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"Questioning The Answers"

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"Questioning The Answers"

MACHIAVELLI NEVER KNEW SRI LANKA. HE MIGHT HAVE UNDERSTOOD ITS POLITICS.

Five centuries ago, Niccolò Machiavelli wrote a little book about acquiring power, exercising it and, most importantly, keeping it. Sri Lanka's leaders may not have governed with The Prince on their bedside tables. But from Sirimavo to JR, Premadasa to Chandrika, Mahinda to Ranil and now Anura Kumara Dissanayake, some of Machiavelli's questions have an oddly familiar ring.

Niccolò Machiavelli died in 1527. He never heard of Sri Lanka, executive presidencies, constitutional amendments, preferential votes or two-thirds majorities.

Be that as it may, he might have recognised the politics.

The Prince, written in 1513, was not really a handbook teaching politicians to be wicked, although that is how it is frequently remembered. It was something considerably more uncomfortable: an examination of political power stripped of the comforting language politicians use to describe it.

Machiavelli wanted to know what a ruler actually had to do to acquire power, maintain authority and survive enemies, betrayal, popular anger and changing fortune. He distinguished between *virtù* - political skill, nerve, adaptability and decisiveness - and *fortuna*, the unpredictable events that can make or destroy a leader.

Sri Lanka's post-independence history offers plenty of both.

Sirimavo Bandaranaike governed before the executive presidency existed, but she demonstrated one of Machiavelli's fundamental propositions: institutions are shaped by those possessing sufficient political power to reshape them.

Her United Front possessed the parliamentary strength to create the First Republican Constitution in 1972. Sri Lanka became a republic, the old constitutional order disappeared and effective political power remained centred on the Prime Minister and parliamentary majority. The constitution was different; the underlying question was timeless: who possesses sufficient power to write the rules under which power itself will operate?

Then came J.R. Jayewardene, perhaps the most obvious Sri Lankan figure through whom to read *The Prince*.

JR did not merely inherit power. He redesigned it.

The executive presidency he had advocated years earlier became reality in 1978. The new constitutional architecture placed enormous authority in a directly elected President.

Then came another remarkable exercise in political power. Instead of holding the parliamentary election that would ordinarily have followed, the 1982 referendum asked voters to extend the life of the existing Parliament until 1989. The proposal passed with 3,141,223 votes against 2,605,983.

Machiavelli would surely have been interested. A successful prince does not merely occupy the political battlefield. Where circumstances permit, he alters the battlefield itself.

Ranasinghe Premadasa demonstrated another Machiavellian reality: obtaining the throne does not end the struggle for power. Sometimes it begins it.

Premadasa inherited JR's extraordinarily powerful presidency but faced enemies within his own political establishment. In 1991 an impeachment attempt emerged with support extending into his own governing party. Contemporary reports said around 120 MPs had backed the move before the political counterattack began.

That episode illustrates one of the subtler lessons of *The Prince*. A ruler must worry not only about the opposition outside the gates but about powerful men standing inside them. Political survival therefore depends upon managing allies, rivals and institutions simultaneously.

Chandrika Bandaranaike Kumaratunga presents a different contradiction.

She came to power in 1994 amid demands for political change and constitutional reform. Yet she governed for eleven years within the executive presidential system created by JR.

Whatever the intentions, constraints and failed reform efforts of that period, the institution survived her presidency. Parliament's official record places Kumaratunga in the executive presidency from November 1994 until November 2005.

Here Machiavelli poses an awkward question extending far beyond Chandrika: what happens when politicians who criticise powerful institutions eventually inherit them?

The view from inside the palace can be remarkably different from the view outside its gates.

Mahinda Rajapaksa provides another fascinating case study.

He became President in 2005 and presided over the military defeat of the LTTE in 2009, dramatically altering the political environment in which he governed.

Then, in 2010, the Eighteenth Amendment removed the constitutional two-term limit on the presidency. Parliament's own documentation records precisely that consequence: a President who had been elected twice could again seek election.

Machiavelli wrote repeatedly about fortuna - the moment history presents - and virtù, the political capacity to exploit it.

Rajapaksa emerged from the war with immense political authority. The constitutional architecture was subsequently changed in a manner that removed a restriction on how long an incumbent could continue seeking the presidency.

Whether one regards that as democratic constitutional change or excessive concentration of power is a political judgement. The Machiavellian question is simpler: when political circumstances created an opportunity to consolidate authority, was that opportunity used?

Then consider Ranil Wickremesinghe.

His route to the presidency was almost the reverse of Mahinda's.

He did not arrive on a great electoral wave. He arrived through institutional survival after the state itself appeared close to breakdown. Gotabaya Rajapaksa fled amid the 2022 economic crisis and mass protests and resigned. Parliament then elected Wickremesinghe under Article 40 to complete the presidential term.

That might have fascinated Machiavelli most of all.

Fortuna had produced extraordinary circumstances. A politician whose party had been electorally devastated suddenly occupied the most powerful office in the country because the constitutional machinery, parliamentary arithmetic and national crisis converged at precisely the right moment.

Power does not always belong to the politician commanding the largest crowd. Sometimes it belongs to the politician who remains standing when everybody else has fallen.

And now Anura Kumara Dissanayake.

Here the story becomes especially interesting because AKD came to office promising precisely the sort of systemic transformation demanded after the collapse of the old political establishment. He won the presidency in September 2024, dissolved Parliament almost immediately and sought a fresh legislative mandate.

He got one.

