

# OPINION POLL ON CONSTITUTIONAL REFORM

TOP LINE REPORT



CENTRE FOR POLICY ALTERNATIVES  
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மாற்றுக் கொள்கைகளுக்கான நிலையம்



The Centre for Policy Alternatives (CPA) is an independent, non-partisan organisation that focuses primarily on issues of governance and conflict resolution. Formed in 1996 in the firm belief that the vital contribution of civil society to the public policy debate is in need of strengthening, CPA is committed to programmes of research and advocacy through which public policy is critiqued, alternatives identified and disseminated.

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*Making Social Research Count*

Social Indicator (SI) is the survey research unit of the Centre for Policy Alternatives (CPA) and was established in September 1999, filling a longstanding vacuum for a permanent, professional and independent polling facility in Sri Lanka on social and political issues. Driven by the strong belief that polling is an instrument that empowers democracy, SI has been conducting polls on a large range of socio-economic and political issues since its inception.

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## Executive Summary

- When asked for their view on the government's performance since January 2015, only 1.1% of Sri Lankans said that the government's performance has been excellent and does not need any improvements. 42.3% said that the performance has been good but the government needs to show better results. 23% believe that the government's performance has been bad but that it should be given more time to deliver results. 16.5% think that the performance has been very bad and that the government should be voted out as soon as possible.
- Around 75% in the Northern and Eastern Provinces believe the government's performance has been good since January 2015 while those in the Southern, North Central, Uva and Sabaragamuwa are the ones most dissatisfied with the government's performance so far. Almost 30% in the Southern and North Central said that the performance has been very bad since January 2015 and that the government should be voted out as soon as possible.
- When asked how successful the government has been in informing people about the constitutional reform process, 55.1% of Sri Lankans said that the government has been unsuccessful, with almost 30% saying that the government has been very unsuccessful. 55% (with 30.8% saying very unsuccessful) say that the government has been unsuccessful in publicising the content of discussions within the Constitutional Assembly and its sub-committees about constitutional reforms. 56.4% of Sri Lankans also said that the government has been unsuccessful in obtaining citizens perspectives about what should be included/ what should change in the new constitution.
- Overall, awareness about the constitutional reform process has somewhat increased when compared to CPA's October 2016 survey. In March 2017, 29% of Sri Lankans said that they are somewhat aware compared to the 22% in October 2016. Those who say that they did not know that a constitutional reform process is taking place has reduced to 12% from 24%.
- When asked if the current constitution should be wholly replaced with a new constitution or whether the current constitution should continue but with some needed changes, 23.5% of Sri Lankans said that we need a new constitution while 38.9% said that the current constitution should continue but with some needed changes.
- Support for the complete abolition of the Executive Presidential system among Sri Lankans has slightly decreased. When compared to 35.7% in October 2016, support for complete

abolition has reduced to 30.1% in March 2017. Support has reduced in the Western Province (36.7% to 29.6%), North Central Province (48.6% to 30.8%), Uva Province (32.8% to 21.1%) and Sabaragamuwa Province (44% to 29.5%). Those who say that they do not support the complete abolition of Executive Presidency has increased in the Central (27.4% to 40.8%), Uva (32.8% to 59.6%) and Sabaragamuwa (40.8% to 50.2%) Provinces.

- In this survey, when asked if they know what a referendum is, 62.1% of Sri Lankans said yes while 37.3% said no. 88% from the Sabaragamuwa Province, 82% from the North Western Province and 70% from the North Central Province said that they know what a referendum is while 54.6% in the Eastern Province and around 50% from the Northern and Southern Provinces said that they do not know what a referendum is.
- Those who said that they know what a referendum is were asked if we need a referendum in order to have meaningful constitutional reforms and 85.6% of Sri Lankans stated that we do. 21.4% from the Southern Province and 17.7% from the Eastern Province however believe that meaningful constitutional reform in Sri Lanka can be achieved without holding a referendum.
- The three key areas that Sri Lankans believe the Government should prioritise at present are (1) Economy and development (2) Law and order (3) Corruption. This selection was made out of a list of five key areas, the other two being constitutional reform and reconciliation. When asked what specific aspect of their first choice (economy and development) the Government should prioritise, people said it should be to reduce the cost of living.
- When asked if a constitutional reform process and a transitional justice process should take place in Sri Lanka at the same time or whether one should precede the other, 46.5% of Sri Lankans said that they did not know while 20% said that both should take place at the same time. 40.4% in the Northern Province said that both should take place at the same time.
- 66.2% of Sri Lankans believe that there are more important issues than constitutional reform and transitional justice for the government to address. This view is held across all Provinces except in the North and East. When asked to specify what these more important issues are, the answers given were all related to the economy and development - cost of living, infrastructure development, economy of the country and unemployment.

## Introduction

On the 9th of January 2016, Prime Minister Ranil Wickremesinghe presented a resolution in Parliament to convert Parliament into a Constitutional Assembly to draft the third Republican Constitution of Sri Lanka, which will replace the current 1978 Constitution. The resolution noted that there shall be a Committee of Parliament referred to as the “Constitutional Assembly” which shall consist of all Members of Parliament, for the purpose of deliberating on, and seeking the views and advice of the people, on a new Constitution for Sri Lanka, and preparing a draft of a Constitution Bill for the consideration of Parliament in the exercise of its powers under Article 75 of the Constitution.

The 20 member Public Representations Committee on Constitutional Reform (PRC), which was appointed for the purpose of obtaining the views of the public on constitutional reforms, conducted hearings in every district over the months of February and March 2016 and presented its final report in May 2016. Six sub-committee reports on Fundamental Rights, the Judiciary, Law and Order, Public Service, Public Finance and Centre-Periphery Relations were presented in November 2016.

The submission of the Steering Committee’s Interim Report to the Constitutional Assembly for debate, scheduled to be held on January 9 - 11 2017, was postponed and recent news reports indicate that the Interim Report will be submitted before the end of April<sup>1</sup>.

This is the third public opinion poll conducted by the Centre for Policy Alternatives that focuses on the current constitutional reform process. Conducted with the objective of strengthening public discourse and increasing awareness on the reform process in Sri Lanka, this report also indicates significant areas that all those involved in the reform process should pay careful attention to at this critical juncture, especially with regard to the urgent need for a communication strategy on constitutional reforms. This need was also highlighted in a recent civil society statement on rebooting the constitutional reform process<sup>2</sup>.

This survey was conducted by Social Indicator, the survey research unit of the Centre for Policy Alternatives. The research team comprised of Iromi Perera and M. Krishnamoorthy, with input from Dr Paikiasothy Saravanamuttu, Dr Asanga Welikala, Sanjana Hattotuwa and Luwie Ganeshathasan during the questionnaire design phase. Data processing was done by Shashik Dhanushka.

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<sup>1</sup> Sri Lanka's Constitutional committee report to be out this month, The New Indian Express, April 1 2017 (<http://www.newindianexpress.com/world/2017/apr/01/sri-lankas-constitutional-committee-report-to-be-out-this-month-1588623.html>)

<sup>2</sup> REBOOTING THE CONSTITUTIONAL REFORM PROCESS: A CIVIL SOCIETY STATEMENT, March 20 2017

## Methodology

The survey was carried out using a semi-structured questionnaire administered through face-to-face interviews. 30 trained Field Researchers conducted face-to-face interviews with 1992 respondents in both the Sinhala and Tamil languages across all Provinces.

### ***Sampling and fieldwork***

In this survey, Social Indicator (SI) used a multi-stage stratified random sampling technique and a sample of 2000 respondents spread across all 25 districts were polled. The Population Proportionate Sampling (PPS) method was used and ethnic proportions were accounted for. The sample size was determined in order to produce results within a 2 error margin at a 95 confidence level. Electorates were chosen as the strata to distribute the sample and polling centres within each electorate were chosen randomly. From each selected polling centre the starting point (first household selected for the survey) of the survey was selected randomly from the 2008 voter registry. Following the completion of an interview at the first household, 19 other households that come under the same polling centre were selected using the right hand rule.<sup>3</sup> At each selected household, a respondent was determined using the last birthday method.<sup>4</sup>

Fieldwork for the survey was conducted from March 14 - 19, 2017.

### ***Training of Field Researchers***

A total of 30 Field Researchers participated in this study. The Field Researchers consisted of both male and female enumerators from three ethnic communities – Sinhala, Tamil and Muslim. Prior to starting fieldwork, they were given an extensive training on the study, the

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<sup>3</sup> Following a successful interview, the field researcher would select the next following a successful interview, the field researcher would select the next household by skipping a pre determined number of houses (based on the total number of households in the selected polling centre) on his/her right. The route that the field researcher follows from the starting point is guided by this method of always counting the houses on the right as well as selecting the path on the right when faced with more than one possible path. This random sampling technique provides a good coverage of the sample population area, thereby giving all households in the selected area an equal chance of being selected

<sup>4</sup> In a selected household where there is more than one eligible respondent, the person who had their birthday most recently is selected for the survey interview.

survey instrument and field techniques. In order to ensure the quality of field research, SI deployed a group of Supervisors to conduct quality control processes during and after fieldwork such as accompanied visits, spot-checks and back-checks to ensure the quality of the data collected.

