

# Sri Lankan Supreme Court rules against President Sirisena's decision to dissolve parliament

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Yesterday evening, the Sri Lankan Supreme Court (SC) ruled that President Maithripala Sirisena's decision to dissolve parliament was unconstitutional. Chief Justice Nalin Perera delivered the unanimous verdict by seven judges of the country's highest court.

The ruling is another blow to Sirisena. He had aimed to hold general elections next month after his October 26 parliamentary coup to replace Prime Minister Ranil Wickremesinghe with former President Mahinda Rajapakse.

The court decision, far from resolving the intensifying political crisis of capitalist rule in the island, will aggravate it further.

The ruling did not annul the illegal appointment of Rajapakse and his cabinet of ministers. Moreover, Rajapakse has appealed to the Supreme Court against an earlier Appeals Court verdict suspending his government, and that case is listed for hearing today.

In yesterday's ruling, the court said that if Sirisena wanted to dissolve the parliament early, within four-and-a-half years of its inauguration, a resolution must be passed by a two-thirds majority in parliament.

The 19th amendment to country's constitution, passed in parliament after the former Sirisena-Wickremesinghe government took office following the January 2015 presidential elections, introduced that limit to the president's power to dissolve parliament.

Following the October 26 political coup, Sirisena initially prorogued parliament to give Rajapakse enough time to engage in horse-trading. Rajapakse tried to concoct a majority in parliament through various means, including offering MPs ministerial portfolios and financial bribes. When that attempt

failed, Sirisena dissolved parliament and called for new elections.

Sirisena calculated that holding elections under Rajapakse's caretaker government would give Rajapakse the advantage of using state resources. Moreover, since Rajapakse's camp had made considerable gains at local government elections held in February, voters might provide him a majority in parliament too.

However, several rival political parties, including Wickremesinghe's United National Party (UNP), the Sinhala extremist Janatha Vimukthi Peramuna (JVP) and the Tamil National Alliance (TNA), and several "civil" organisations filed a fundamental right petition challenging Sirisena's decision to dissolve parliament.

The Supreme Court initially issued an interim order suspending Sirisena's dissolution of the parliament, leading to the resumption of parliament's proceedings but without Wickremesinghe's cabinet.

Yesterday's unanimous verdict is a clear indication of growing concerns within the ruling elite that the continuing factional conflict will further discredit capitalist rule as a whole. Broad sections of working people, youth and rural toilers of all communities already are being drawn into struggles against the austerity measures implemented by successive governments.

The political crisis erupted in the context of the growing geo-political tensions engulfing the island and all of South Asia, involving the US, the Western powers and India on the one side, and China on the other side. The global economic crisis has also intensified since the 2008 financial crash.

Sirisena's anti-democratic moves reflect a further

shift by the entire ruling class toward dictatorial forms of rule to crush the mounting social opposition. Neither faction of the elite—the Sirisena-Rajapakse wing or Wickremesinghe’s UNP—defends basic democratic rights, contrary to their claims. The UNP and Wickremesinghe have been brutal in cracking down on the struggles of workers, youths, students and farmers.

The Supreme Court verdict also is a clear response to escalating pressure by the US and its allies on Sirisena against his installation of Rajapakse. These powers have no concern either about defending democratic norms.

Washington sponsored a regime-change operation in 2015 to oust Rajapakse and install Sirisena in order to integrate Sri Lanka into the US-led military-strategic offensive against China. Rajapakse had forged close ties with Beijing. The US-led powers, including India, are concerned that Rajapakse’s return would undermine the military ties developed under Wickremesinghe.

Hailing the Supreme Court verdict, Wickremesinghe said his “party trusts that the president will promptly respect the judgment.” He tweeted: “The legislature, judiciary and the executive are equally important pillars of a democracy and the checks and balances that they provide are crucial to ensuring the sovereignty of its citizens.”

JVP leader Anura Kumara Disanayake also praised the court decision, attempting to spread dangerous illusions in the judges as defenders of democracy. At the same time, he attempted to distance the JVP from the UNP, with which it has been in effect closely aligned.

Disanayake said: “It is clear that both Maithripala Sirisena and Mahinda Rajapakse have acted unconstitutionally and undemocratically. Let’s not forget the undemocratic tactics of Ranil Wickremesinghe.”

The JVP is well aware of the widespread public hostility to both camps of the ruling class and is attempting to exploit this disaffection to leverage a bigger political role for itself.

Yesterday’s court decision in no way lessens the dangers confronting the working class, youth and oppressed masses produced by the shift toward authoritarian forms of rule, as expressed through Sirisena’s unconstitutional moves.

Since the interim appeals court order to suspend Rajapakse and his cabinet ministers, Sirisena has concentrated the powers of all ministries in his hands, working directly with top state bureaucrats and military leaders, bypassing any parliamentary oversight.

These developments have powerfully vindicated what the Socialist Equality Party (SEP) has warned from the beginning of the political turmoil. The working class must not support any of the warring factions of the elite. It must make its own political intervention into the crisis, rallying the oppressed masses through the program and perspective of international socialism.

The SEP is intensifying its political fight to mobilise the working class on that independent political line, stressing the need to struggle for a workers’ and peasants’ government, as a part of a Union of Socialist Republics in South Asia and the broader struggle for socialism internationally.

To contact the WSWP and the  
Socialist Equality Party visit:

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