And therefore the politician who once challenged concentrated establishment power eventually found himself possessing something Sri Lankan leaders have historically valued enormously: the presidency backed by overwhelming parliamentary numbers.

Last week provided an extraordinary contemporary illustration. The Twenty-Second Amendment passed Parliament with 158 votes to 63 at its Second Reading and 158 votes at its Third Reading. The Supreme Court had determined that the measure could be enacted with the required special majority without a referendum.

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Supporters argued the reform strengthened the administration of justice and addressed the structure and retirement of the superior judiciary. Opponents argued that it raised serious questions about judicial independence and executive influence. Those arguments should be judged on their merits, not by attaching Machiavelli’s name to either side.

But The Prince suggests another question.

What happens when a political movement created to challenge the concentration of power eventually acquires an overwhelming concentration of democratic power itself?

That may be the real lesson running from Sirimavo through JR, Premadasa, Chandrika, Mahinda and Ranil to AKD.

Sri Lanka keeps changing its rulers. It occasionally changes its Constitution. It repeatedly promises to change its political culture.

Yet power possesses its own gravitational force.

Machiavelli understood that rulers are changed by circumstances, enemies, opportunity and fear. More importantly, he understood that possessing power changes the calculations of those who possess it.

Five hundred years later, perhaps the most important question The Prince leaves Sri Lanka is therefore not whether our leaders are Machiavellian.

It is considerably more uncomfortable.

When politicians finally obtain the power they once criticised others for possessing, what persuades them to give any of it back?

OVERSEAS SRI LANKANS MAY FINALLY GET THE VOTE. NOW COMES THE HARD PART.

Sri Lanka is moving towards allowing its citizens overseas to vote without flying home. The principle sounds straightforward. Making it secure, credible and genuinely accessible to a diaspora scattered across the world will be considerably more difficult.

For generations, Sri Lanka has been remarkably happy to receive the money of its citizens overseas while making the exercise of one of their most fundamental democratic rights considerably more complicated.

A Sri Lankan working in Dubai, London, Toronto or Melbourne may remain a citizen, contribute to the country’s foreign exchange earnings and retain an intense interest in what happens at home.

But if an election arrives while that citizen is abroad, there is presently no general mechanism enabling that vote to be cast overseas.

The Government says it intends to change that.

Acting Minister of Foreign Affairs, Foreign Employment and Tourism Arun Hemachandra said on Monday that work is underway to establish a mechanism through which Sri Lankans living overseas can exercise their voting rights. The announcement came alongside plans for new foreign employment legislation and other measures aimed at strengthening protection for migrant workers.

This is not an idea invented yesterday. Cabinet approved the establishment of an official committee in September 2025 to examine the legal changes necessary for overseas voting.

That committee subsequently began consultations, seeking views on voter registration, campaigning, voting procedures, counting and the declaration of results.

The problem is that agreeing Sri Lankans overseas should be able to vote is the easy part. Designing a system everybody trusts is something else.

Sri Lanka’s present electoral framework ties voters closely to the domestic electoral register and constituency system. International IDEA notes that the country’s existing postal voting arrangements are limited to specified categories such as members of the armed forces, police, certain public services and election officials. They do not presently provide a general overseas voting facility for migrant workers or other citizens abroad.

There are several possible models. Voting could take place at embassies and consulates. Postal voting could be extended. Some countries use electronic arrangements, while others require citizens overseas to register separately and vote at designated locations.

Every option brings questions.

How does a worker living hundreds of kilometres from the nearest Sri Lankan mission cast a ballot?

Who transports and safeguards the votes?

How is secrecy protected? What happens to a voter registered in a particular Sri Lankan electorate?

How are election campaigns overseas regulated, particularly in jurisdictions whose own laws may restrict foreign political activity?

Then comes the largest question of all: trust.

Sri Lanka’s elections have traditionally depended heavily upon physical safeguards, party representatives, counting centres and processes that competing political parties can observe.

An overseas voting system will succeed only if government, opposition, Election Commission, candidates and voters can accept that ballots cast thousands of kilometres away are as secure as those cast in Colombo, Jaffna or Hambantota.

That should not become an excuse for endless delay.

Sri Lanka’s overseas workforce is an important economic constituency. Remittances have repeatedly helped the country through its foreign exchange difficulties.

But the democratic argument is stronger than the economic one. Voting is not something citizens should have to earn by sending dollars home.

The Government has therefore opened an important door. The task now is to demonstrate exactly what lies behind it.

Be that as it may, overseas voting should not become another reform that remains permanently “under consideration”. The Government has accepted the principle. The committee has consulted. The problem has been identified.

Now Sri Lankans overseas need to know when they will actually be able to vote.

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104 NEW BUSES. BUT COLOMBO NEEDS RATHER MORE THAN 104 NEW BUSES.

A new Metro fleet begins operating on Western Province routes today as police tighten enforcement of bus-priority lanes. The ambition is to persuade commuters to leave their cars behind. That will happen only when public transport becomes sufficiently reliable that leaving the car at home no longer feels like an act of faith.

One hundred and four new Metro buses are scheduled to begin operating across Colombo-centred routes today, September 29, in the latest attempt to address a problem successive governments have discussed considerably more often than they have solved.

Colombo has too many vehicles chasing too little road space.

The new Metro services will operate across seven routes in the Western Province. Announced routes include Millennium City-Colombo Fort, Panadura-Dematagoda, Kesbewa-Pettah and Ekala-Battaramulla, alongside existing services involving Makumbura, Kadawatha and Colombo. A Colombo circular service is also planned. The Transport Ministry says 121 Metro buses are ultimately expected to operate across the seven routes.

