

## COMPASSIONATE JUSTICE FOR PEACE, PROSPERITY AND DEVELOPMENT

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Justice is a concept of moral rightness based on ethics, nationality, law, natural law, religion, equality along with the punishment of the breach of the commitment. The most important part in this definition is the punishment and the mode of punishment. Different societies and religions have defined and given guidelines for mode of punishment and reparation for justice. Justice is synonymous with fair play, reasonableness and compassion. Utilitarianism is a form of justice justified by the ability to achieve future social benefits resulted in crime reduction and retributive justice is in response crime proven by lawful evidence so that punishment justly imposed. Restorative justice is dealing with making the victim reparation and paid for the loss including reintegrating the offender into the society. Distributive justice is directed at the proper allocation of wealth, power etc. and oppressive justice exercises and authoritarian approach to legislature totally unrelated to justice.

Understanding of this concept are dependent of history, mythology, culture and the legal systems. Justice involves a system of consequences that naturally derive from any action or choice.

Compassionate justice is completely different from these modes of justices and is mainly based on religious beliefs. This concept is embodied in Buddhism, Hinduism, Islam, Christianity and other religions. In compassionate justice elements of most of other justices are embodied. But the West always deals with other forms of justices other than "compassionate justice".

Compassionate justice is not an area alien to Sri Lankan culture. Wrongdoers are compassionately considered and the treatment was based on basic norms of kindness, compassion and reparation in a compassionate way. In 1970s misguided youth took to arms on an armed insurrection to change the government democratically elected by the people. Sri Lanka Government then after having suppressed the uprising the misguided youth were compassionately treated by rehabilitating them in university camps. History has shown that the then government has taken correct steps of performing compassionate justice by not punishing them ruthlessly and taking steps on compassionate reparation and other means. Most of these youth who were reformed today are leading high positions in Sri Lanka and worldwide.

Currently Sri Lanka is faced with international pressure on as to how the group of Sri Lankans who took to arms was treated at the last phase of eradication of terror which has threatened world peace regional peace and the peace of the entire nation over 30 years. The brutality of the terrorist organization is well documented widely and locally and the amount of mass murders destruction of property 30 years has taken the nation back to hundred years. The world watched in disbelief the victory over terrorism which the world considered unwinnable succeeding in a short span of three years based on the brevity and strategy masterminded by the current regime headed by President Mahinda Rajapaksa who continuously and consistently demanded that justice should be done and it should be compassionately applied.

There is a concern by some western countries and nongovernmental organizations of the responsibility of the Sri Lankan Government on reparation and accountability. Accountability is a factor derived from humanitarian law which is based on in the UN Charter and the UNHCR adopted in 1948. Though it outwardly speaks of restorative justice the theme of these two important and powerful human rights documents are based on compassion. The documents were prepared as a result of the aftermath of the world war which led to destruction of nations and millions of human beings. It is as a result of this blood bath that the nation adopted the UN Charter in place of League of Nations which they considered ineffective. The similar incident in history is King Asoka's extension of compassionate justice after having executed massacres for winning the entire India. At the end of the war King Asoka was repentive after having met young Buddhist monk Negroda he was repentive and initiated reparation in a compassionate way. He sent his son and daughter to his best friend in Sri Lanka King Devanampiyatissa to propagate Buddhism which is still the basis on which the Sri Lankan culture is rooted. There is no question that Sri Lanka forces are professionals and that Sri Lanka maintain high standards of maintenance of war . For thirty years all the residents in the LTTE areas were fed and the government structure were active after having paid full salaries in schools and universities. But the last phase of the war was crucial because of the intervention of thousands of NGOs who poured into the area funds and other resources in addition to the strong LTTE network worldwide aiming at North and East to be separated from the main stream. Sri Lankans are united , friendly and Tamils prefer to live with Sinhalese in the main areas. Out of the entire Tamil population majority live in peace with the Sinhala population and in the capital of Sri Lanka majority of the ethnic community is Tamil and Sinhala comes third. This shows how tolerant Sinhala residents and the integration, friendship and compassionate attitude of the people.

The Government is in immense pressure demanding some countries and NGOs that Sri Lanka should adhere to restorative justice and accountability for the last

few days of the war. This process is based on media propaganda in which Channel 4 is mainly based on text messages, emails, the TamilNet information and also contents of strong LTTE and front organizations.

It is at this juncture that President of Sri Lanka has again declared to extend compassionate justice for rehabilitated LTTErs. He said that he is prepared to bring peace dividends to the country including the North and East when shortsighted narrow-minded parties are talking about the 13<sup>th</sup> Amendment without considering the development or welfare of the people living in the North and the East. The priority should be given to the welfare benefit and the development of the North and East which is fast growing and developing. Today our economy is booming with tourism, investments are pouring and there is peace and stability and what matters is compassionate justice in different ways that is by development, by way of reforms, by way of commitment, by way of integration, by way of offering equality , by way of making them equal before justice, fair play and also to take them forward in the voyage of making Sri Lanka the Wonder of Asia. Therefore it is the duty of the professionals and academics to take this message forward and educate the world especially the world media of our vision , strategy , breeding , education based on our culture and history based on compassion and kindness.

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