

Sri Lanka. No To 20th Amendment-Agitate For A Constitution That Strengthens People's Power!

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The proposal to abolish the 19th amendment to the constitution and to introduce the 20th amendment has been gazetted. According to the gazetted bill all but three articles in the 19th amendment will be repealed. The Provision to be retained are citizens right of access to information restriction of the president's term to two and president's term of office as 5 years. The remaining executive powers of the president that was subject to certain limitations under 19th amendment, now revisit J.R. Jayawaradana's constitution and even goes beyond.

Unfettered authority such as appointment of the cabinet including the Prime Minister removed of power of making appointment to higher ranks of the public service by the present commission, retention of power of appointing commissioner of elections, Chief Justice, abolition of the constellational council and appointing a parliamentary committee in lieu with the exclusions of authority to challenge president's decisions reducing the time period of 4 ½ years to dissolve parliament to one year at his decreason have been incorporated in the 20th amendment to the constitution. Taking into consideration severe criticism leveled against the presidential system since a prolong time certain restrictions were imposed on president's power through the 19th amendment.

Precisely Because of the betrayal of the promises to do away with the executive presidency, given in the election manifestos of the aspirant to the presidency by Chandrika Kumarathunga, Mahinda Rajapaksha and Maithripala Sirisena an agitational campaigns was launched by the Civil Society spearheaded by late Maduluwawe Sobitha Thero during the later part of Yahapalana Regime. As a result the proposal to change the executive presidential system came to the fore of the society and became the deciding factor in the ascendance of power of the Yahapalana Regime.

1978 Constitution

The 20th amendment clearly reveals a regression to J.R.'s 78 constitution. J.R. wanted to introduce a new liberal economy. In order to facilitate implementation of that programme he introduced the 1978 authoritarian constitution. The dominant nature of the executive presidency reduced parliament authority considerably and the president acquired incomparable authority. In order to destroy the trade union movement in this country the 1980 general strike was crushed mercilessly. Furthermore he let loose the 1983 July holocaust to suppress the left movement. He further utilized the constitution to extend the life of parliament by another 6 years through a referendum. In view of these undemocratic steps, the 1978 constitution could be described as a notorious one among the masses. The only two favourable revisions were 13, 17 and 19.

But it is far from truth that the amendments democratized the society. Even though an attempt was made to incorporate certain democratic features into it no benefit accrued to the masses due to the

corrupt and fraudulent nature of the election that was held. In point of fact those amendments brought more opportunities to the privileged class of the society in the administrative and political field. Though the 13th amendment was introduced as a solution to the national question and provincial councils were established that did not bring any benefits to the Tamil people. Even though commissions were established under 17th and 19th amendments those were invaded by high level political stooges in an inherent manner. Hence the masses felt that the commissions were acting according to the whims and fancies of politicians. As a result the general masses conceded to the fallacy that the protest campaign launched against 19th amendment was due to the complete breakdown of the administration and security of the country.

It is not correct to say that Gotabaya Rajapaksha was elected to power at the presidential and general election by the masses with the sole motive of amending the 19th constitution. On the contrary masses were determined to defeat the Yahapalanaya Government due to intolerable and numerous hardships they had to undergo. It is the result of the conviction of the masses to effect a new leadership for a better regime rather than reposing confidence in Rajapaksha or Podu Jana Peramuna. The masses never believed that the president would usurp parliamentary power and march toward a dictatorship while Mahinda Rajapaksha a former political leader was holding the post of Prime Minister.

Nevertheless we of the left movement are on the watch in what direction the developments are taking place. Gotabaya Rajapaksha using the reputation he built up while working as defence secretary in Mahinda Rajapaksha's government prepared the political grounds to march forwards establishing a strong authorized government by using the services of higher officers of the army and professional who were close to him. The Organization called "Viyath Maga" never aimed at changing the capitalist society but was in fact a programme drawn up with the remnants of new liberalize to protect the capitalist class that amassed wealth through fraudulent and corruption. The leadership to this was given by business magnates, congratulates and rich urban monks, so called Buddhist communities who were in the vanguard of this programme. They promised to strengthen people's democratic power through a new constitution based on a so called humorous principle of one country one law that does not exist. They identified "masses" as only Sinhala Buddhists excluding Tamils, Muslims and Catholics precisely become of this a sizable section of politicians who came into power agitated for the removal of 13th amendment and appeared as open supporters of Sinhala nationalizes. It is evident that this campaign has the blessing of the president. A good example of this is the appointment of Mr. Sarath Weerasekara an ex- army officer who is a rabid communalist who vehemently opposed the provincial councils, as State Minister in charge of Provincial Councils. Hence it is evidently clear that provincial council will not be allowed to function smoothly.

In this situation, the forces who opposed 20th amendment and support 19th amendment seen to be getting organized to campaign for the re-installation of Yahapalana front of 2015. For this purpose various groups including national people's power led by the J.V.P., U.N.P and Samagi Jana balavegaya are regrouping themselves.

However the working class of this country does not want to bring back 19th amendment. **Our stand that ensures true democracy by removing members who do not satisfy peoples aspiration. Remaining special privileges enjoyed Ministers and Members of parliament and for an introduction electoral system that ensures particularly representation of the workers in factory, office and farms..** We are well aware that no capitalized government that exists today can introduce such a constitution.

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