At the same time, police are tightening enforcement of designated bus-priority lanes. Seven priority lanes are to operate between 6 a.m. and 9 a.m. and again between 4 p.m. and 7 p.m., with other vehicles generally prohibited from using or parking in them during those periods.

There is considerable sense in this.

A bus carrying dozens of passengers uses scarce urban road space far more efficiently than dozens of cars each carrying one person. Metro Bus itself has explicitly identified single-occupant vehicles entering Colombo as part of the congestion problem.

But persuading motorists to abandon their cars requires more than explaining the arithmetic.

The commuter sitting inside an air-conditioned car in traffic already knows that buses exist.

The question is whether that commuter believes a bus will arrive when promised, provide a reasonable degree of comfort, complete the journey predictably and deliver its passenger somewhere useful.

That is where Sri Lanka's public transport debate repeatedly becomes trapped.

We tend to think in vehicles rather than systems.

Buying buses is visible. There is a launch ceremony. Photographs can be taken. Politicians can stand beside gleaming new vehicles and announce another beginning.

The less glamorous work comes afterwards.

Timetables must mean something. Bus lanes must remain bus lanes after the initial burst of enforcement has passed.

Stops must connect sensibly with railway stations and other bus services. Passengers need usable information about arrival times. Vehicles must be maintained after the new-bus smell disappears. Drivers need incentives that reward safe, scheduled operation rather than a race to the next passenger.

Above all, public and private transport cannot continue to be treated as separate universes.

Colombo's congestion problem is not going to be solved by building enough road space for everybody who might eventually want to drive a private vehicle into the city. The geometry makes that difficult before the economics even enter the argument.

That makes the new Metro initiative worth watching.

If dedicated lanes allow buses to move while cars remain stationary, commuters acquire a powerful reason to change behaviour. If buses simply join the same congestion, that advantage disappears.

The Government says the programme will initially concentrate on the Western Province before expanding to areas including Jaffna, Kandy, Nuwara Eliya and Galle.

Good. But the measure of success should not be how many buses were launched today.

It should be how many private cars no longer need to enter Colombo tomorrow.

SRI LANKA GOES TO THE UN TO TALK ABOUT RESTORING TRUST. TRUST BEGINS AT HOME.

Foreign Minister Vijitha Herath has taken Sri Lanka's message to the United Nations under a General Assembly theme built around restoring trust. For a country still rebuilding its economy, institutions and international relationships, those two words carry rather more weight than diplomatic rhetoric might suggest.

Foreign Minister Vijitha Herath was scheduled to deliver Sri Lanka's national statement to the 81st Session of the United Nations General Assembly in New York on Monday, leading the country's delegation during one of the most important weeks in international diplomacy.

This year's theme is unusually appropriate: **"Restoring Trust, Managing Transformation: A United Nations That Delivers for All."**

Herath is also scheduled to meet UN Secretary-General António Guterres, senior United Nations officials and foreign ministers from several countries during the visit.

For Sri Lanka, however, "restoring trust" is not merely a convenient phrase appearing on the UN programme.

It describes much of the country's unfinished business.

Sri Lanka has spent the years since the economic collapse trying to restore trust among creditors, international financial institutions, investors and its own citizens. Debt restructuring required creditors to believe the country would honour a new arrangement.

The IMF programme requires confidence that agreed reforms and fiscal targets will be maintained. Investors need to believe that rules will not change unpredictably after capital has been committed.

Citizens require something more basic: confidence that institutions work fairly.

Sri Lanka's international diplomacy therefore operates against a domestic backdrop that cannot conveniently be separated from it.

Governments naturally use the General Assembly to present their countries in the strongest possible light. That is hardly peculiar to Sri Lanka. New York during UN week may be the world's largest annual gathering of governments explaining their achievements to one another.

But international credibility ultimately rests upon what happens after the speeches.

The present Government came to office promising a significant change in political culture, governance and accountability.

It has an unusually large parliamentary majority with which to pursue that programme. That gives it power, but it also removes one of the traditional excuses governments employ when reform becomes uncomfortable.

The international community will watch the economic programme.

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It will also watch reconciliation, human rights, institutional independence, corruption enforcement and the durability of democratic safeguards.

None of this means Sri Lanka should travel to New York to perform an exercise in national self-criticism. Foreign policy exists to advance national interests, and the Foreign Minister's responsibility is to represent Sri Lanka rather than apologise for it.

Sri Lanka also has legitimate interests that deserve forceful advocacy.

As an Indian Ocean state, it is exposed to geopolitical competition it did not create. As an importer of energy, it is acutely vulnerable to conflict in the Middle East. As a developing economy emerging from default, it has an obvious interest in reform of international financial structures. Climate change poses risks disproportionate to the country's contribution to the problem.

These are issues on which Sri Lanka should have a voice. But a country's voice abroad becomes stronger when its institutions command confidence at home.

That is why the UN's language about restoring trust deserves attention beyond the conference hall.

Trust is an unusual national asset. It cannot be imported, borrowed from the IMF or manufactured by a communications department.

It accumulates when governments say what they intend to do, do it, explain when they cannot, and apply rules consistently even when doing so becomes politically inconvenient.

Sri Lanka has learned, at enormous cost, what happens when confidence disappears.

Be that as it may, Vijitha Herath's audience in New York is important.

RS 1.5 BILLION OF HEROIN AND ICE. ONE DINGHY. ONE ARREST. WHERE WAS IT ALL GOING?

