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# Parliamentary Elections in Sri Lanka: Entrenching Democratic Change

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SIEGFRIED O. WOLF, AUG 29 2015

### **Rather a Referendum than a Vote**

On Monday, August 17, Sri Lanka's 15 million strong electorate went to the national polls for the second time this year. Among analysts, there is no doubt that this was not only a 'popular vote', which decided over the new composition of the country's 225-seat-parliament, it was also a referendum regarding the basic nature of Sri Lanka's political culture. Furthermore it was a choice of destiny over the future course of national reconciliation, the need for political revamping to fix political-administrative aberrations, and the pledge of the minorities in a civil war-torn country. More concretely, it was a decision whether the authoritarian strongman and former president, Mahinda Rajapaksa representing the vision of a 'strong state' based on an extreme, ethnic exclusive brand of nationalism, should be allowed to return to power or not. In sharp contrast, there was the alternative option to continue the notion of democratic political reforms and inclusive, consensual-based politics in order to improve good governance in multi-ethnic and multi-religious Sri Lanka- despite the fact that it started slow and tenacious – personified in President Maithripala Sirisena and incumbent Prime Minister Ranil Wickremesinghe. The latter phenomenon marks a process that started just some months ago. Despite all speculations about potential electoral scenarios, the people's vote was clear and defined an important critical juncture in the country's history: Rajapaksa should resign and give up his political ambitions to return to power, as well as face the legal consequences for abusing power during his time in office (19 November 2005 to 9 January 2015) as well as for establishing an autocratic, nepotistic and clientelistic regime (controlled by his family and friends) which was accused for severe human rights violations, suppressing freedoms, and war-crimes. As such, the vote was also an expression that dynastic rule, political feuding and violence has no space anymore in Sri Lanka's political landscape. [1]

### **Ethnic Outbidding and Rajapaksa's Authoritarian Path**

One must state that Rajapaksa is one of the most controversial and divisive figures in contemporary Sri Lanka. Some segments of the Sinhalese majority see in him a national hero, who ended the three decade old civil war and embodies the country's protector of the Sinhalese Buddhist heritage. For other people he is a despotic autocrat who was running the country in a brutal and corrupt way, especially on the expense of religious and ethnic minority. Subsequently, for many years Sri Lanka was perceived as a classic example of a country in which democracy facilitated majority rule and the marginalization of minorities based on a vision of ethnic exclusiveness and authoritarianism. This was reducing rather than enhancing democratic stabilization and consolidation. Sri Lanka was never able or lacked the willingness to construct a democratic multi-ethnic society (approx. Sinhalese-/Buddhist 74 percent, Tamil-/Hindu 12 percent, and Muslims 10 percent) and fostered exclusion of its ethnic minorities since its independence in 1948.

With reference to Donald Horowitz[2], in the case of Sri Lanka, democracy was interpreted as a pure majoritarian rule without sufficient minority protection. As such, the political decision making processes turned out to be a problem rather than a solution due to the fact that it perpetuated domination of one group over the other. In this context political observers traditionally point out that the dialectic between majority rule and ethnic outbidding is the major aberration in Sri Lanka's political-institutional development, which produces 'undemocratic results'. [3]

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This phenomenon can be described as an 'auction-like process' in which certain politicians as a mean to attain and sustain power try to outbid one another by instrumentalizing the fears and ambitions of their majority community. In doing so, Sri Lanka's minorities, especially the Hindu Tamils and Muslims, were systematically marginalized around political mobilization and ensuring of political interests during the time of elections. Furthermore, it led to an extraordinary institutional decay and portrayed how institutional structures can influence actors' behavior.

It also shows how democratic institutions can create in a certain societal context (e.g. where ethnicity is a politically salient cleavage and utilized for outbidding) a political dynamic, which is able to unleash an armed conflict. In attempting to assess the recent as well as future trends, one has to be aware that although the war in Sri Lanka might be over militarily speaking, the deepest roots of the conflict—marginalization of minorities, i.e. how the political class (majority) and political system deal with them or protect their rights, as well as to ensure a distribution of national resources, remains intact.

