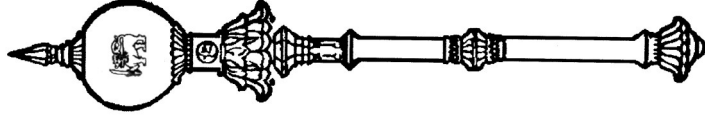


275 වන කාණ්ඩය - 2 වන කලාපය
தொகுதி 275 - இல. 2
Volume 275 - No. 2

2020 ජනවාරි 07 වන අඟහරුවාදා
2020 சனவரி 07, செவ்வாய்க்கிழமை
Tuesday, 07th January, 2020



පාර්ලිමේන්තු විවාද
(හැන්සාඩ්)

பாராளுமன்ற விவாதங்கள்
(ஹன்சாட்)

PARLIAMENTARY DEBATES
(HANSARD)

නිල වාර්තාව
அதிகார அறிக்கை
OFFICIAL REPORT

අනතුරුව ගරු කපානායකතුමා මූලාසනයෙන් ඉවත් වූයෙන්, ගරු අනුර සිඩ්නි ජයරත්න මහතා මූලාසනාරුව විය.

අනුපිටු, මාණ්ඩුමුතු ජනාධිපතිතුමා අවරුන් අක්කිරාසනත් තිනිණු අකලවේ, මාණ්ඩුමුතු අනුර සිඩ්නි ජයරත්න තலைමෙම වකිත්තාරුන්.

Whereupon THE HON. SPEAKER left the Chair, and THE HON. ANURA SIDNEY JAYARATHNE took the Chair.

[2.26 p.m.]

ගරු එම්.ඒ. සුමන්තිරන් මහතා

(මාණ්ඩුමුතු ආර්.ආ. ජනාධිපතිතුමා)

(The Hon. M.A. Sumanthiran)

Hon. Presiding Member, the Statement on Government Policy, as laid out by His Excellency Gotabaya Rajapaksa on the 03rd of January, 2020, is one that needs to be discussed very seriously as it signals an important paradigm shift from the general direction successive Governments have pursued in the last three decades.

November 16th, 2019 gave the President a decisive victory. But, what is troubling about this big victory is that no community other than the majority Sinhala Buddhist people of this country were prepared to repose any confidence in him. I am not saying this to cast any aspersions on the President himself, but only in order to flag a very important factor that we cannot ignore if we are serious about national reconciliation and moving forward as a country. The test of popularity of a leader of a country is not whether his own people have confidence in him, but whether the other peoples are prepared to place their trust in him. Sadly, this was found wanting. The President himself showed that he is conscious of this fact in the two comments he made after his victory. He spelt this out at his oath-taking ceremony at Ruwanweliseya when he acknowledged this fact, but very correctly added that he is President for the whole country, even of those who did not vote for him.

We expected His Excellency the President to take steps to bridge this gap by recognizing that our country is rich in diversity with people of different races, religions, languages and cultures. The equal status of each of these peoples is not dependent on their respective numerical strength. This principle must be acknowledged if our democracy is to survive and indeed flourish, and not regress into naked majoritarianism. Regretfully, in his Address to Parliament on 03rd January, 2020, the President has articulated such a regressive position. It was this kind of regressive mindset on the part of the leaders of this country that gave rise to a conflict which resulted in armed hostilities that raged for more than three decades.

Our party, the Illankai Tamil Arasu Kadchi, better known as the Federal Party in the early years, was born as a result of the passage of the Citizenship Act and the Indian-Pakistani Citizenship Act, which disenfranchised nearly 800,000 people who had seven Members in the First Parliament. This was said to be the will of the majority, which took away the most basic right of a citizen - in fact, their citizenship itself. The people of this country must understand that the necessity for a political

party based on race - the Illankai Tamil Arasu Kadchi - was this rank majoritarian act by the First Parliament of independent Ceylon.

In 1956, we saw further manifestation of majoritarianism in this country when the Official Languages Act recognized Sinhala as the only Official Language. Violence against the Tamils of this country was used when our leaders protested through a peaceful *Satyagraha* campaign at Galle Face Green, which later expanded to periodic pogroms.