The Navy has intercepted approximately 81 kilograms of heroin and crystal methamphetamine off Jaffna in what the Government describes as one of the largest narcotics seizures on the northern coast in recent years. It is an impressive interception. It also raises a considerably larger question: if this much was caught in one small boat, how much is getting through?

A dinghy operating around Kusumanthurei in Madagal, Jaffna, would ordinarily attract little national attention. On Sunday morning, however, the Sri Lanka Navy intercepted one carrying a cargo whose estimated street value exceeded Rs 1.5 billion.

The official breakdown is remarkable.

Approximately 45.5 kilograms of crystal methamphetamine, commonly called Ice, and another 35.7 kilograms of heroin were recovered. One suspect was arrested and the dinghy allegedly being used for the smuggling operation was seized. The drugs, suspect and vessel were subsequently handed to the Jaffna Police Narcotics Bureau for further investigation.

It was not even the first substantial interception in Jaffna waters last week. On September 24, the Navy seized more than 192 kilograms of foreign cannabis from another dinghy in the Gurunagar lagoon. That consignment, packed into 88 parcels contained in seven sacks, was valued at more than Rs 38 million.

Two interceptions within days should therefore move the discussion beyond congratulations for successful seizures. Sri Lanka needs to understand the route.

The northern coastline is long, geographically complicated and extraordinarily close to India. Fishing vessels routinely move through these waters and communities on both sides of the Palk Strait have maritime relationships extending far beyond modern border controls.

That legitimate activity creates an enormous surveillance challenge when criminal networks attempt to hide illicit movements within ordinary maritime traffic.

There is also a difference between intercepting drugs and dismantling the organisation moving them.

The arrest of somebody aboard a small boat may identify the courier. It does not necessarily identify the financier, supplier, organiser, intended recipient or distribution network waiting on land.

A Rs 1.5 billion cargo is unlikely to be an entrepreneurial experiment by a fisherman who woke one morning and decided to diversify.

Somebody supplied it. Somebody financed it. Somebody arranged the transport. Somebody expected to receive it. Those are the people who matter.

The economics also deserve attention. If criminal organisations are prepared to put 81 kilograms of heroin and methamphetamine into a single small craft, they are accepting the possibility of losing an extremely valuable cargo. That may suggest the potential profits are large enough to absorb occasional seizures as a cost of doing business.

It is impossible from publicly available information to calculate what proportion of attempted narcotics shipments Sri Lankan authorities intercept.

That makes extravagant claims about either success or failure equally unwise.

But the question remains unavoidable.

Every spectacular drug seizure proves that enforcement is capable of catching a shipment. It simultaneously proves that somebody believed moving a shipment of that scale into Sri Lankan waters was commercially worthwhile.

There is another danger. Narcotics interdiction easily becomes a numbers exercise: kilograms seized, street value announced, suspects photographed and another successful operation entered into the record.

The more meaningful measurement comes afterwards.

Did investigators trace the money? Did they identify the intended receivers? Were telephones and financial records exploited? Did arrests move beyond the people physically handling the cargo? Did intelligence from one seizure produce the next?

Be that as it may, Rs 1.5 billion of narcotics did not simply materialise in a dinghy off Jaffna.

The Navy has found the boat. Sri Lanka now needs to find the business behind it.

REGULATING NGOS IS LEGITIMATE. REGULATING WHO MAY DISAGREE WITH GOVERNMENT IS SOMETHING ELSE.

Sri Lanka is working on new legislation governing non-governmental organisations, with the Government citing money laundering, terrorist financing and proliferation-financing risks among the reasons for stronger oversight. Those are legitimate concerns. The test will be whether the eventual law regulates money and accountability without giving the State unnecessary authority over lawful civil society activity.

Non-governmental organisations occupy an occasionally uncomfortable position in Sri Lankan public life. They can perform valuable humanitarian, developmental, environmental and human-rights work. They can also receive substantial foreign funding and operate in areas touching politics, governance and public olicy.

The State therefore has a legitimate interest in knowing who they are, where their money comes from and what they do with it.

The Government is developing a new Non-Governmental Organization Registration and Supervision Bill.

In July, the National Secretariat for NGOs provided an amended draft to representatives of civil society organisations and held consultations over provisions that had caused concern.

The Ministry said the proposed framework is intended to strengthen regulation while minimising risks associated with money laundering, terrorist financing and proliferation financing.

There is nothing inherently sinister about that objective.

Banks are regulated. Charities are regulated. Companies file accounts. Political parties operate under electoral law.

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REGULATING NGOs...

Organisations receiving substantial sums of money, particularly from overseas, cannot reasonably claim that transparency requirements constitute an assault on freedom.

The difficult question is where financial accountability ends and State control begins.

A democratic government should be able to ask an NGO to disclose its funding. It should be able to insist that accounts are maintained, money is spent for lawful purposes and organisations do not serve as vehicles for criminal financing.

It becomes considerably more problematic if administrative discretion allows officials to determine whether an organisation's legitimate activities are politically desirable.

That distinction matters because civil society exists partly to do things government may not particularly enjoy.

An environmental organisation may challenge a government development project.

A human-rights organisation may document alleged abuses by State agencies. A governance group may question appointments or expenditure. A media organisation may investigate public officials.

Government irritation cannot become the legal definition of improper activity.

Sri Lanka's history should make us particularly careful about this.

Every government believes its own intentions are reasonable. Legislation, however, survives governments. Powers created for an administration that promises restraint remain available to the administration that comes next.

The correct question is therefore not whether the present minister or official can be trusted with a particular discretionary power. It is whether we would be comfortable giving precisely the same power to the politician we trust least.

