politics has empowered the ethnic and religious majority politicians and marginalized the ethnic and religious minority politicians. The latter are denied having political power. This has led to political conflict, separatism and finally terrorism and warfare.

The three-decade long war depleted the economic resources of the country and discouraged business investments. As a result, the country has been consuming more than it produces, spending more than it earns, and borrowing to the point of bankruptcy.

The president has promised to find a political solution to the ethnic conflict very soon. The practice of democracy needs to be supported by institutions that ensure the inclusion of minorities into processes of decision-making and that pay heed to minority voices.

There is considerable cynicism and also opposition to the president's efforts to make this process a success. The failure to deal with accountability issues is adduced as a reason this will fail too.

Corruption and power politics are not peculiar to Sri Lanka. They are found elsewhere in the world as well.

The way forward lies in political leadership that is willing to sacrifice self for the nation, if need be. An enlightened citizenry who can see beyond their own group interest to the well-being of all needs to support this leadership, as in south Africa.

The Aragalaya has created this awareness; it also brought about a change in leadership.

Getting to the path of economic sustainability would first require setting up systems of checks and balances to ensure accountability and to stop impunity in government.

Second, it would also require setting up a system of power sharing that would empower the ethnic and religious minorities to be part of the decision-making processes, both nationally and regionally.

Both of these solutions require overcoming the obstacle of political centralization.