### ***Data Processing and analysis***

All the completed questionnaires were scrutinised, checked and entered into a database designed for the survey. The dataset was further cleaned prior to it being analysed. Before starting the analysis process, the dataset was weighted in order to reflect actual geographical and ethnic proportion. The data set was analysed using the Statistical Package for Social Sciences (SPSS).

### ***How to read this report:***

- This report presents the top line results of the survey. The graphs presented sets out a descriptive explanation on the basis of National data, and have been divided according to Ethnicity and Province.
- The baseline data from 2016 is from CPA's October 2016 opinion poll on constitutional reform.



# 1

## Performance of the Government

When asked for their view on the government's performance since January 2015, only 1.1% of Sri Lankans said that the government's performance has been excellent and does not need any improvements. 42.3% said that the performance has been good but the government needs to show better results. 23% believe that the government's performance has been bad but that it should be given more time to deliver results. 16.5% think that the performance has been very bad and that the government should be voted out as soon as possible.

Around 75% in the Northern and Eastern Provinces believe the government's performance has been good since January 2015 while those in the Southern, North Central, Uva and Sabaragamuwa are the ones most dissatisfied with the government's performance so far. Almost 30% in the Southern and North Central said that the performance has been very bad since January 2015 and that the government should be voted out as soon as possible. (See *Graph 1.1*)

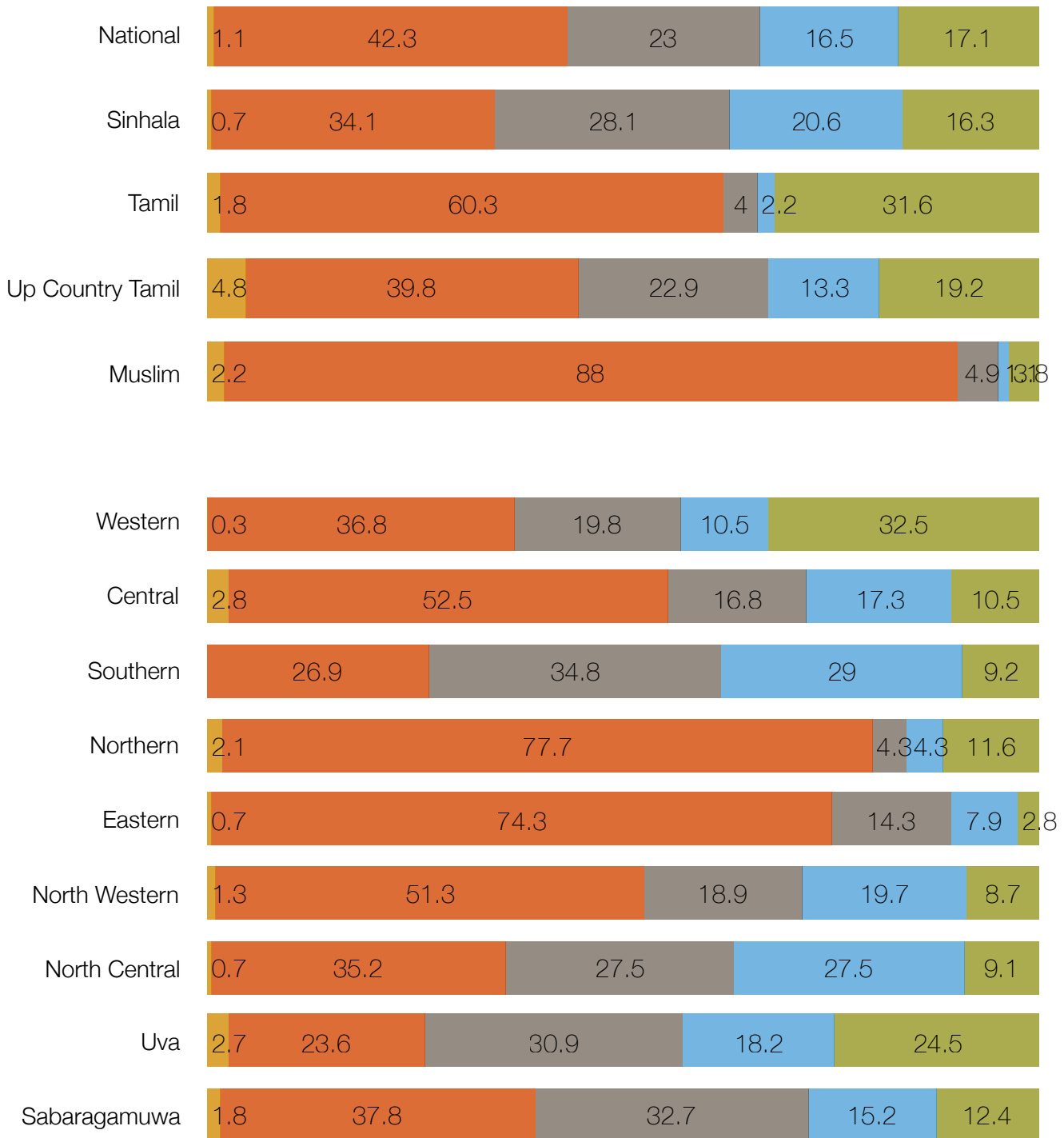
Approval ratings remain low regarding the government's performance in communicating information regarding the constitutional reform process. In CPA's October 2016 survey, 58% of Sri Lankans said that the government has not been successful in their communication regarding the constitutional reform process.

In this survey, when asked how successful the government has been in informing people about the constitutional reform process, 55.1% of Sri Lankans said that the government has been unsuccessful, with almost 30% saying that the government has been very unsuccessful. 55% (with 30.8% saying very unsuccessful) say that the government has been unsuccessful in publicising the content of discussions within the Constitutional Assembly and its sub-committees about constitutional reforms. (See *Graph 1.2*)

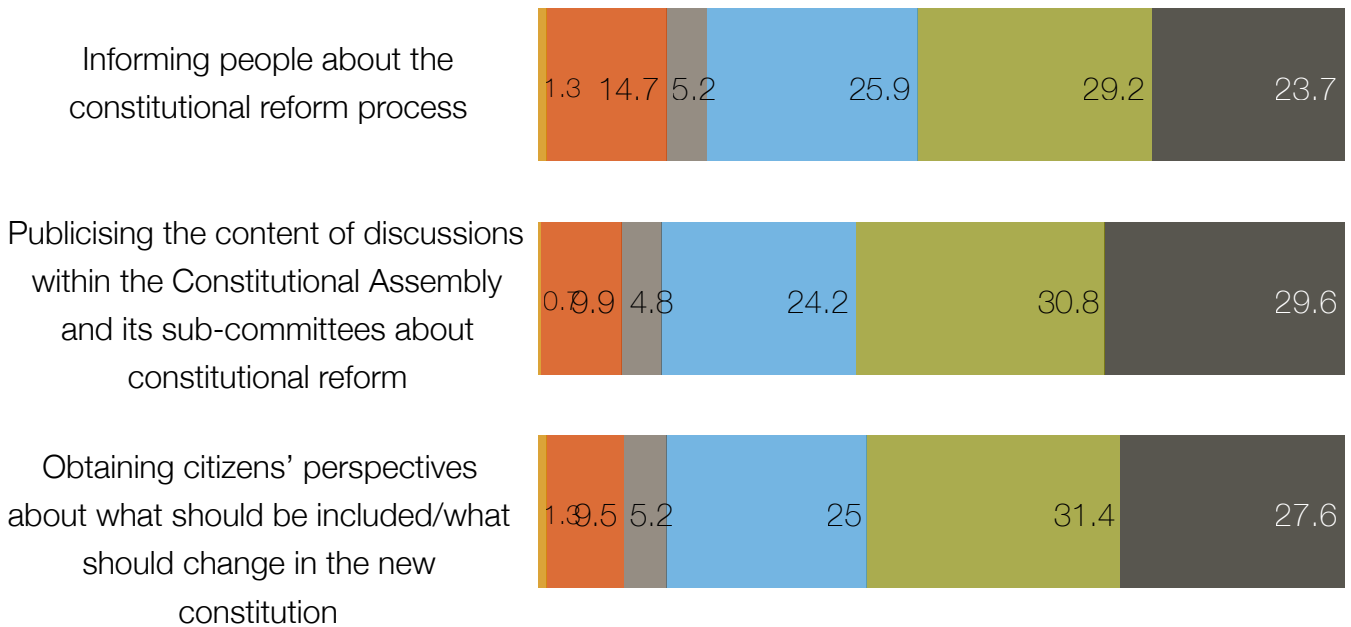
In December 2015, a 20 member Public Representations Committee on Constitutional Reform (PRC) was appointed for the purpose of obtaining the views of the public on constitutional reforms. The PRC conducted hearings in every district over the months of February and March 2016 and presented its final report in May 2016. According to CPA's October 2016 survey, almost 70% of Sri Lankans have not heard of the PRC and its activities. In this survey, 56.4% of Sri Lankans said that the government has been unsuccessful in obtaining citizens perspectives about what should be included/ what should change in the new constitution.