That is usually a more useful test of legislation.

The Government deserves credit for consulting affected organisations rather than simply placing a finished Bill before Parliament.

The NGO Secretariat says representatives were invited to submit observations and recommendations on specific clauses and that amendments would be considered where feasible.

That consultation now needs to produce legislation with clearly defined boundaries.

Registration requirements should be objective. Financial reporting should be proportionate.

Decisions should be reviewable. Sanctions should follow identifiable violations rather than vague judgments about whether an organisation's activities are acceptable.

Sri Lanka certainly does not need an unaccountable NGO sector.

Neither does it need a civil society that survives according to the administrative tolerance of the government of the day.

Be that as it may, transparency cuts both ways.

Government is entitled to ask NGOs where their money comes from and what they do with it.

Citizens are equally entitled to ask government precisely what powers it wants over the people who sometimes disagree with it.

HORMUZ IS MOVING AGAIN. DO NOT CONFUSE MOVEMENT WITH NORMALITY.

More Middle Eastern oil is finding its way to market and Saudi Arabia has sharply increased exports through the Gulf. Yet ordinary commercial traffic through the Strait of Hormuz remains a fraction of what it was before the conflict. The oil may be moving, but one of the world's most important waterways is nowhere near normal.

There are finally signs of life around the Strait of Hormuz, but anyone tempted to declare the crisis over should look carefully at what is actually happening.

Saudi Arabia has dramatically increased the amount of crude leaving its eastern terminals, while producers, traders and shipping companies have developed increasingly elaborate methods of getting oil through or around the world's most important energy chokepoint. Middle Eastern crude exports have consequently recovered substantially during September.

That is the good news.

The uncomfortable news is that much of this recovery is being achieved through extraordinary arrangements that would scarcely have been contemplated before the conflict. Ships are being repositioned, oil is being transferred from one tanker to another, cargoes are being rerouted and Saudi Arabia is simultaneously trying to maintain alternative outlets on both sides of the Arabian Peninsula.

The numbers demonstrate the scale of the disruption. Before the conflict escalated at the end of February, roughly 125 large commercial vessels crossed Hormuz each day. On September 21, preliminary shipping data recorded only two commodity vessels making the crossing, down from ten the previous day.

Some vessels may have travelled without transmitting their normal tracking signals, but even allowing for that, the comparison with pre-war traffic is extraordinary.

Saudi Arabia has nevertheless found ways of pushing significantly more crude towards buyers. After disruption to its East-West pipeline and Red Sea exports, Saudi Aramco loaded around 14 million barrels onto seven very large crude carriers at Ras Tanura on September 20. Saudi oil flows through Hormuz subsequently rose towards 2.9 million barrels a day, compared with around 700,000 barrels a day during August.

That recovery matters to Sri Lanka.

Every additional barrel reaching the international market eases some of the supply pressure that helped drive oil prices above US$100.

Sri Lanka imports virtually all the petroleum it consumes, meaning that developments thousands of kilometres away eventually arrive at our fuel pumps, foreign exchange market and Treasury.

But increased oil exports should not be confused with restored freedom of navigation.

Two vessels were struck while travelling through the Strait on September 21. Both continued their journeys, but the incidents underline the risk still confronting shipowners, crews and insurers. The normal commercial calculation of how quickly and cheaply cargo can be moved has been replaced by another question: whether the ship and its crew can make the voyage safely.

The situation has produced an extraordinary distortion in the tanker market. Demand for very large crude carriers has surged as producers attempt to move greater quantities under difficult conditions. Freight rates have risen sharply and the Gulf of Oman has become an enormous transfer point for oil emerging from the Gulf.

This is why the headline price of crude never tells Sri Lanka the whole story.

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AI IS COMING...

The country ultimately pays not merely for petroleum but for getting petroleum here.

Freight, insurance, risk premiums, financing and the exchange rate all find their way into the landed cost.

A barrel becoming slightly cheaper while transportation becomes substantially more expensive does not provide the relief consumers might expect.

Hormuz therefore remains the number to watch.

Iran has indicated that reopening arrangements could form part of negotiations with Washington, but the diplomatic positions remain far apart.

Until merchant ships can again pass routinely through the Strait without elaborate precautions, expensive insurance or fear of attack, the global energy system will continue operating with one of its principal arteries partially constricted.

For Sri Lanka, the temptation will be to celebrate every decline in Brent crude as evidence that the worst has passed. That would be premature.

The oil is moving again, but it is moving through a system held together by rerouting, tanker transfers, additional costs and political uncertainty. Normality will arrive when those extraordinary measures are no longer necessary.

Be that as it may, Hormuz has taught the world something useful during the past seven months.

A shipping lane does not have to be completely closed to inflict enormous economic damage. It merely has to become dangerous enough that everybody starts charging more to use it.

OMAN HAS BECOME THE GULF'S EMERGENCY EXIT. HOW LONG CAN IT COPE?

Oman has spent years positioning itself as the Gulf state that talks to almost everyone and quarrels with almost no one. The Hormuz crisis has now given that diplomatic geography an extraordinary commercial value. Sohar is becoming a pressure-release valve for Saudi oil, but the volume of emergency traffic is beginning to test how much pressure that valve can take.

Look at a map of the Gulf and Oman's strategic importance becomes immediately obvious.

Part of the country sits beside the Strait of Hormuz. Much of the rest of Oman faces the Arabian Sea and Indian Ocean outside it. Sohar, Duqm and Salalah therefore offer something that has become extremely valuable during the present crisis: access to international waters without first having to negotiate the Strait.