Having this in mind, many observers state that 'post-conflict Sri Lanka did not make much progress in addressing any of the major socio-political challenges. The main reason therefore was the Presidency of Mahindra Rajapaksa. Furthermore, on-going human rights violations, a persistent presence of armed forces in the war-torn north, lack of accountability for war crimes and the absence of a noteworthy power-sharing model with former combatants have spurred criticism. Not only the Tamils, but also the Muslims suffered from the Rajapaksa's hard-line approach on rapprochement towards the country's minorities. Growing sectarian violence facilitated by Sinhalese Buddhist nationalists enjoying the goodwill of Rajapaksa's administration further bolstered the alienation of Muslims, Hindus and Christians.

In sum, Rajapaksa symbolizes Sri Lanka's traditional power-politics based on majority rule on the expenses on minorities leading to the truncation of the democratic process<sup>[4]</sup> and wasting the chance for national reconciliation. Additionally, his partly promising economic policy, which led to remarkable economic growth, focused on establishing Chinese funded 'mega projects' has failed to benefit the poor. Consequently, he not lost support among the minorities but also within his core constituency, the rural conservative Sinhala-majority who suffered from inflation and high living costs. The estrangement with the West and the failure to implement a constructive policy in the country's foreign policy triangle with India and China further bolstered the nation-wide frustration about Rajapaksa's 'family regime.'

## **An Unprecedented Electoral Scenario**

The 2015 parliamentary elections were a complicated and unprecedented situation in Sri Lankan politics. By having said this, one has to look at the preceding elections for Sri Lanka's parliament in 2010 which was decided by a landslide victory of the then incumbent SLFP heading the United People's Freedom Alliance (UPFA), headed by then President Rajapaksa. In November 2014, Rajapaksa was calling for new, early presidential elections. By a 'surprise move', the then health minister Sirisena and general secretary of SLFP defected from Rajapaksa and stood up as an rival candidate from the same party but supported by the oppositional United National Party (UNP). In the so called 'January 8 revolution', he kicked Rajapaksa out of office and brought the country once again on the democratic track. However, the situation got intricate since Sirisena not only toppled Rajapaksa as president but also replaced him formally as leader of the SLFP, at the same time continued to be political allied with the rival UNP. Subsequently Sirisena appointed a SLFP (minority of his loyalists) government with the blessings of the UNP opposition.

The whole electoral scenario got even more politically wired since Sirisena was not able to stop the nomination of his party-internal arch rival Rajapaksa, as a candidate and de facto prime ministerial face of the SLFP led alliance, the United People's Freedom Alliance (UPFA). Sirisena –despite being officially leader of SLFP & UPFA- was subsequently supporting the UNP which was heading a broader coalition called the United National Front for Good Governance (UNFGG) led by current PM Wickremesinghe. The third major political force was the Tamil National Alliance (TNA) struggling with other, more radical Tamil parties. In the fray in Sinhala-dominated areas of Sri Lanka's south was the Janatha Vimukthi Peramuna (JVP) a remarkable actor. Otherwise, in the eastern province, Sri Lanka Muslim Congress, took part in the electoral gambit.

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In sum, regarding electoral authorities and international observers the keenly fought parliamentary elections were orderly, fair, and incident free (also a novelty in Sri Lanka) besides some complaints – most of them were minor in nature).<sup>[5]</sup> By assessing the elections results (Rajapaksa/UPFA: 95 seats versus Sirisena & Wickremesinghe/UNFGG: 106 seats & Tamil National Alliance: 16 seats) one can state that months after losing his presidency; Rajapaksa's political leverage and social base shrunk considerably.[6] In consequence, the 2015 parliamentary elections were blocking a key step for Rajapaksa's return to power. Instead of capturing one of the two most significant positions in Sri Lanka's governmental system, he was got ones again defeated once again.

## Final Thoughts – Outlook

In order to form a government, a political party or a coalition must have at least 113 seats for the necessary overall majority. Therefore the old and new PM Wickremesinghe needs support from smaller parties. Most likely, the Tamil National Alliance (TNA), which swept the ethnic Tamil-majority northern and eastern provinces, will fill this gap. PM Wickremesinghe can also rely on SLFP parliamentarians who are loyal to President Sirisena. Being in favour of the reform policy of the 'duo for democratic change' President Sirisena & PM Wickremesinghe more SLFP parliamentarians might be willing to cross the aisle and join the UNFGG government benches. Therefore, the country got spared from an unrestricted political struggle between incumbent President Sirisena and a potential new PM Rajapaksa. Such a political conflict would not only paralyse all efforts to bring the country forward but also possesses the risk of initiating a process in which the country could slide back into widespread violence and armed upheaval. In this context, it is important to be aware that during the last months, besides having of 'normative control' over the major parties (in government and opposition), Sirisena could not gain much political capital out of this advantage. Basically he was able to carry out a slow, but some kind of political reform. Most remarkable the 19th amendment which limited the powers of the president to the advantage of the prime minister and gave more autonomy to the constitutional institutions.[7] But Sirisena also wasted much time and energy struggling to achieve effective control, to stabilize his position, and to keep Rajapaksa at bay.