**Graph 1.1: Overall, what is your view of the government's performance since January 2015?**

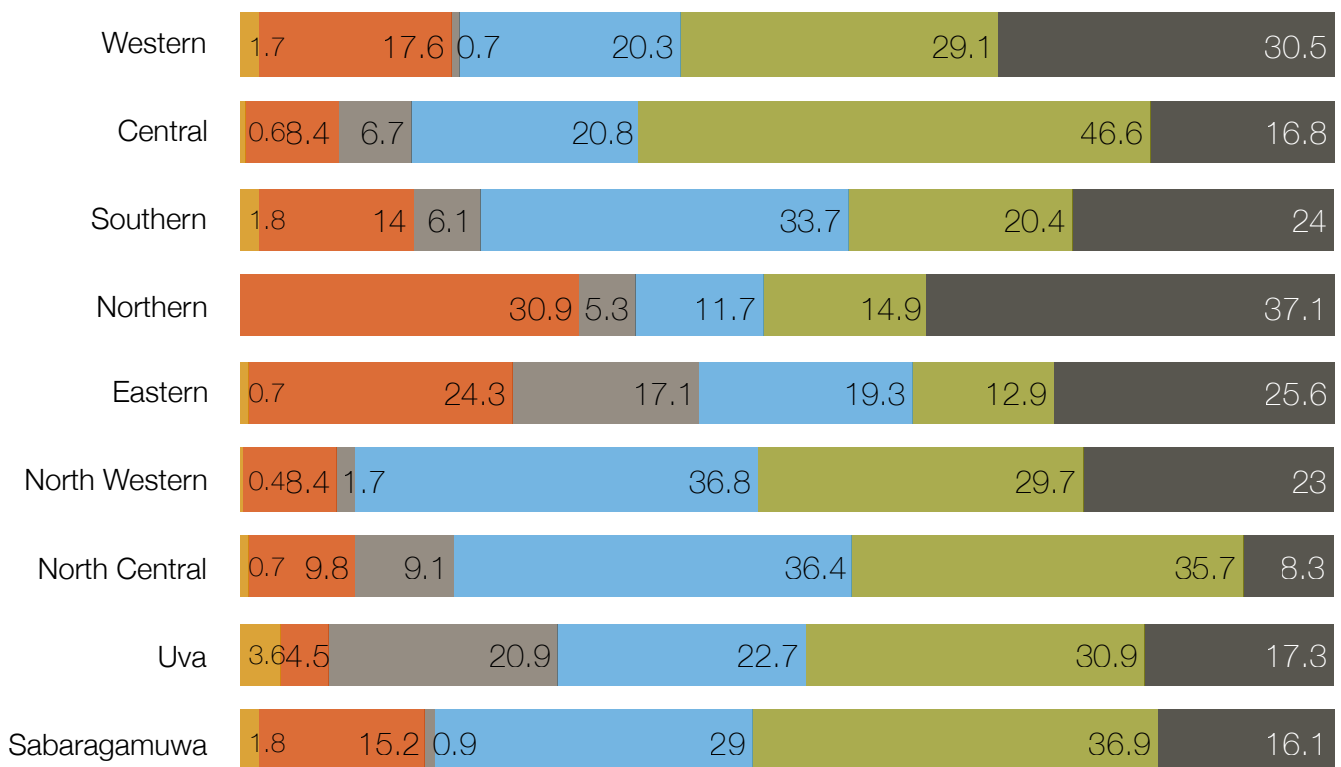
- Excellent. The government does not need any improvements
- Good, but the government needs to show better results
- Bad, but it should be given more time to deliver results
- Very bad. The government should be voted out as soon as possible
- Don't know/ not sure