Saudi Arabia has been making extensive use of that advantage.

Saudi Aramco has sold around 60 million barrels of crude from Ras Tanura for loading through ship-to-ship transfers around the Omani port of Sohar during September and October. The arrangement allows crude originating inside the Gulf to be moved onto tankers positioned outside the Strait, providing buyers with an alternative to the kingdom's disrupted Red Sea export route.

The process sounds deceptively simple.

A tanker carrying oil approaches another tanker at sea. The vessels are carefully positioned alongside each other, hoses are connected and enormous quantities of crude are transferred between them. The receiving vessel can then continue towards the buyer.

Doing this safely with very large crude carriers requires specialist crews, suitable weather, tug and support services, sufficient anchorage space and extensive coordination. Multiply the exercise across millions of barrels and Oman suddenly finds itself hosting one of the world's largest emergency oil-transfer operations.

The system is now approaching its limits.

Trade sources told Reuters last week that ship-to-ship transfer capacity in the Gulf of Oman had effectively reached saturation as Saudi Arabia added its cargoes to oil already being moved by other Gulf producers. Buyers and traders have consequently begun examining alternative transfer locations farther away, including India and Malaysia.

That tells us something important about how Oman is coping day by day.

It is coping because the infrastructure exists, because its ports remained outside the principal conflict zone and because Oman's long-standing diplomatic position gives commercial operators a degree of confidence that is increasingly scarce elsewhere in the region.

But coping does not mean unaffected.

Every additional tanker requires anchorage, marine services, bunkering, pilots, provisions and logistical support. Congestion increases.

Transfer windows become harder to secure. Freight rates rise as vessels spend longer waiting rather than carrying cargo.

An operation originally designed as a workaround can eventually develop its own bottlenecks.

There is also a physical risk. Ship-to-ship oil transfers are established maritime operations, but conducting them at exceptional scale inevitably raises the consequences of collision, mechanical failure or a spill. Oman is therefore carrying not only an economic opportunity but an environmental and logistical responsibility.

The crisis may ultimately strengthen Oman's strategic position.

Duqm was already being developed as a major industrial and logistics centre. Sohar already possessed substantial port and refinery infrastructure. Salalah sits beside one of the world's great east-west shipping routes. The present emergency has demonstrated why access to the Arabian Sea without dependence upon Hormuz has value far beyond Oman itself.

There is a diplomatic dimension too. Muscat has repeatedly acted as an intermediary between Iran and Western powers. While larger neighbours have sometimes chosen confrontation, Oman has built influence through communication.

In a crisis centred on a waterway that partly runs through Omani territorial waters, that quiet diplomacy suddenly becomes an economic asset.

Sri Lanka should watch Oman closely.

Both countries sit beside major Indian Ocean shipping routes. Both possess ports whose value depends partly upon geography. Oman has spent decades converting location into logistics, diplomacy and commercial leverage.

Be that as it may, geography gave Oman the opportunity. Policy made the opportunity usable.

Sohar is now helping keep part of the world's oil system functioning.

The more interesting question is whether what began as an emergency workaround will permanently change the way Gulf energy reaches the world.

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BANGKOK IS UNDER WATER AGAIN. SRI LANKA SHOULD BE WATCHING VERY CAREFULLY.

Bangkok has been battered by intense rain, flooding roads, pushing canals towards critical levels and forcing schools to close. Thailand has certainly not conquered urban flooding, but the machinery it puts into action before, during and after heavy rain leaves Sri Lanka with an uncomfortable question. How many times can the same roads flood before a predictable event becomes a failure of planning?

Bangkok is under water again. Heavy rainfall over the past several days has overwhelmed parts of the Thai capital, flooding dozens of roads, pushing water levels in several canals towards critical levels and forcing municipal schools to close while authorities attempt to drain accumulated water from the city.

The scale of the problem should not be understated. Bangkok authorities reported flooding across 93 roads, with five major canals reaching critical levels and pumping and drainage systems operating at maximum capacity. Officials warned that even after the rain stopped, some areas could require two or three rain-free days before accumulated water was removed.

There is, however, an important part of the Bangkok story that begins before the flooding. Thailand's meteorological authorities had warned of heavy to very heavy rainfall between September 23 and 27, and Bangkok Governor Chadchart Sittipunt publicly outlined preparations being made by the Bangkok Metropolitan Administration. Drainage systems were prepared, canal levels monitored and pumping capacity placed on alert.

It did not prevent Bangkok from flooding, nor should anybody pretend otherwise. Tropical cities cannot realistically construct drainage systems capable of absorbing every conceivable rainfall event, particularly as changing weather patterns produce increasingly intense downpours over relatively short periods. The more useful measurement is therefore not whether water appears on a road, but how prepared the authorities were when it arrived and how quickly they can remove it afterwards.

That is where the comparison with Sri Lanka becomes uncomfortable. Colombo is hardly unfamiliar with heavy rain, and neither are the authorities responsible for its drainage, canals, roads and wetlands.

There are locations around the commercial capital where flooding is so predictable that motorists can identify the vulnerable roads almost as easily as the engineers responsible for maintaining them.

Sri Lanka has also spent serious money attempting to solve the problem. The Metro Colombo Urban Development Project improved drainage infrastructure, rehabilitated canals and pumping facilities and protected wetlands that provide natural storage for stormwater. The World Bank estimates that approximately 2.5 million people benefited from improved flood protection associated with the programme.

