

BEING ON THE RIGHT SIDE AND BEING ON THE WRONG SIDE

Sri Lanka's New Social Justice



President Rajapakse has an uncanny ability to be barefaced and blatant about the injustices that his government perpetrates. The kind of "justice" that is now being practiced is selective justice meaning that the law is set to catch up only with those on the wrong side of the political divide; one could do anything and get away with it if one is on the right side. In other words, justice is not valued for its own intrinsic sake. Another way of putting this is that might is right.

This new governing model is obviously flowing down through the echelons of the ruling elite where individual Ministers have to handle their own subordinates and publics and where Provincial Council Members handle matters within their local jurisdictions. At village level, for example, a cattle lifter can escape punishment if he is on the right side, or a land grabber with similar status can find similar refuge. With the police under total control of the executive since the 18th Amendment even local stooges of the government could utilize their political clout for personal vendettas.

What is even more dangerous is that the flow of this kind of might-is-right ideology will trickle downwards to society at large and towards interpersonal relations paving the way for a terribly unjust and malignant social order that demeans social values and the worth of human life.

We are surely drifting far away from a Dharmishta society. The stick is being used to silence the media that dares to expose. The carrot is being served to bring stragglers on to the 'right side.' How long can this state of affairs last? Why a President on the crest of post-war glory should choose this style of Public Governance beats our under-

Officer onto a tree and cause public shame to the latter. He can subsequently be reinstated as Minister after a mere internal enquiry held by the ruling political Party; he need not be taken before the civil courts. Of course Dr Mervyn is on the right side. In this way public tender procedure can be violated so long as the violator is on the right side. Former Basnayake Nilame of the Saman Devale, Anton Tennekone, was sentenced to death for murdering his mis-

enforcers. Ekneliyagoda is on the wrong side.

Isn't it strange that citizens from legislators, professionals, and downwards are settling down with the new morality? One high profile journalist, Tissaranee Gunasekera, points out that Sri Lankans are fast becoming an indifferent society. Isn't it wonder that the party of Buddhist monks, the JHU, which got a mandate from the people to be in Parliament so that its reverend members may have a purifying influence is in fact acquiescing in the downright and outrageous acts of the commission and omission? Societal indifference and insensitivity to public crime is a serious concern leading the way, as it does, to more and more invasions of human rights.

The former Chief Justice Sarath Silva said, "there are three charges against Fonseka in the military courts. But none of those charges is against him for causing loss or damage financially to anyone or to the Govt. When he was in the tender Board he had acted bona fides and most honourably. The only charge against him was his not disclosing the relationship his son in law had with a Company in British Borneo. But, the punishment given to him was for dishonourable conduct assuming that the father in law should know of what his entire son in law does. This is not a charge that can be levelled in this civilized world."

For all these flimsy allegations what a terrible blow had been meted out to this great war hero. The medals he had rightfully earned over 35 years of hard service and the pension he had painfully earned have all been taken away from him. He has been jailed for two and a half years! It is patently clear that had SF not been on the wrong side he would not have been harassed and penalised in this brutal way. He would not have been denied human rights as an accused and he would not have been jailed.

The former Chief Justice points out three instances when the judiciary had saved Rajapakse when the latter was as an MP. The last instance was over the allegations that Rajapakse had put in Tsunami contributions for the 'Helping Hambantota' project into his private bank account. "At that juncture," said the former CJ, "in order to save him from arrest, the SC including myself moved to do justice to him. If the President has not received the benefit of the justice of the courts, he would not be the President of this country."

Shouldn't the President afford the same justice to the war hero - of all the people? General Sarath Fonseka was so crucial for our success against the LTTE that he should be afforded the widest margin possible for whatever inappropriate things he may have said or done.

But, then, he is on the wrong side.



Shyamon Jayasinghe

standing. Is he unsure of his ability to cope with normal democratic opposition? Does he think he has been made impregnable by the recently won constitutional provisions?

An MP can rape a school girl and get away with it so long as he is on the 'right' side of politics. A public servant may rob if he or she is on the right side. A woman who spent merely three months in jail for double murder can be pardoned because her husband is on the right side. A person can be posted as Ambassador despite a court case for bribery pending against him. One-time top LTTE arms dealer KP and murderers Karuna and Pillayan can go about under state patronage and pakum because they are now on the right side.

In this way Mervyn Silva, a prominent Minister, can invade the Rupavahini Corporation with his goons and assault the News Director. He can tie a poor Public

press but he quickly got pardon and he is now a free man. Minister Milroy Fernando's wife got a life sentence for murdering a woman; she was rightfully pardoned. What's wrong? They are on the right side. Cheers!

When journalists are murdered or kidnapped nobody is concerned. Journalist Ekneliyagoda has been missing for the last 300 days but it means nothing to law enforcers. Ekneliyagoda is on the wrong side.

When serious corruption allegations are brought against Ministers everyone is silent. When the Sunday Leader editor Lasantha Wickrematunge was murdered in brought daylight on the road during traffic-heavy time government high-ups raised no alarm. When journalists are murdered or kidnapped nobody is concerned. Journalist Ekneliyagoda has been missing for the last 300 days but it means nothing to law

Small wonder that the game of politicians nowadays is to try and get on the right side. The Leader of the Opposition, Ranil Wickremasinghe qualifies for a prize for tolerating with rare equanimity all his high-jumpers. Ranil does not utter a single word against these venal party traitors. Although he is at the butt end of criticism from the media the fact is that he cannot trust a single party man. Even Sujith may soon crossover "to save the UNP." It so happens that the moves for "party reform" constitute the cloak of disguise for MPs who want to get over to the right side.

What lessons do these acts of moral turpitude teach the young and growing-up in our country? What kind of citizens would the latter turn out to be?

The most hideous illustration of getting punished for being on the wrong side is of course the Fonseka (SF) incident. In whatever way you may turn around the facts it is loud and clear that SF has not been given justice so much so that one respected Christian Bishop has stated that what this war hero wants is not a pardon but jus-

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