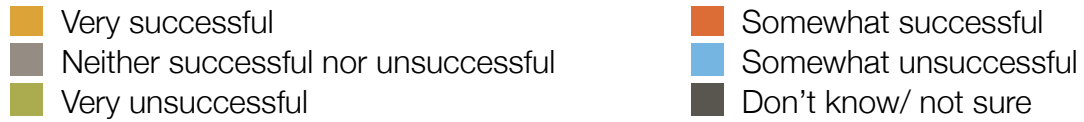


**Graph 1.2: How successful has the government been so far in achieving the following?**

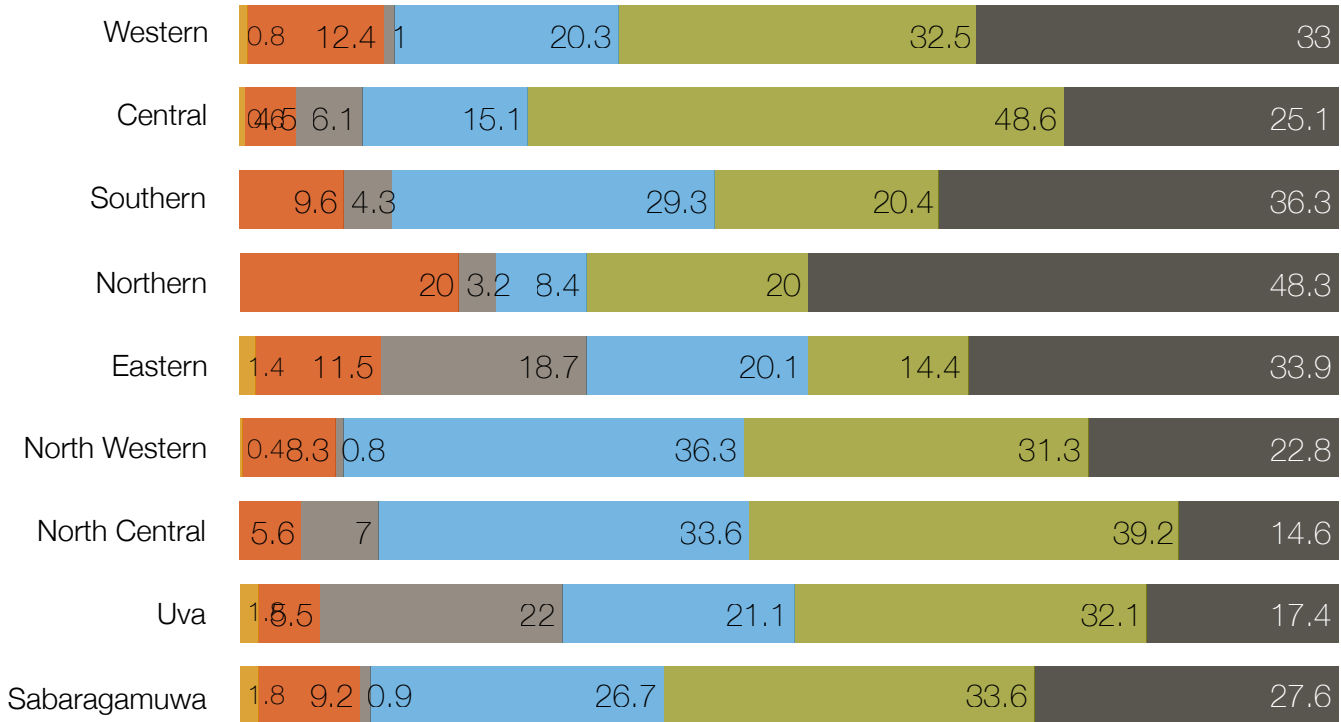


**Informing people about the constitutional reform process**

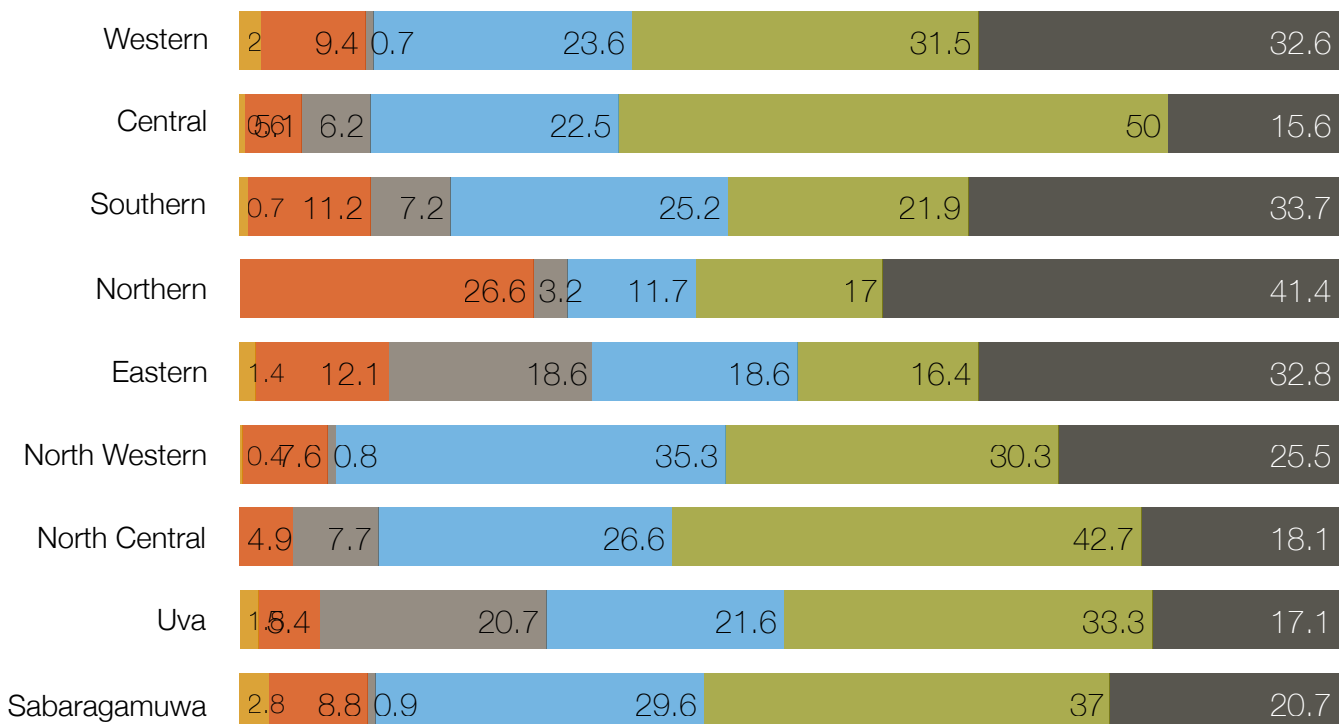




**Publicising the content of discussions within the Constitutional Assembly and its sub-committees about constitutional reform**



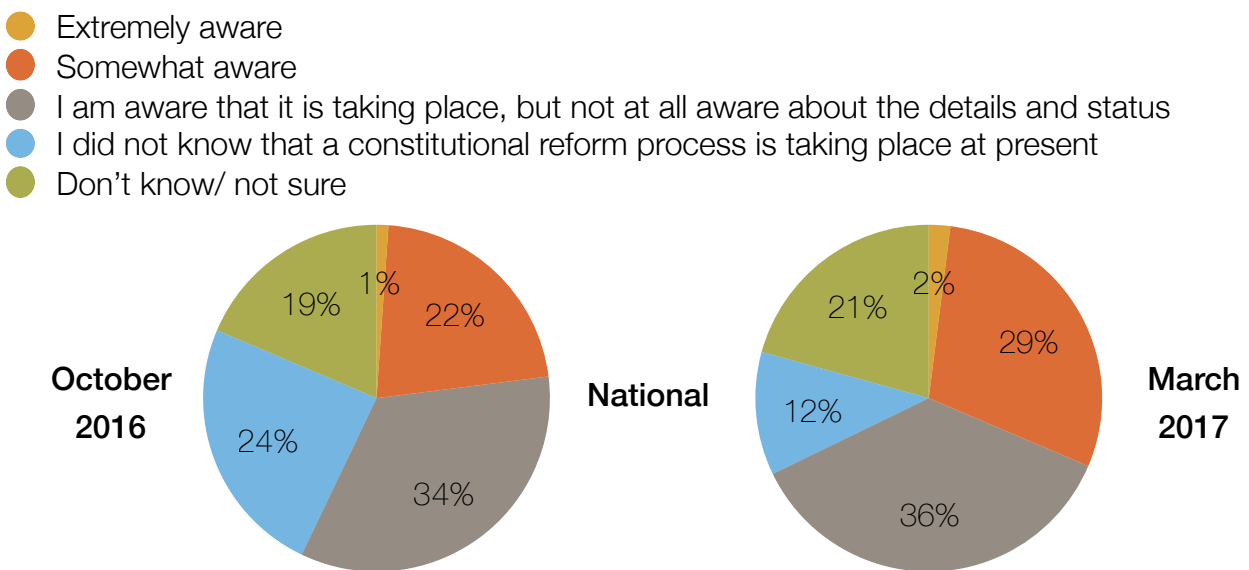
**Obtaining citizens' perspectives about what should be included/what should change in the new constitution**



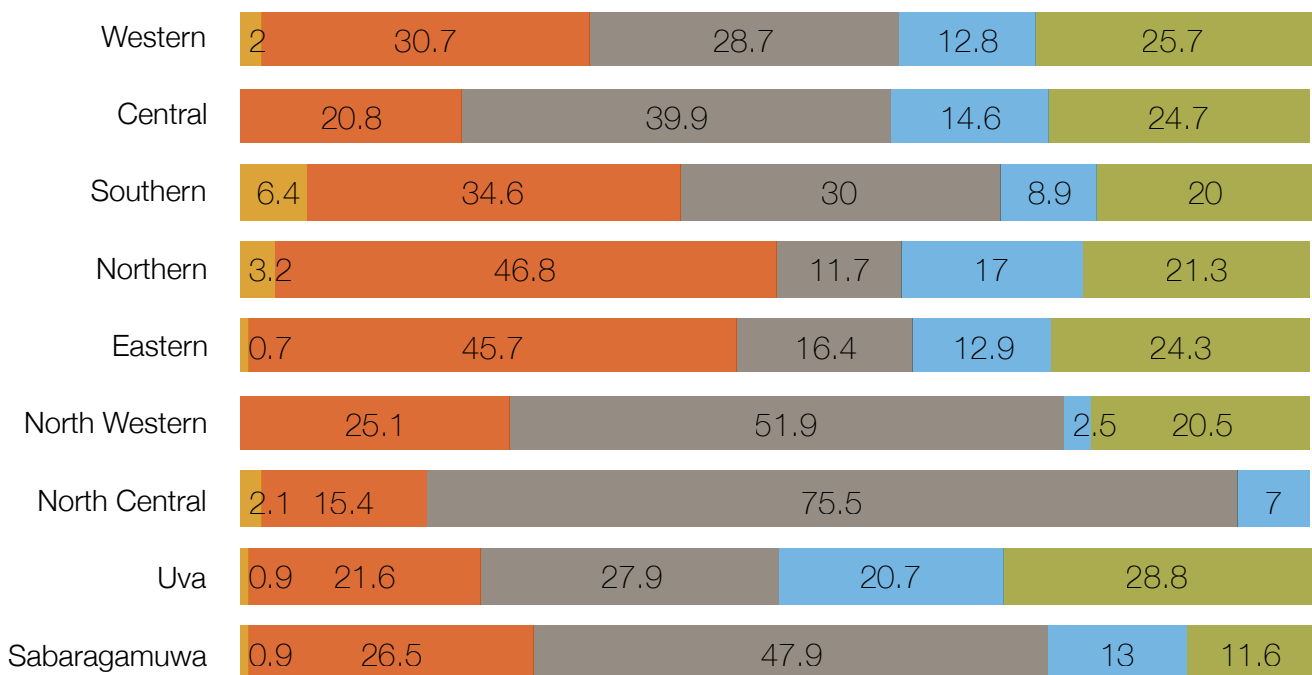
## 2 The New Constitution

Overall, awareness about the constitutional reform process has somewhat increased when compared to CPA’s October 2016 survey. In March 2017, 29% of Sri Lankans said that they are somewhat aware compared to the 22% in October 2016. Those who say that they did not know that a constitutional reform process is taking place has reduced to 12% from 24%. (See Graph 2.1)

**Graph 2.1: How would you describe your level of awareness about the current constitutional reform process in Sri Lanka?**



### Provincial level analysis - March 2017

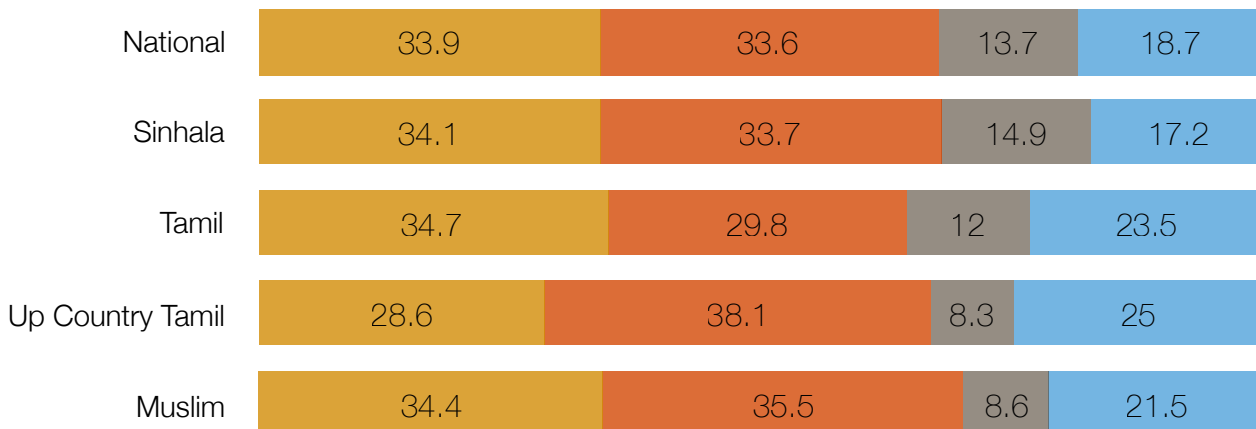


When asked if the current constitution should be wholly replaced with a new constitution or whether the current constitution should continue but with some needed changes, 23.5% of Sri Lankans said that we need a new constitution while 38.9% said that the current constitution should continue but with some needed changes. Compared to October 2016 data, those who said that we need a new constitution has decreased by around 10% while the level of uncertainty about whether we need a new constitution or not has increased from 18.7% to 28.9% in March 2017. Support for a new constitution has reduced in the Sinhala (34.1% to 23.9%), Tamil (34.7% to 24.2%) and Muslim (34.4% to 12.4%) communities. Almost 50% in the Muslim community said that they did not know. (See Graph 2.2)

