

[ADRN Issue Briefing]

## Democratic Downslide: A Turbulent Road Ahead for a Post-Elections Sri Lanka

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Sri Lanka, one of Asia's oldest democracies is currently passing through very anxious political churnings. In the recently held presidential election, former wartime defense secretary Gotabaya Rajapaksa claimed a landslide victory, comprehensively defeating the National Democratic Front (NDF) candidate Sajith Premadasa and paving the way for the return of strongman Mahinda Rajapaksa. The upcoming parliamentary election in April, which is likely to proceed in favor of the Gotabaya-led Sri Lanka Podujana Peramuna (SLLP) party, can lead to centralization of politics in the hands of one family and erosion of institutional spaces under the new dispensation. In short, while Sri Lanka had experienced some bouts of liberalism and political openness after the shocking defeat of Rajapaksa to a rag-tag coalition led by his former ally Maithripala Sirisena in 2015, it is now in an uncharted territory as far as the country's democracy and freedom are concerned.

### Context of 2019 Victory

Mahinda Rajapaksa won the presidential election in 2005 and continued to rule the country until his defeat in 2015. He and his younger brother, and current president Gotabaya are credited for putting up a decisive campaign against the Liberation Tigers of Tamil Ealam (LTTE), ending the bloodiest civil war of 25 years in 2009. Yet, the peace that Rajapaksa brought in 2009 was achieved at a heavy cost. The Rajapaksa government faced serious accusations of allowing war crimes and brazen violation of human rights including attacks on civilians which led to thousands of deaths and denial of humanitarian aid particularly during [the final push to end the civil war](#). Post-victory, the Rajapaksa government resisted every international effort to investigate war crimes and reach out the populations that had borne maximum burnt of the war time atrocities and human rights violations. In fact, the government turned completely authoritarian by attacking independent democratic institutions. These attacks included the sacking of the Chief Justice and the [adoption of repressive measures](#) that led to the abduction of government critics and deaths of journalists and civil society leaders. However, what dented the image of Rajapaksa most was a series of infrastructure project kickbacks from state-run Chinese companies that shook the island nation. More noteworthy aspects of the Rajapaksa government also included the outright promotion of nepotism or family rule, with the four brothers controlled several key ministries and around [80% of total](#)

[government spending](#).

Rajapaksa's entrenchment and quasi-dictatorship met its biggest challenger in 2015. His close ally Maithripala Sirisena revolted against the Rajapaksas by forming a rainbow coalition in 2014. Within few weeks, Sirisena defeated Rajapaksa convincingly in the presidential polls. The National United Party led by Sirisena and Ranil Wickremesinghe swept both presidential and parliamentary elections, placing a system of [checks and balance against the Rajapaksas' prolonged rule](#). The coalition came to power with promises of ending authoritarian rule, opening up democratic spaces, and looking into wartime excesses and ethnic minority issues. With such promises, the United National Party (UNP) [saw a great start](#) in terms of fulfilling the electoral mandate. One of the most notable achievements was the 19<sup>th</sup> Constitutional Amendment that re-established the limit of the country's presidency to two terms, strengthened the role of the prime minister and restored powers of independent institutions such as the judiciary and electoral commissions. The initial years of Sirisena's presidency helped to restore the freedom of press, civil society, and open up democratic spaces.

However, the Sirisena-Wickremesinghe coalition [got mired down in frequent infightings](#) from the beginning. Power struggles consequently led to the 2018 constitutional deadlock wherein President Sirisena dismissed Prime Minister Wickremesinghe and appointed the opposition leader Mahinda Rajapaksa as new prime minister on 26 October, 2018. Sirisena dissolved the legislature in an unprecedented move when Rajapaksa failed to mobilize the required number of legislators to prevent the return of Wickremesinghe. A quick and bold decision by the Lankan Supreme Court to hold the dissolution of parliament prevented a constitutional coup and Rajapaksa's backdoor entry to capturing power, although major damages were made to the coalition government and its popular legitimacy.

