

National Security Law & Order Sustainability: Police Perspective

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Intelligence service is the most expensive service item in this world where spent plenty of money to maintain institutions. RAW, M 16, KGB, Mossad are few examples for powerful intelligence services in the world. In Sri Lanka the Auditor General cannot comment on the state budget of national security. Why do they spend a huge amount of money for it? Because it is the most important thing in the state.

National Security has various dimensions such as physical, infrastructure, cyber security, political, economic, ecological, energy & national resources are also including security. All these are under national security. Sustainability has several definitions, but sustainability consists of fulfilling the need of the current generation without compromising the needs of future generations while ensuring a balance between economy and well-being.

In Sri Lanka 2,300 years ago, there was a dialogue between Arahath Mahinda and King Devenam Piyathissa. "Birds on air, beats of the earth have an equal right to live and move any part of this land. The land belongs to people and all others are guardians, Arahath Mahinda advised the king is not to the owner you are the guardian." What is the difference between ownership and guardianship? if I am the owner, I have the right to do anything. But if

I am the guardian, I should protect this thing. This concept was incorporated in special judgment in ICJ in 1997 by one of our eminent judges C.G Weeramantry. His lordship C G Weeramanthrie incorporated this particular saying extracted from Mahawamsa in the judgement of Hungary V Slovakia. Thereafter His Lordship Justice Amarasingha extracted that part from to judgment and incorporated it in the judgement of Bulankulama Secretary, Ministry of Industrial Development (Eppawala Case).

The doctrine of public trust in respect of sustainability was established in later the Eppawala case the council of environment India, and MC Metha all these cases extracted the dialogue between king Devanam Piyathiss and Arahath Mahinda. Now we are talking of sustainability imported from various countries it is a tragedy. The threat to national security is hidden. There are plenty of foreign powers. They are threatening our national security. Our national security threats are related to extremism, transnational crimes like arms, drugs, ransom and killing, environmental destruction, destruction of cultural and historical monuments, false propaganda, and media and political uncertainty. These are the threats to our national security and miscoding news imbalance power of the world. And especially, if we are talking about

terrorism, we have the worst terrorist in the world. The researchers in the Criminal Justice faculty should identify what type of threats we are having.

The doctrine of the “Police Power Concept”, this doctrine was created on a legal maximum called “*Salus populi suprema lex esto*” which means “*mens rea*” the welfare of the public is the supreme law. Welfare includes National Security. This doctrine was upheld in the recent Case of Manthe Vs USA. What is welfare? If the inhabitants of the country are without fear, that is welfare. If they don't have a security threat, that is welfare. If the environment is protected, that is welfare. So, Sri Lanka police have various institutions in order to deal with the issues apart from the tri-forces. The Police Department has completed 157 years. We have Criminal Investigation Department, the Terrorist Investigation Department, various bureaus, and Illegal property and assert divisions, which we initiate in the year 2021 to deal with money laundering issues. And apart from that computer crimes investigation division deals with computer crimes and cyber issues.

There are the main issues we have as we have 90,000 police officers in service. So they don't have time to deal with morals they don't have time to deal with investigations. Half of our police population are on roads to deal with protest campaigns everywhere elsewhere. So, people, are talking about freedom of expression. The state has the responsibility to protect sovereignty. Promote unity, sovereignty is the main responsibilities of the government apart from that we have only three domains.

01. Land

02. Air

03. Space

Now, we have another domain called “Cyber Domain”. In Cyber domain everything is happening. We don't expect conventional wars by using multi barrels to wage the war at present. We use electronic tools the whole world is dependent on “cyber” now new man has been made called “Homo Facebook” other than *homo sapiens* and *homo erectus*. A new crime has been generated called “cybercrimes”. Therefore, what I need to emphasize is that Al Baghdadi, ISIS ideology can defeat this ideology with weapons and army soldiers. we cannot do it.

The terrorism we had. Now religious extremism. The tragedy that happened on the 21st, we are suffering lone wolf attacks, lethal attacks, and cyber-attacks. So, therefore, we need to conduct more research on these. They are targeting large gatherings and economic hubs. This is the situation of radicalization. Robert Peel, the British Prime Minister, introduced the principle called “Peelian Principle”, which where Sri Lanka Police is practising at the moment. We are practising a community policing system, a practice system. The police is a just like a fish, Fish lives in the water. Water means the general public. Fish can not live without water. Likewise, the Police cannot survive the general public. Robert Peel said, “Public are the Police, Police are the Public” So we need to interact with the community through community policing that is implemented at the moment. Now we are in a multinational society that needs to inculcate ideas with the general public through awareness programmes.

Hate Speech; this is the biggest problem. Hate speeches are circulated on social media. And also, money laundering issues, cryptocurrency issues and dollar issues. People use the Undial system, and Hawala system cryptocurrency, where more researches need to be done.

We have plenty of legislative enactments that are very old and require amendments. What I need to tell is that all the countries are strengthening their anti-terrorism legislation, but we are deviating onset. Once the father of Modern Jurisprudence said “to regulate society, to protect people, reinforce the right, solve conflicts to protect the natural environment, we need laws,

therefore some people might go against the enactments.

Plato is one of the greatest philosophers. He wrote a book called “The Republic” where Plato has written a chapter called “Philosopher’s King”. In his book, if a person of a country does not like the laws of the country or amendments of that country, he has the right to change the law. The second option is to move to another country where the legal system is in accordance with your views, The third option i.e. remain in the same state and obey the existing legal system. With that, I’m concluding my Speech.

Thank You.