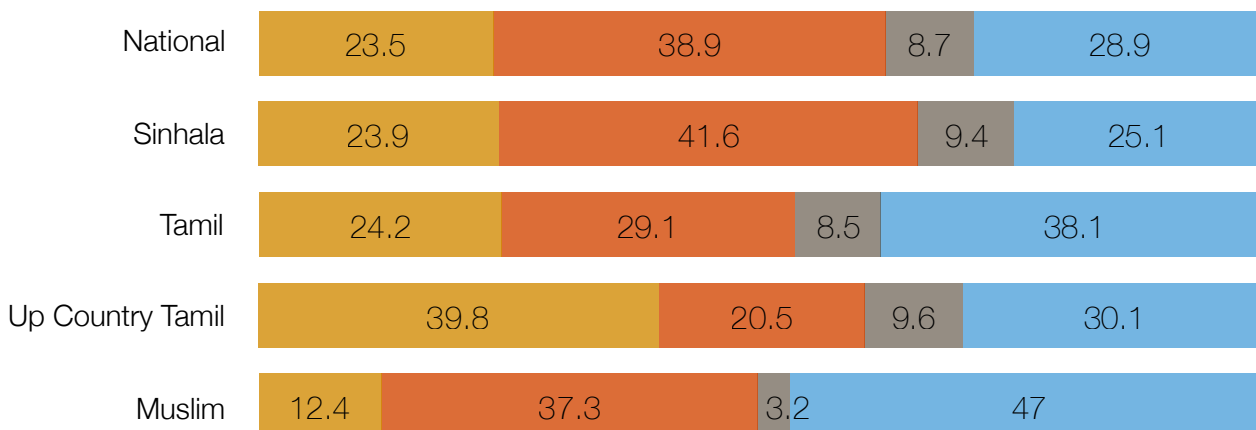
**Graph 2.2: Should the current constitution be wholly replaced with a new constitution or should the current constitution continue but with some needed changes?**

- We need a new constitution
- The current constitution should continue but with some needed changes
- The constitution does not need to be changed
- Don't Know

**October 2016**

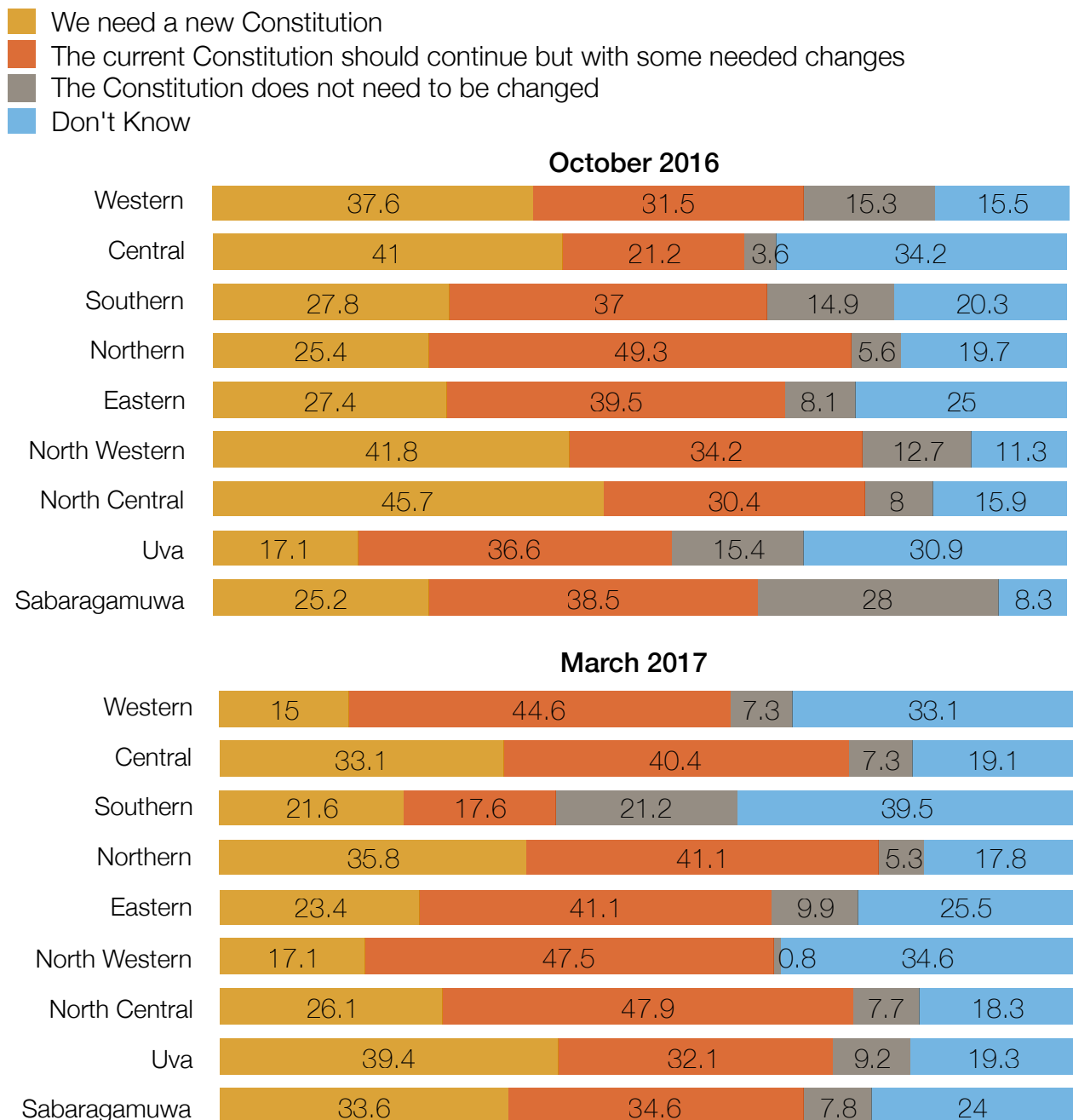


**March 2017**



Those who think that we need a new constitution has reduced in all Provinces except in the Northern (25.4% in October 2016 increased to 35.8% in March 2017), Uva (17.1% in October 2016 increased to 39.4% in March 2017) and Sabaragamuwa (25.3% in October 2016 increased to 33.6% in March 2017) Provinces. In the Southern Province, those who say they do not know has almost doubled compared to last year (20.3% to 39.5%) while those who say that the current constitution does not need to be changed is highest in this Province as well (21.2%). In October 2016, 28% from the Sabaragamuwa Province said the constitution does not need to be changed and this has decreased to 7.8% in March 2017. (See Graph 2.3)

