

Federalism: Some debates never die

Today, in the wake of recent crossovers by the UNP reformists and the presentation of reports from APRC process, the federal debate has once again taken centre. For many years Federalism has been looked at with so much of disgrace by mainly Sinhalese, particularly to those who are against any sort of devolution of powers to other ethnic communities. However, given the prominence of the federal debate, during the last 80 years exemplifies the importance and dire need of a power sharing arrangement. In the 1930s it was the Kandyan Sinhalese who put the federal demand forward for the first time in Sri Lankan political history. Later, Tamil political parties championed by the late Mr. Chelvanayagam, initiated a long political battle for a federal constitution in order to meet the aspirations of the Tamil community. However, federalism or not, constitutional issues are intrinsically confined to a group of political elites who are usually removed from the citizen 'Appuhāmys'. Therefore, years and years of public acceptance of a federal constitution was primarily understood by following the rhetoric of and the opinion of the ruling elites. However, with the introduction of public opinion polls (scientific) in the late 1990s, a window of opportunity was opened providing a better sense of popular opinion regarding federal constitution. According to the polls conducted by Social Indicator three years ago, 49% of all Sri Lankans – excluding the people living in the LTTE controlled areas at that time where polls were not conducted – supported the idea of increasing the power of the regions even if those of the government at the center has to be reduced. And when compared to the previous year (2003) poll results, it showed a 6 point improvement.

Inspiration for this article is a result of two things. Firstly, reports by the All Party Representative Committee which caused a re-emergence of the federalism debate. Secondly, there appears to be an increasing public acceptance of federalism as an ideal form of governance.

The content of the federal debate:

For some people federalism is a Pandora's Box, which could lead to unforeseen consequences, and could serve as a transition point for secession. I won't be surprised if one gets skeptical on the federal proposal due to a number of reasons. Firstly, a constitution is not something one should play or experiment with. Secondly, there is obvious hesitance in loosing the privileges that the majority community was granted under the 1972 constitution. Thirdly, sharing power with the untransformed, totalitarian LTTE raises reasonable doubts about the plausibility of introducing a Federal system which would require willingness to compromise and embrace high democratic values from each regional autonomy for its successful implementation.

Given the extent to which the word 'Federalism' has been demonized by various political groups for mere political gain, it won't be a surprise if the popular majority reject the idea of federal type power sharing to the country. However, one wonders how many of the critics are aware of what federalism entails - or what is federal and what is not federal.

I do not think this column is the right platform to talk about the theory and the practice of federalism that are being practiced in over 25 countries in the world. Nevertheless, I think it is worth knowing the spirit that federalism advocates. It is basically about a government system that balances the 'unity' and the 'diversity' while promoting the 'shared rule' and

the 'self rule' between the center and the regions. The degree of balancing shared and self rule ranges from the unitary Indian model to a much broader con-federal Swiss model.

In the federal debate, no one has so far, prescribed the exact architecture of his/her federal proposal. Whatever has been proposed so far is a constitutional structure that grants a meaningful autonomy to the region while the unity of the country is preserved. The Sri Lankan federal constitution should be a home-grown one instead of an imported one from another nation. And more importantly, it should be a process that engages a wider spectrum of political opinion, a process that would help bind all ethno – social groups together while preserving their own rights.

Would a Federal type constitution be acceptable to the Sri Lankan public?

It is interesting to see how desperate pro-federalists are in showing that the public supports federalism. Former president Chandrika Kumaratunga Bandaranayke counted the number of parliamentarians that she thought would support a federal idea in order to show that 76% of the Sri Lankans support federalism. However, anti-federalists are no better. They use 2% of the presidential electoral victory of President Rajapakse over Mr. Wickramasingha at the 17th November 2005 presidential elections to prove that Sri Lankans have rejected the federal proposal. I think one does not need to have a political science degree to understand that there are so many other issues that matter when electing a president other than the boring and mostly ambiguous election manifesto.

Here, I would like to use some of the findings of the survey series (*Knowledge Attitude and Practices survey of Sri Lankan Peace process*) conducted by Social Indicator (SI), the survey Research unit of the Centre for Policy Alternatives (CPA). This survey was carried out amongst 3500 respondents across the country belonging to all four ethnic communities. Though the findings are two years old, I believe it gives us a useful picture at this juncture of the public stand.