When the First Republican Constitution was being drafted, our party sought to correct the injustice relating to language. J.A.L. Cooray, in his treatise "Constitutional and Administrative Law of Sri Lanka (Ceylon)" at page 81, says, I quote:

"On 28 June, 1971, the Constituent Assembly adopted by 88 votes to none (10 declining to vote) the Basic Resolution regarding the language of legislation, namely that 'All laws shall be enacted in Sinhala and that there shall be a Tamil translation of every law so enacted.' The amendment proposed by the Federal Party that 'Sinhala and Tamil should be (a) the languages in which laws shall be enacted, (b) Official Languages of Sri Lanka, (c) the languages of the Courts and (d) the languages in which all laws be published' was rejected by 88 votes to 13. After the debate and division on the Amendment, Mr. S.J.V. Chelvanayakam, the Federal Party leader made a statement in the Assembly. He said that as the language rights of the Tamil-speaking people were not satisfactorily provided for in the proposed Constitution, no useful purpose would be served by their 'continuing in the deliberations of this Assembly'. He went on to say that after the adjournment on that day they would not come back to the Assembly".

Our Party's efforts were in vain and a majoritarian Constitution was enacted in 1972. This was repeated in 1978 when the Second Republican Constitution was enacted. It was only after the events of Black July in 1983, when scores of unarmed Tamil civilians were killed across the country that India used its good offices, which was accepted by the Sri Lankan Government, to turn the tide and to begin to correct the historic injustices against the Tamils. In 1987, the country turned towards the right direction, started acknowledging the diversity of its peoples by amending the Constitution. Provincial Councils were established so that those peoples who are numerically in the minority can exercise at least a measure of governance in the peripheries. Tamil was also made an Official Language along with Sinhala. These first steps enabled us to re-enter the national life from which we had, until then, been excluded. Successive Governments thereafter took further steps in this direction in order to fully settle the Tamil national question: the Mangala Moonesinghe Parliamentary Select Committee process under President Premadasa, thereafter, the processes under President Chandrika Bandaranaike Kumaratunga and indeed under President Mahinda Rajapaksa are evidence of these processes. During the final battle with the LTTE, President Mahinda Rajapaksa's Government repeatedly assured India and the rest of the international community that the Tamil national question would be politically resolved after the war by means of greater devolution. The assurance given to India on at least three occasions was, "to implement the Thirteenth Amendment in full and build upon it so as to achieve meaningful devolution". The full implementation

[ගරු එම්.ඒ. සුමන්තිරත් මහතා]

of the Thirteenth Amendment also includes the full implementation of Tamil as an Official Language. After the Sirisena-Wickremasinghe Government took office in 2015, a Resolution was passed unanimously in this House on 9th March, 2016 to convert this House into a Constitutional Assembly. A great amount of work has been done by the Steering Committee and the several Subcommittees with the full participation of all parties in Parliament including the UPFA. We have fully cooperated in this effort in order to finally settle this issue for the betterment of the country. Our people are still ready and willing to settle this question on the basis of a united, undivided and indivisible country that recognizes the diversity and equality of its different peoples. To this end, we welcome the President's proposal that a new Constitution be enacted. The last 30 years have seen the country making such positive efforts onwards, resolving issues that have plagued it since Independence by meaningfully acknowledging the plural nature of our polity. We still have some distance to go and that is the direction we must continue, if the country is to prosper. Any deviation from that path will spell doom for us all. I have heard many people close to the present Government talk about the example of Singapore and how Singapore prospered while achieving national harmony among its citizens. Singapore is a great example, if we do not pick and choose what we like to see. It has four official languages, including Tamil by the way, and they sing their National Anthem in Malay, who are 15 per cent of their population. Perhaps, it is instructive to listen to Lee Kuan Yew, the Father of modern Singapore, who says, I quote:

"Ceylon was Britain's model Commonwealth country. It had been carefully prepared for independence. After the war, it was a good middle-sized country with fewer than 10 million people.

When Ceylon gained independence in 1948, it was the classic model of gradual evolution to independence.

Alas, it did not work out. During my visits over the years, I watched a promising country go to waste. One-man, one-vote did not solve a basic problem. The majority of some 8 million Sinhalese could always outvote the 2 million Tamils who had been disadvantaged by the switch from English to Sinhalese as the official language. From having no official religion, the Sinhalese made Buddhism their national religion. As Hindus, the Tamils left dispossessed".

I am quoting, Sir, from the book "From Third World to First - The Singapore Story: 1965-2000" published in 2000 by Times Media (Pvt.) Limited and the Straits Times Press.