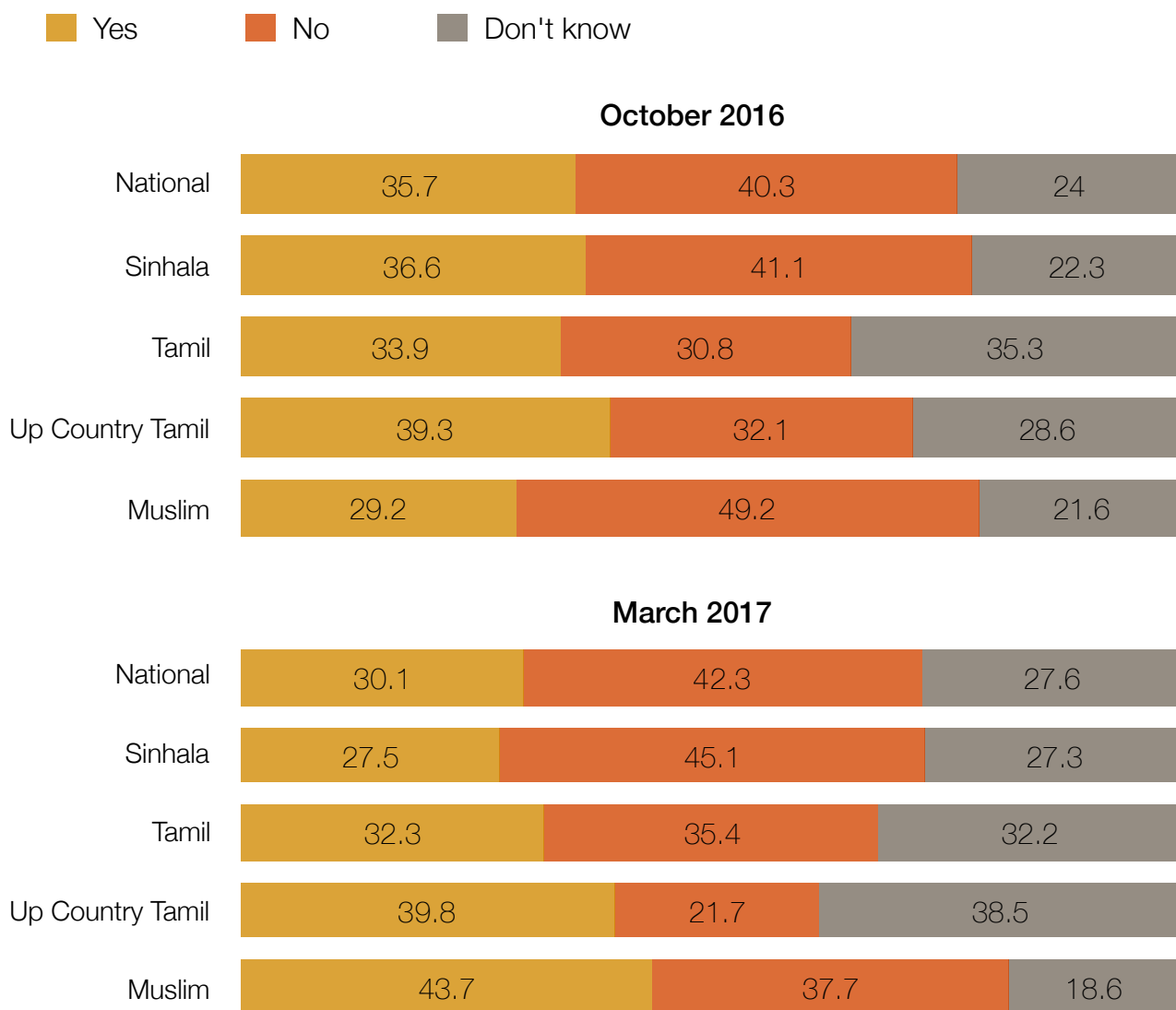
**Graph 2.3: Should the current constitution be wholly replaced with a new constitution or should the current constitution continue but with some needed changes?**



Support for the complete abolition of the Executive Presidential system among Sri Lankans has slightly decreased. When compared to 35.7% in October 2016, support for complete abolition has reduced to 30.1% in March 2017. Support among the Tamil community (around 33%) and Up Country Tamil community (almost 40%) on complete abolition has not changed since last year while support among the Sinhala community has decreased (36.6% to 27.5%) while support in the Muslim has increased from 29.2% in October 2016 to 43.7% in March 2017. (See Graph 2.4)

Noteworthy changes can be seen across the Provinces where in some Provinces support for complete abolition has reduced. Support has reduced in the Western Province (36.7% to 29.6%), North Central Province (48.6% to 30.8%), Uva Province (32.8% to 21.1%) and Sabaragamuwa Province (44% to 29.5%). Those who say that they do not support the complete abolition of Executive Presidency has increased in the Central (27.4% to 40.8%), Uva (32.8% to 59.6%) and Sabaragamuwa (40.8% to 50.2%) Provinces. (See Graph 2.5)

**Graph 2.4: Do you support the complete abolition of the Executive Presidential system?**





Respondents were asked what they would include and exclude in a new constitution if they had the power to decide. Some items in the list given to them are already in our current constitution while some are being considered to be included.

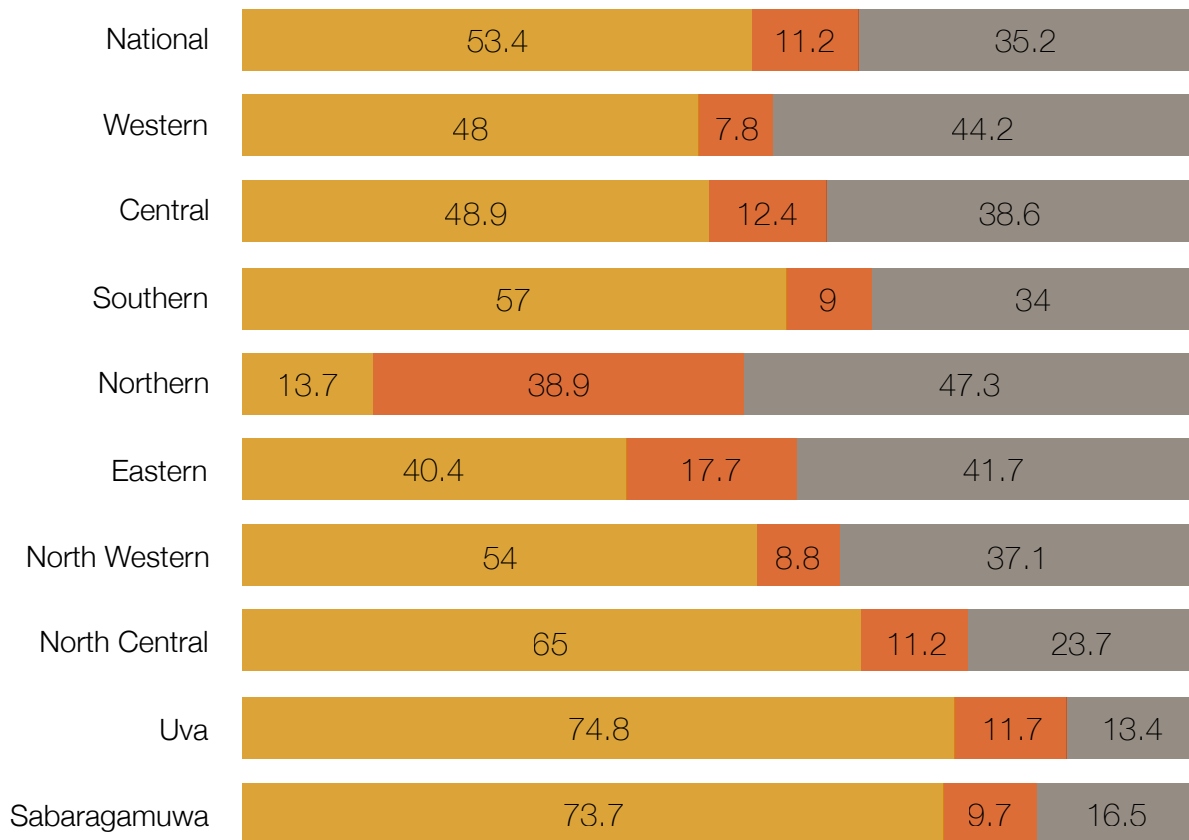
When asked they would include the explicit mention of the unitary state, around 75% from the Uva and Sabaragamuwa Provinces, 65% from North Central, 57% from the Southern and 54% from the North Western Provinces said that they would include it while almost 40% from the Northern Province said that they would not include it. (See Graph 2.6.A)

85.3% of Sinhalese and 44% of Muslims would give Buddhism the foremost place in a new constitution if they had the power to decide while 67.3% from the Tamil community, 47% from the Up Country Tamil community and 34.8% from the Muslim would not include it. (See Graph 2.6.B)

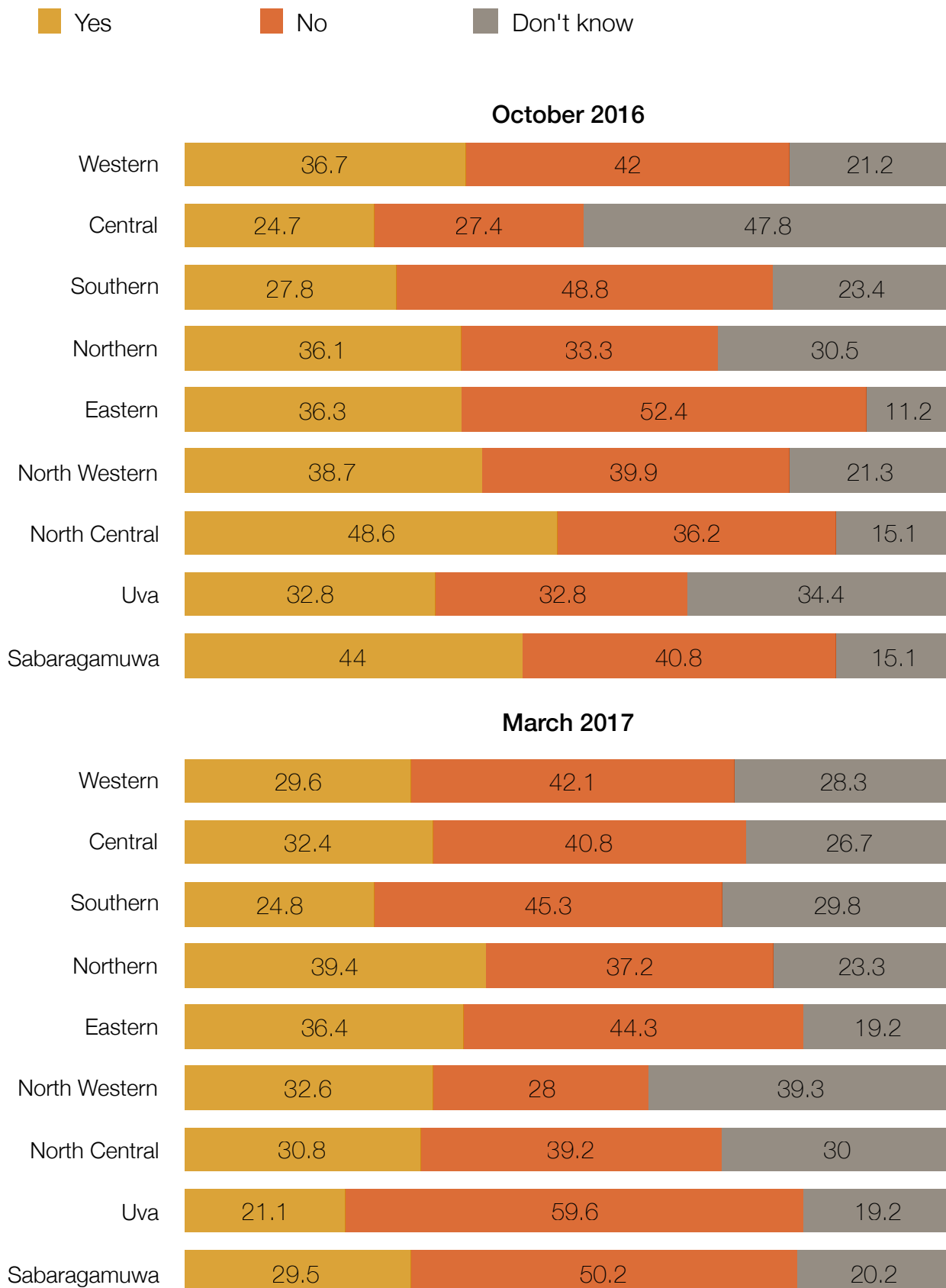
**Graph 2.6: If you had the power to decide what should be included and excluded in a new constitution, which of the following items would you want included? Some items are already in our current constitution while some are being considered to be included.**