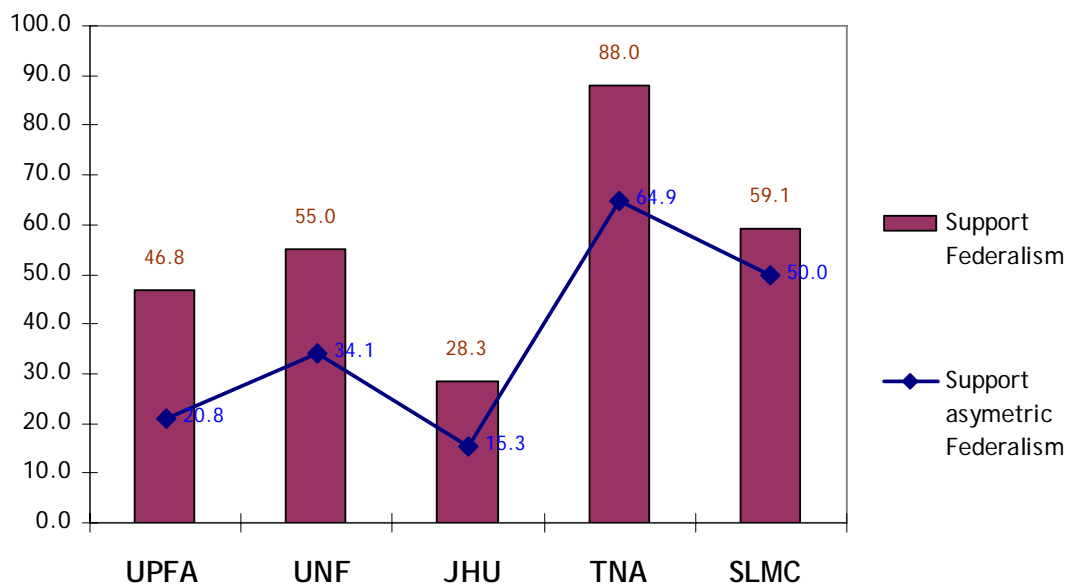
According to the results of the survey conducted in 2004, 49% of Sri Lankans supported the idea of increasing regional powers even if those of the government at the centre have to be reduced. It is quite a higher support as it had stem largely from the southerners – since the survey did not capture the opinion of the Tamils lived in the LTTE controlled areas. However, one should notice that the word 'federalism' had not been mentioned in the question of the study in order to avoid ambiguity. This figure showed a 6 point increment when compared to the previous year and that perhaps indicates the impact of numerous advocacy campaigns of many groups. When considered the opinion of the minority communities - who waged a political struggle for federal Sri Lanka since the early years of independence - support for the devolution is significantly higher in comparison to the Sinhala community. Nevertheless, quite surprisingly on the contrary to the rhetoric of some politicians, 42% of Sinhala community too believes in this kind of power-sharing arrangement. However, there are many differences even amongst the federalists with regard to whether it should be symmetric or asymmetric, whether it is for two unions/regions or whole country on the basis of existing provincial council and so on and so forth.

Despite the moderate level of acceptance of the federal type of devolution, according to the survey results, the acceptance of the asymmetrical federal model is far from the majority of the Sri Lankans. Only 26% of the Sri Lankans are willing to accept the

asymmetrical model. Even amongst the numerically minority communities the acceptance is low when compared to the acceptance for symmetrical federal model. Therefore, this poses serious questions about the plausibility of the persuading asymmetric federal constitution which primarily function as a conflict resolution instrument.

More urban Sri Lankans support federal type power sharing than the people living in rural parts of the country. Maximum support for the federal type of power sharing comes from Tamil dominant Northern Province. 90% of the people who live in the Government controlled areas in the Northern Province also extend their support for a federal type power sharing. Despite of its mixed ethnic composition of the Eastern province, 71% of the people who live in the government controlled areas support the federal type devolution while quite surprisingly 63% of the 'Wayamba' province too supports this power sharing model. The lowest support (33%) for this type of power sharing can be seen amongst the people living in Southern and North Central provinces.

Support for Federalism by Party loyalty:



According to the theory, political parties should represent the aspirations and ideology of their party loyalists. Therefore, party leaders frequently emphasise that what they say on the political platforms echo at their constituencies. However, the sad truth is in many instances theories are far from the reality. This is further vindicated when looking at the diversity amongst party loyalists on their preference towards a federal type power sharing. As this survey was conducted soon after the 2004 general elections, loyalist of People's Alliance (PA) and Janatha Vimukthi Peramuna (JVP) were recognized as one group, the UPFA. According to the survey results TNA and SLMC loyalists seem to have had the most support for federal type devolution. However, most interesting thing here is that quite contradicting to the conventional wisdom, 47% of the JVP, PA alliance loyalists and the 28% of the JHU loyalists too support the federal type power sharing. Quite ironically, only 55% of the UNF loyalists support the federal type power sharing despite the UNF being the signatory to the Oslo communiqué where the parties agreed to find a

solution to the Sri Lankan ethnic issues through a federal type structure within a united Sri Lanka.

My personal belief is, that today, we are victimizing a positive development in Sri Lanka in terms of the debate on federalism. According to survey findings the public has not rejected the federalism concept as some individuals and political parties are trying to portray. Nevertheless, there is no blank cheque given for pro-federalists to borrow some things from their beloved federal states. There is enough space for a wider deliberation on substance while answering to anxieties that could even exist in unitary form of centralized constitution. Therefore, it is in that spirit that one should look at the reports put forward by the APRC. Certainly, they can not be considered as the final view of the possible power sharing proposal but, they should give enough substances to trigger a debate that is required for the crafting of a new constitution.

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