By having said this, it will be far too early to state that Rajapaksa really gave up his aim to regain power and/or back out from the country's political arena. One should rather expect that he uses his remaining influence to mobilize oppositional forces to undermine a constructive working environment in the country's legislative body and to prepare another political comeback. This will gain significance in case the new government will falter on the promised, full-scale reforms, especially towards reconciliation, demilitarization, war crimes justice, federal elements within the political system, and political integration of minorities among others. In this context, one must expect that Sinhalese-Buddhist hard-line forces like the Jathika Hela Urumaya (JHU)[8] will sharply oppose any power-sharing arrangement between the government with the Hindu Tamils and Muslims, living in the country's North and East. Nevertheless, having only six seats in the parliament JHU determines only a much limited support base for Rajapaksa.

Finally, the 'political duo' Sirisena and Wickremesinghe were able to widen their lead and make decisive gains to improve the stability and realm of their government after several months of minority rule. This is significant, since the government is in urgent need for a stronger mandate to be able to carry out much desired (and promised) reforms, namely to create a government possessing a two-thirds majority required to pass proposed major constitutional reforms. Until now, the Sirisena-Wickremesinghe cooperation produced already positive outcomes, like the 19th constitutional amendment and the removal of power from the president to the prime minister. However, much more has to be done, especially regarding the inclusion of minorities and national reconciliation.

The latest election results provided Sirisena and Wickremesinghe significantly more space to continue with their reform policy. Last but not least, Sri Lanka's people demanded and the country's electorate created a new political environment feature by new landmarks: Communalism and blatant political rhetoric on the expense of the country's minorities is not enough to win elections anymore. The time has come that politicians have to deliver good governance instead of covering misrule and autocratic political behaviour under the shadows of ethnic outbidding. Taken the particular war-ridden history and the multi-cultural and ethnic and religious plurality of Sri Lanka into account, national unity, consensus-based politics, and reconciliation are the new and only way forward.

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## Notes

[1] "Rajapaksa's comeback fails as Sri Lankan voters back reforms"

[2] Horowitz, Donald. *Ethnic Groups in Conflict*. California: University of California Press, 1985.

[3] Neil DeVotta, eds., *Politics of Conflict and Peace in Sri Lanka*. New Delhi: Manak; Wilson, A. Jeyaratnam (1988); *The Break-Up of Sri Lanka*. London: C. Hurst & Co; DeVotta, Neil. (2004); *Blowback: Linguistic Nationalism, Institutional Decay, and Ethnic Conflict in Sri Lanka*. Stanford: Stanford University Press; Kulandaswamy, M.S. *Sri Lankan Crisis: Anatomy of Ethnicity, Peace, and Security*. Delhi: Authors press, 2000.

[4] During his time in office, Rajapaksa is accused of using his popularity to take control of Parliament, the courts, the armed forces and all government institutions as well as being responsible for widespread human rights violations and of suppressing of fundamental freedoms and rights

[5] Around 75,000 police forces have been deployed to ensure nothing interfered with the poll which was observed by around 13,000 poll monitors. Nevertheless, four people died and some hundreds of election-law violations recorded.

[6] In this context one can state that Rajapaksa's political power was based on his control of the government and its machinery as well as its patronage opportunities. Being not able anymore to misuse the full resources of the state bureaucracy and security apparatus for his own sake, Rajapaksa's latest electoral campaign were conducted on a much lower scale.

[7] More concrete, it limits the president to two terms, restricts his ability to dissolve parliament early and call snap elections, ends the absolute immunity from court challenge to a president's actions, and gives the prime minister significant control over cabinet appointments.

[8] Or National Heritage Party, which is a political party in Sri Lanka and led by Buddhist monks.

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