Therefore, I urge the President that the course that has been embarked upon based on what we are able to read from his Address to Parliament and his Policy Statement that was tabled in Parliament on the 03rd of January is in the wrong direction; it is in a majoritarian direction. We appeal to the President that that will spell doom for this country and as for us, we are still willing to continue to live in one undivided, indivisible country as equal citizens with equal citizenship rights, with our language having equal rights, with our different religions having equal rights and all the people of this country being treated

equally, not one superior than the other and powers of governance so shared amongst its people that equal citizenship right has meaning and effect.

The Government here in this House which supports President Gotabaya Rajapaksa knows fully well the efforts that have gone into drafting a new Constitution; that process is still on. This House unanimously resolved with all of you participating in it and insofar as the President has said that he wants to enact a new Constitution and he has identified three items in that Constitution: the Executive Presidency, the electoral system and Provincial Councils. Those are the three items that were also identified when Constitutional Assembly was formed in this House. As I already said, a lot of work has gone into it with the participation of all the political parties.

Therefore, I urge the President to continue with that process in this very Parliament and conclude it to the satisfaction of all the peoples of this country, as you yourself said that you are President of the whole country, even of those who did not vote for you.

Thank you.

ගරු මූලාසනාරූඪ මන්ත්‍රීතුමා

(மாண்புமிகு தலைமைதாங்கும் உறுப்பினர் அவர்கள்)
(The Hon. Presiding Member)

මිලභට ගරු ශෙනන් ජේමසිංහ රාජ්‍ය අමාත්‍යතුමා. ඔබතුමාට විනාඩි 8ක කාලයක් තිබෙනවා.

[අ.හා. 2.38]

ගරු ශෙනන් ජේමසිංහ මහතා (සංවර්ධන බැංකු හා ණය යෝජනා රාජ්‍ය අමාත්‍යතුමා)

(மாண்புமிகு செஹான் சேமசிங்க - அபிவிருத்தி வங்கிகள மற்றும் கடன் திட்டங்கள் இராஜாங்க அமைச்சர்)
(The Hon. Shehan Semasinghe - State Minister of Development Banking and Loan Schemes)

මූලාසනාරූඪ ගරු මන්ත්‍රීතුමනි, විපක්ෂය විසින් අද සභාව කල් තැබීමේ යෝජනාවක් ඉදිරිපත් කර තිබෙනවා. අපේ ආණ්ඩුව විසින් කරගෙන යන වැඩ පිළිවෙලට රටේ ජනතාව අනුමැතිය ලබා දීලා තිබෙනවා වාගේම, මේ වෙනකොට රජයේ වැඩ පිළිවෙළ සම්බන්ධයෙන් ජනතාව සතුටුදායක ප්‍රතිචාර දක්වද්දී, අවුරුදු 5ක් තුළ කිරීමට බලාපොරොත්තු වන කාරණා සම්බන්ධයෙන් විපක්ෂය විසින් දින 50ක් වයසැති ආණ්ඩුවෙන් විමසීමක් කරනවා.

විශේෂයෙන්ම විපක්ෂ නායකතුමා අද පාර්ලිමේන්තුවේ කථා කරමින් කිව්වා, අපේ රජයේ වැඩ පිළිවෙලට සහයෝගයක් ලබා දෙනවා කියලා. හැබැයි, අපි විපක්ෂ නායකතුමාට මතක් කරන්න ඕනෑ, ඔබතුමන්ලාගේ පසුගිය අවුරුදු හතරහමාරක ප්‍රතිපත්තියත්, ජනාධිපතිවරණයේ ප්‍රතිපත්තියත් මේ රටේ ජනතාව ප්‍රතික්ෂේප කරලා තිබෙන බව. ජනතාව ඔබතුමන්ලා කෙරෙහි විශ්වාසයක් තබා නැහැ. එම නිසා අපේ රජයේ වැඩ පිළිවෙළ කරගෙන යද්දී ඔබතුමන්ලා අපට ලබා දෙනවාය කියන ඔය සභාය සම්බන්ධයෙනුත් අපට විශ්වාසයක් නැහැ. සහයෝගය දක්වන්න ඉදිරිපත් වීම පිළිබඳව අපි සතුටු වෙනවා. නමුත්, ජනතාව තුළ තිබෙන මතය අනුව අපි කටයුතු කරනවා මිසක්, වෙනත් කණ්ඩායම් ලබා දෙන විශ්වාසය මත කටයුතු කරන්න අපි සූදානම් නැහැ.