The existence of that investment makes the questions following subsequent flooding more important, not less important. Infrastructure does not maintain itself once the project consultants have departed, and a canal cleared with international financing eventually fills again unless somebody continues clearing it.

Pumps require maintenance, drains require cleaning and wetlands protected under one programme remain vulnerable if subsequent development gradually reduces their capacity to absorb water.

Colombo's wetlands are particularly important because they are sometimes treated in public discussion as undeveloped land rather than functioning urban infrastructure.

A wetland capable of holding millions of litres of stormwater is performing a service every time heavy rain falls. Filling it may create commercially valuable land, but the water that would have occupied it does not disappear simply because somebody has obtained permission to build there.

There is also a responsibility that falls upon the public. Plastic, household rubbish and construction waste thrown into drains and canals reduce the ability of the system to carry water precisely when that capacity is most needed.

Businesses and households cannot treat waterways as convenient rubbish dumps during dry weather and then place the entire responsibility upon government when those waterways fail during a storm.

Government nevertheless carries the greater responsibility because managing collective behaviour is precisely why regulation exists.

Illegal filling must be prevented, drainage reservations protected, building approvals subjected to serious stormwater requirements and waste collection made sufficiently reliable that dumping into waterways is neither necessary nor tolerated. Enforcement that begins only after somebody's living room is underwater is not flood management.

Bangkok provides an interesting comparison because it has invested heavily in a permanent flood-control system. The city uses pumping stations, canals, retention areas and enormous underground drainage tunnels designed to move stormwater towards the Chao Phraya River. During the present flooding, authorities have been monitoring individual canals, operating pumps continuously and publicly explaining how long different areas may take to drain.

Yet Bangkok still flooded. That should prevent Sri Lanka from drawing the simplistic conclusion that more concrete and more pumps will eliminate the problem.

The lesson is instead that flood resilience requires infrastructure, maintenance, planning and operational readiness to function together, year after year, including during the years when there is no dramatic flood to remind anybody why the money is being spent.

Sri Lanka's difficulty has too often been continuity. Governments enjoy inaugurating infrastructure because openings produce photographs and speeches, while cleaning drains, servicing pumps and preventing politically connected encroachments produce considerably less ceremony. Flood management, unfortunately, depends far more upon the second category than the first.

There is another habit that deserves examination. Following major flooding, Sri Lankan authorities frequently point to exceptional rainfall, and sometimes that explanation is entirely justified. No drainage network has unlimited capacity, and extraordinary rainfall can overwhelm even a well-managed system, as Bangkok is demonstrating this week.

The explanation becomes less convincing when the same location floods repeatedly. Once authorities know where water collects, what capacity the existing drainage possesses and what level of rainfall overwhelms it, the next flood is no longer entirely unexpected. It becomes a known vulnerability against which government can either act or decide not to act.

Climate change makes that distinction increasingly important. Infrastructure designed according to rainfall patterns of several decades ago may no longer be adequate for the storms cities are experiencing today. What engineers once regarded as exceptional rainfall cannot remain an excuse if exceptional events become sufficiently frequent to form part of the new climate reality.

Bangkok's present experience should therefore interest Sri Lanka for reasons extending well beyond Thailand. It demonstrates that even a city with extensive flood infrastructure can be overwhelmed, while simultaneously demonstrating the importance of maintaining permanent systems for forecasting, monitoring, pumping, drainage and recovery.

Colombo already possesses parts of that system and has benefited from substantial investment in flood resilience. The question is whether we protect that investment with the same seriousness with which we announced it, and whether urban development decisions made today are quietly recreating vulnerabilities that yesterday's projects were designed to remove.

Be that as it may, government cannot reasonably be blamed because rain falls. It can, however, be questioned about whether drains work, whether pumps are maintained, whether wetlands survive and whether lessons from the last flood were still being acted upon when the next one arrived.

Bangkok is presently discovering the limits of its flood defences under enormous pressure. Sri Lanka should watch closely, because the useful comparison is not which capital gets more water. It is which city learns more from the water after it has gone.

"Questioning The Answers"

THE JUDGE IN THE RICKETY OLD WHITE CAR

C.G. Weeramantry reached the Supreme Court of Sri Lanka and then the International Court of Justice, eventually becoming its Vice-President. His judgments travelled the world. Yet one Sri Lankan family who knew him remembers something considerably less imposing: Justice Weeramantry and his wife regularly arriving at their home in a rickety old white car. Perhaps that little car tells us something important about a very considerable man.

There was nothing remotely grand about the car. It was old, white and, according to a family whom Christopher Gregory Weeramantry and his wife visited regularly, decidedly rickety. They would arrive to see their friends without great ceremony, the distinguished judge emerging from a vehicle which apparently had little interest in advertising the international importance of its occupant.

Except that the man getting out of it had travelled about as far as it was possible for a Sri Lankan lawyer to travel. Born in Colombo on November 17, 1926, C.G. Weeramantry built an extraordinary career in law. He became a judge of what was then the Supreme Court of Ceylon in 1967, serving until 1972. He subsequently moved to Australia, becoming the Sir Hayden Starke Professor of Law at Monash University.

Then came The Hague.

In 1991 Weeramantry became a judge of the International Court of Justice, the principal judicial organ of the United Nations. From 1997 until 2000 he served as its Vice-President. For a Sri Lankan jurist, it was an extraordinary journey.

But simply listing the offices he occupied rather misses the point.

Weeramantry became internationally significant because he was prepared to ask what law should do when humanity confronted questions larger than those for which conventional legal rules had originally been designed. Nuclear weapons, environmental destruction, sustainable development, peace and the responsibilities of one generation towards another all occupied his attention.