Included
  Not included
  Don't know

**A - Explicit mention of the unitary state**



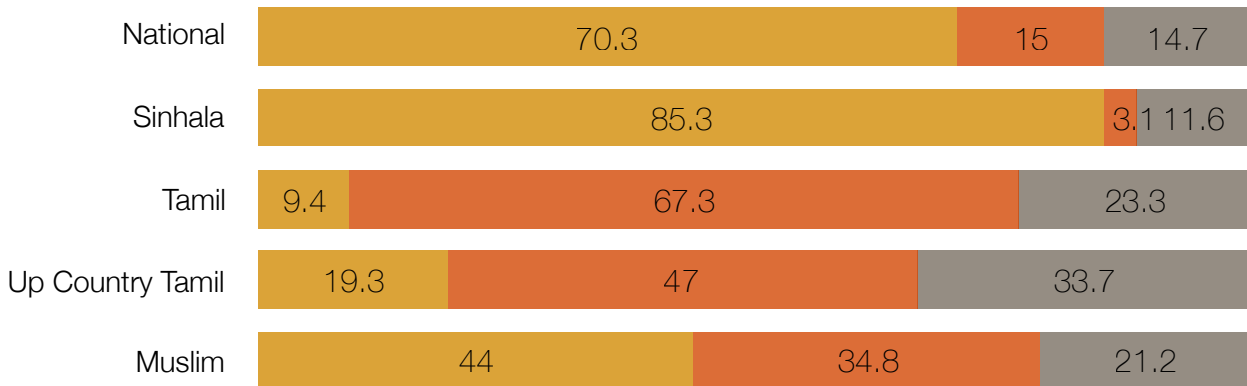
**Graph 2.5: Do you support the complete abolition of the Executive Presidential system?**



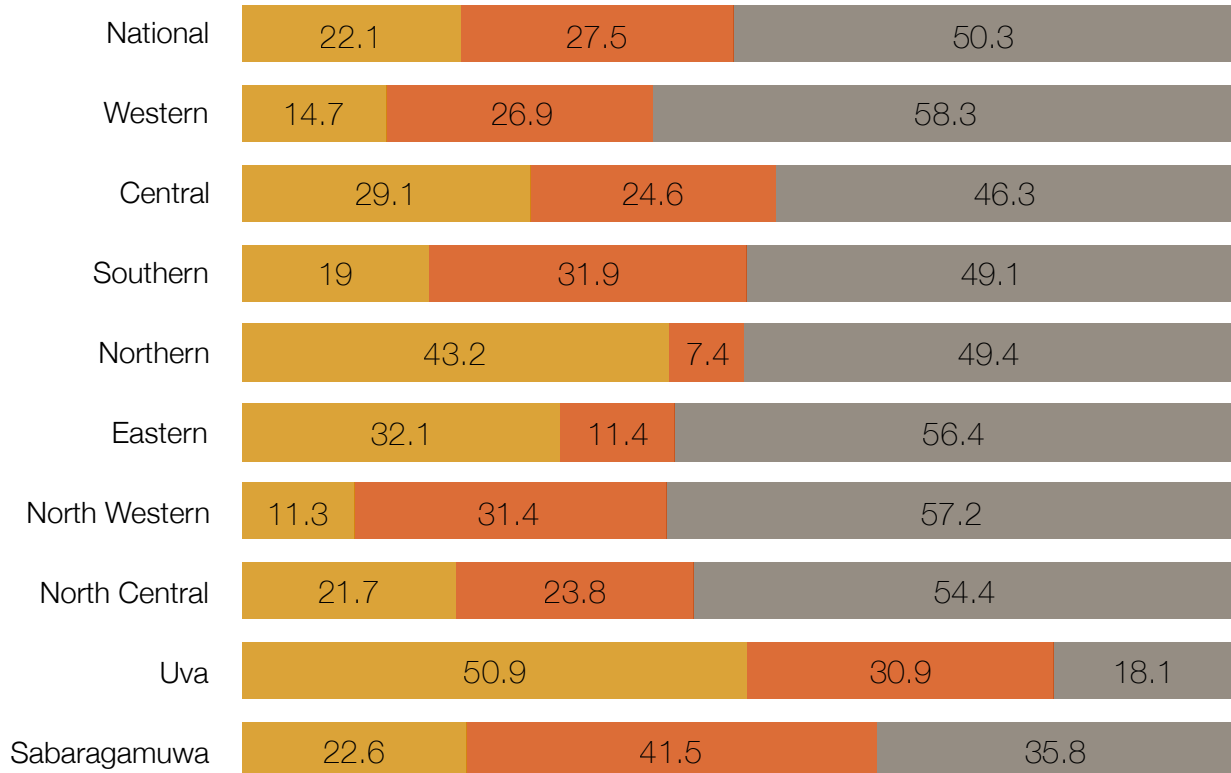
**Graph 2.6: If you had the power to decide what should be included and excluded in a new constitution, which of the following items would you want included? Some items are already in our current constitution while some are being considered to be included.**

■ Included   
 ■ Not included   
 ■ Don't know

**B - Buddhism being given the foremost place**



**C - Devolution that goes beyond the Thirteenth Amendment but within the unitary state**

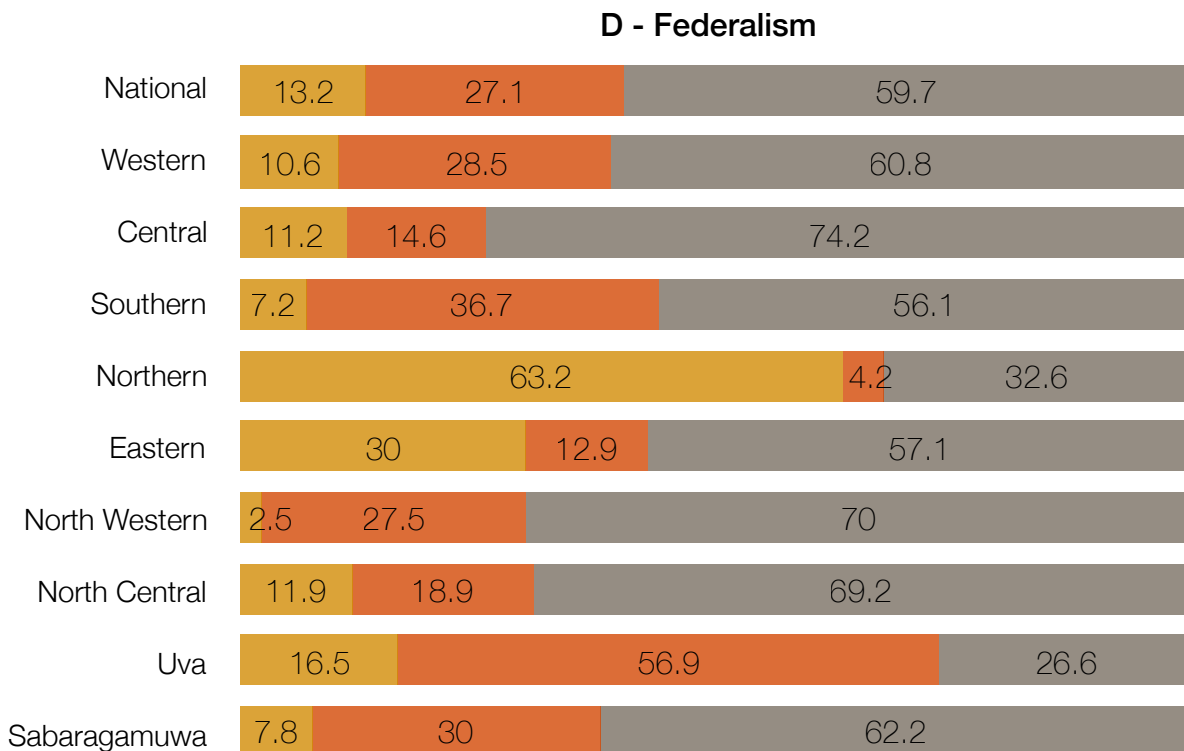


When asked if they would include devolution that goes beyond the Thirteenth Amendment but within the unitary state, 50.9% from the Uva Province and 43.2% from the Northern Province said that they would include it. 41.5% from the Sabaragamuwa Province and around 31% from the Uva and Southern Provinces said that they would not include it. Most respondents from the other Provinces remain undecided. (See Graph 2.6.C)