### **A Polarized Presidential Elections 2019**

Yet, what really dented the image of the coalition government that successfully ended Rajapaksa's autocracy in 2015 were the Jihadi-inspired Easter bombings in April 2019, which caused hundreds of deaths and created a massive sense of insecurity within the island nation. [The Easter bombings](#) and the Sirisena-Wickremesinghe government's visible failures to tackle their aftermath brought a huge boon for the Rajapaksas who were [making desperate attempts](#) to wrest power since 2016. As such, they highly politicized issues of national security and Sinhala nationalism during the 2019 Presidential election. [The Easter bombings by local Islamists](#) which targeted Churches and major tourist hotels were largely instrumentalized by the Rajapaksas to polarize the nation and profit from their Sinhala chauvinistic credentials. Election results turned out largely in favor of Gotabaya Rajapaska (winning 52.25% of vote) and [were determined on the basis of which religious community](#) made up the majority of the constituency. While the electorate in areas of Buddhist-majority overwhelmingly voted for Gotabaya who aggressively played the Sinhala Buddhist nationalism card, the rival candidate Sajith Premadasa swept in areas with significant Muslim and Hindu populations. The 2019 presidential election was hence the most polarized election in recent years in which the entire nation was divided on the question of national security and religious identity.

## Major Challenges for Sri Lankan Democracy

After five years of opening up democratic spaces including freedom of expression, despite many flaws inherited from the previous regime, Sri Lanka stares at an uncertain future now. First, with the Rajapaksas return to power (possibly winning the parliamentary elections which will be held in April), the new dispensation would leave no stone unturned for the return of the pre-2015 and more democratic political order. According to political observers, the first big casualty would be the [19<sup>th</sup> Constitutional Amendment](#) which places a bar on the third presidential term and provides autonomy to independent institutions. With Gotabaya already hinting at possible amendments to the constitutional amendment, the parliamentary election in April and the eventual return of Mahinda Rajapaksa could potentially steer Sri Lanka back towards an authoritarian course. [Political observers also fear](#) that the new government would crackdown heavily on its critics and civil society activists.

Second, the return of the Rajapaksas means a return of majoritarian rule to Sri Lankan politics. While President Gotabaya has emphasized majoritarian rule to promote inclusive governance in context of the divided election, the Rajapaksas' overall view on majoritarian rule will likely promote exclusivist politics. This is because they are overwhelmingly dependent on the majority Sinhala Buddhist constituency. Therefore, whatever hopes that had been ignited about safeguarding minority rights during the previous regime may see a rapid decline if Mahinda Rajapaksa returns to power after parliamentary elections in April. Sinhala chauvinism led by rabid Buddhist monks and majority tyranny led by vigilantism are likely to return. As such, optimism for increased accountability and post-war reconciliation of the previous regime is quickly vanishing with the rise of the Rajapaksa dynasty.

Third, the biggest casualty of the Rajapaksa regime would be the lack of freedom brought upon independent institutions. The judiciary branch, the electoral commission, and the press [are likely to face increased pressure and interference in their proceedings](#) despite the considerable amount of autonomy and freedom they have gained throughout the last five years. With the Rajapaksa government's previous track records in its treatment of democratic institutions as indicators, there is imminent threat to these critical institutions and their briefly secured autonomy. There are hence high possibilities of a crackdown on independent institutions and the return of mob vigilantism that had created terror among [many civil society institutions between 2005-2015](#).

Finally, with the return of the Rajapaksas to the center stage of domestic politics, there will be an increased interference of China on the country's economy and politics. Although Beijing's grip on the island nation never vanished during Sirisena's presidency, Colombo made serious efforts to reduce Lankan dependency on China. On the other hand, Mahinda Rajapaksa was the one to expand Sri Lanka's ties with China to new heights, risking isolation from neighboring India and other important powers. In doing so, he left Sri Lanka entrapped in China's debt due to a [slew of unsustainable infrastructure projects](#). Furthermore, Gotabaya's overall attitude during his presidential campaign also indicated the Rajapaksas' strong reliance on China.

In conclusion, while Sri Lanka may have done well in terms of conducting free and fair elections and enabling a peaceful transfer of power, the island nation's democracy faces an uncertain future. With the Rajapaksas back at the helm, Sri Lanka is bracing up for a rapid centralization of power and weakening of

institutions. Many perennial problems of Sri Lanka such as corruption, cronyism and nepotism are also likely to exacerbate. With majoritarianism at the core, minority rights would face renewed attacks and activists, civil society leaders and media personnel would experience increased scrutiny. Sri Lanka is an important case study within South Asia considering its imminent democratic downfall.

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