His most famous intervention arguably came in 1996 when the International Court of Justice delivered its advisory opinion on the legality of the threat or use of nuclear weapons.

The Court's conclusion was carefully qualified. Weeramantry went further. In a lengthy dissenting opinion he concluded that the threat or use of nuclear weapons was illegal in any circumstances.

What made his reasoning particularly interesting was its breadth. He did not approach the problem simply as a matter of weapons and treaties. He examined humanitarian law, environmental consequences, civilian protection and the legal and moral traditions developed across different civilisations.

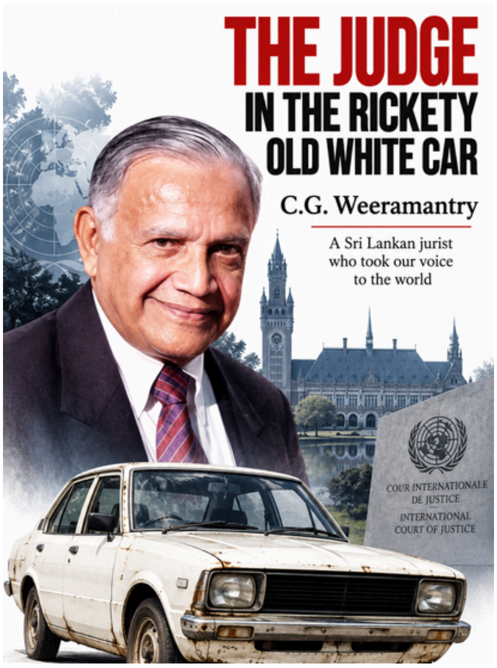
That was characteristic of Weeramantry.

He resisted the notion that international law was essentially a Western intellectual product to which everybody else had subsequently been invited. His scholarship explored principles found across Christianity, Buddhism, Hinduism, Islam and other philosophical traditions.

For a Sri Lankan sitting at the world's highest international court, that mattered. He was bringing perspectives from outside the traditional centres of international legal thought into the courtroom.

His environmental jurisprudence was equally important.

In the 1997 Gabčíkovo-Nagymaros case between Hungary and Slovakia, involving a major project on the Danube, Weeramantry wrote separately about sustainable development.



Development and environmental protection, he argued in substance, could not sensibly be treated as mutually exclusive objectives. The law had to reconcile them.

Today the words "sustainable development" are everywhere. Governments insert them into policy statements. Companies place them in annual reports. International organisations build programmes around them. Weeramantry was helping to give the concept serious jurisprudential meaning when much of the world was still learning how urgently it would be needed.

Underlying his thinking was an even more interesting proposition: people alive today cannot behave as though the planet belongs exclusively to them.

Future generations have interests too.

That sounds almost self-evident until one considers how governments and businesses actually make decisions. A forest can be destroyed today and the economic benefit recorded immediately. The consequences may arrive decades later. A river can be polluted by people who will never meet those eventually affected by it. Carbon can be emitted now while much of the cost is handed to people not yet born.

Weeramantry's jurisprudence asked law to look beyond the immediate transaction.

Sri Lanka might usefully revisit that thinking.

We remain remarkably capable of treating environmental protection as an obstacle to development rather than one of its essential conditions. Wetlands become interesting when someone wants to build on them. Forests acquire a monetary value when somebody discovers what can be extracted from them. Coastlines become commercial opportunities.

Then come the floods, landslides, water shortages and arguments over who allowed what to happen.

Weeramantry was not arguing against development. His more sophisticated point was that development which destroys the foundations upon which future prosperity depends cannot simply be declared successful because today's balance sheet looks attractive.

And perhaps that brings us back to the old white car.

Sri Lanka is not entirely unfamiliar with the theatre of office. The title, official vehicle, security detail, entourage and assorted manifestations of importance can sometimes become almost as important as the job itself.

Weeramantry had reached a level at which he scarcely needed to prove his importance to anybody.

Those who knew him repeatedly spoke of his humility. His achievements were formidable, yet the personal accounts left behind describe a man strikingly free of pomposity.

The rickety car does not prove that. Nor does driving an old car automatically confer virtue upon its owner. But the recollection of a family who knew the Weeramantrys socially provides a wonderfully human detail consistent with what others said about him.

His honours were substantial. In 2006 he received UNESCO's Prize for Peace Education. In 2007 he received the Right Livelihood Award. Sri Lanka bestowed upon him the Sri Lankabhimanya, the country's highest national honour.

Yet the greater legacy may lie in the questions he left behind.

What does one generation owe the next? Can technological capability alone justify what humanity chooses to do with it? Can environmental destruction really be called development? Does international law belong principally to those who first wrote its modern textbooks, or can the legal and ethical traditions of many civilisations contribute to it?

Above all, what is law actually for?
Christopher Gregory Weeramantry died in Colombo on January 5, 2017. He was 90.

Nearly a decade later, Sri Lanka could be forgiven for remembering the distinguished judge principally through his titles. Supreme Court Judge. Professor.
Judge of the International Court of Justice. Vice-President of that Court. Scholar. Author.
But there was also the man.

Be that as it may, perhaps one of the better images of C.G. Weeramantry comes not from the grandeur of The Hague but from that family's memories in Sri Lanka.

Justice Weeramantry and his wife had come to visit. Outside sat a rickety old white car.

The car was decidedly ordinary. Its owner had never needed to be.

(With thanks to CR for inspiring us to write this feature, apt for our 'Made In Sri Lanka' series)

"Questioning The Answers"