While 63.2% from the Northern Province would include federalism in a new constitution, agreement for inclusion is much lower in comparison in the other Provinces. 56.9% in the Uva Province and 36.7% in the Southern Province said they would not include federalism. (See Graph 2.6.D)

**Graph 2.6: If you had the power to decide what should be included and excluded in a new constitution, which of the following items would you want included? Some items are already in our current constitution while some are being considered to be included.**

■ Included   
 ■ Not included   
 ■ Don't know

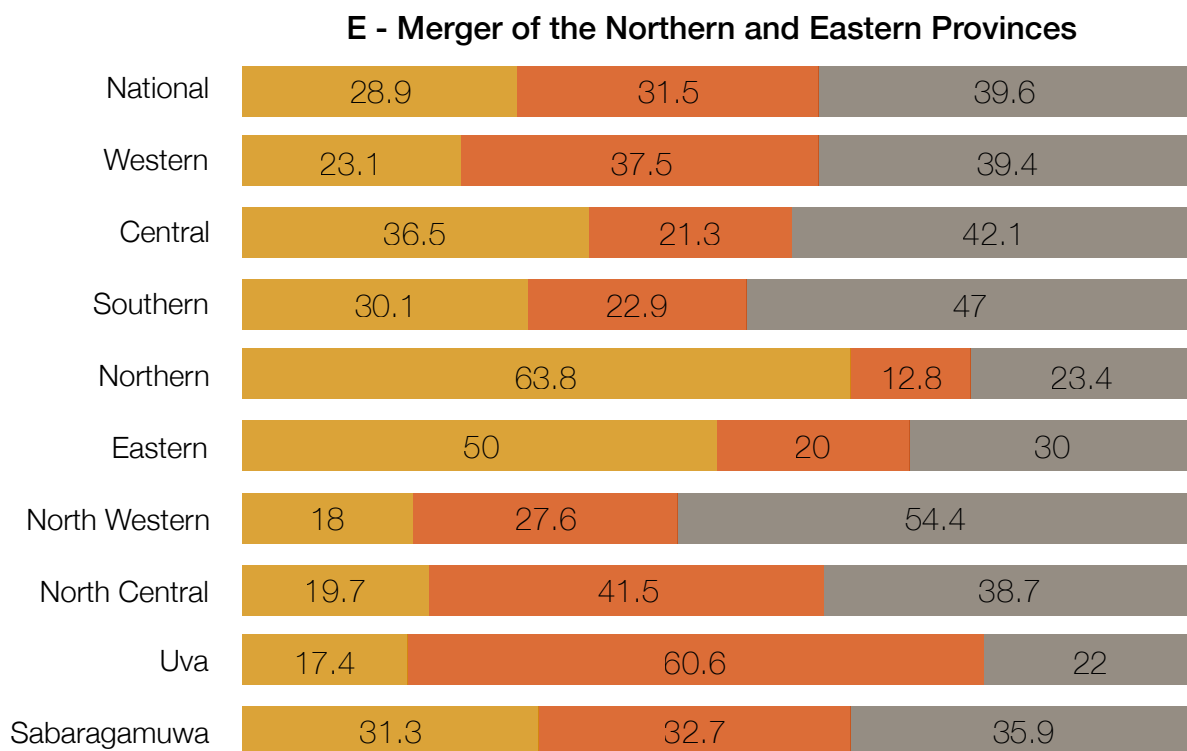


On the inclusion of a merger of the Northern and Eastern Provinces in a new constitution, 63.8% in the Northern Province and 50% from the Eastern Province said they would include it. 60.6% from Uva and 41.5% from North Central Province said they would not include it. (See Graph 2.6.E)

Almost 60% of Sri Lankans would include judicially enforceable economic, social and cultural rights in a new constitution while 36.1% said that they do not know if they would include them. 75.1% of Sri Lankans would also include religious and ethnic equality while 20.6% said they do not know.

**Graph 2.6: If you had the power to decide what should be included and excluded in a new constitution, which of the following items would you want included? Some items are already in our current constitution while some are being considered to be included.**

■ Included   
 ■ Not included   
 ■ Don't know

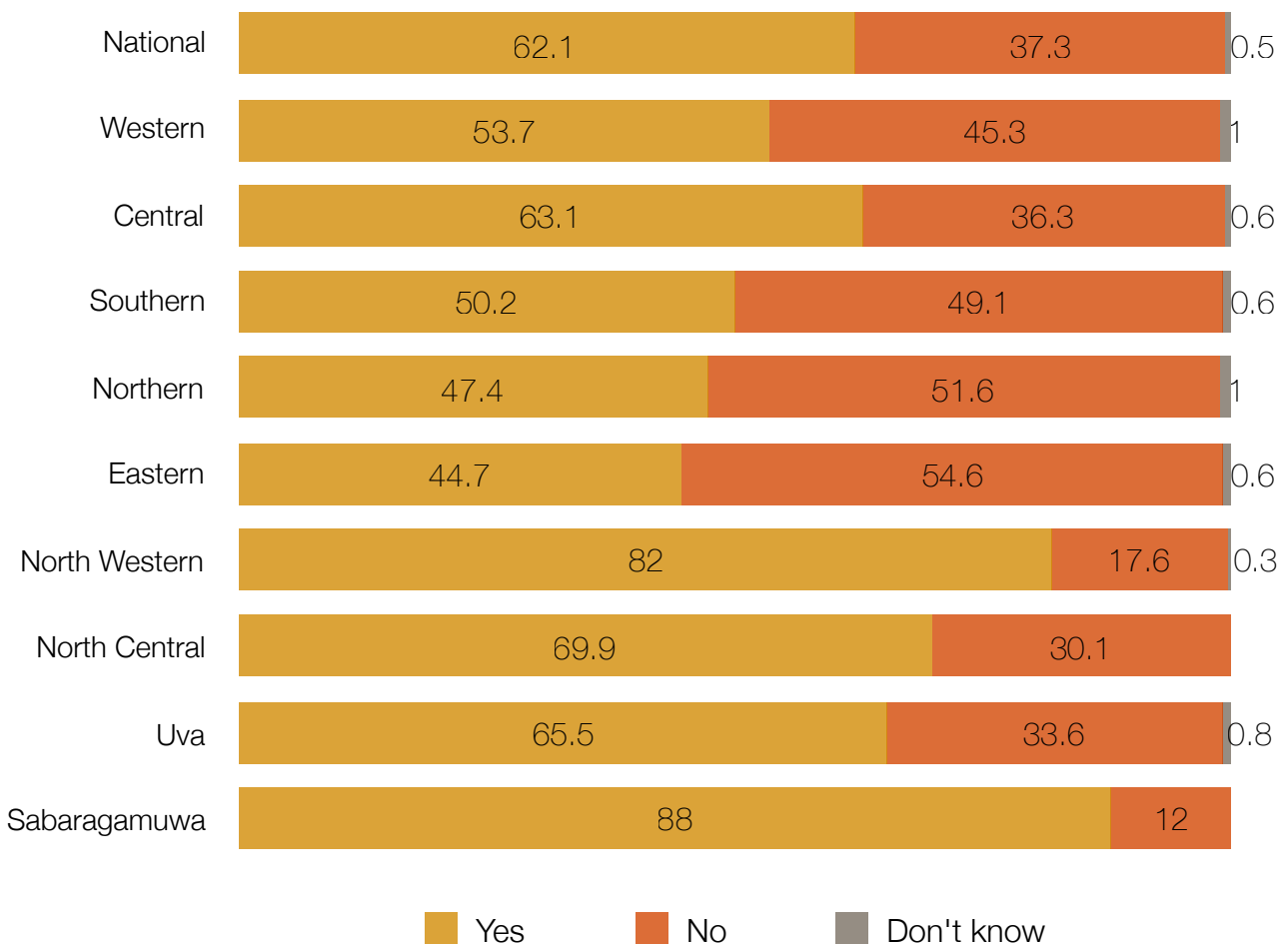


### 3 Referendum

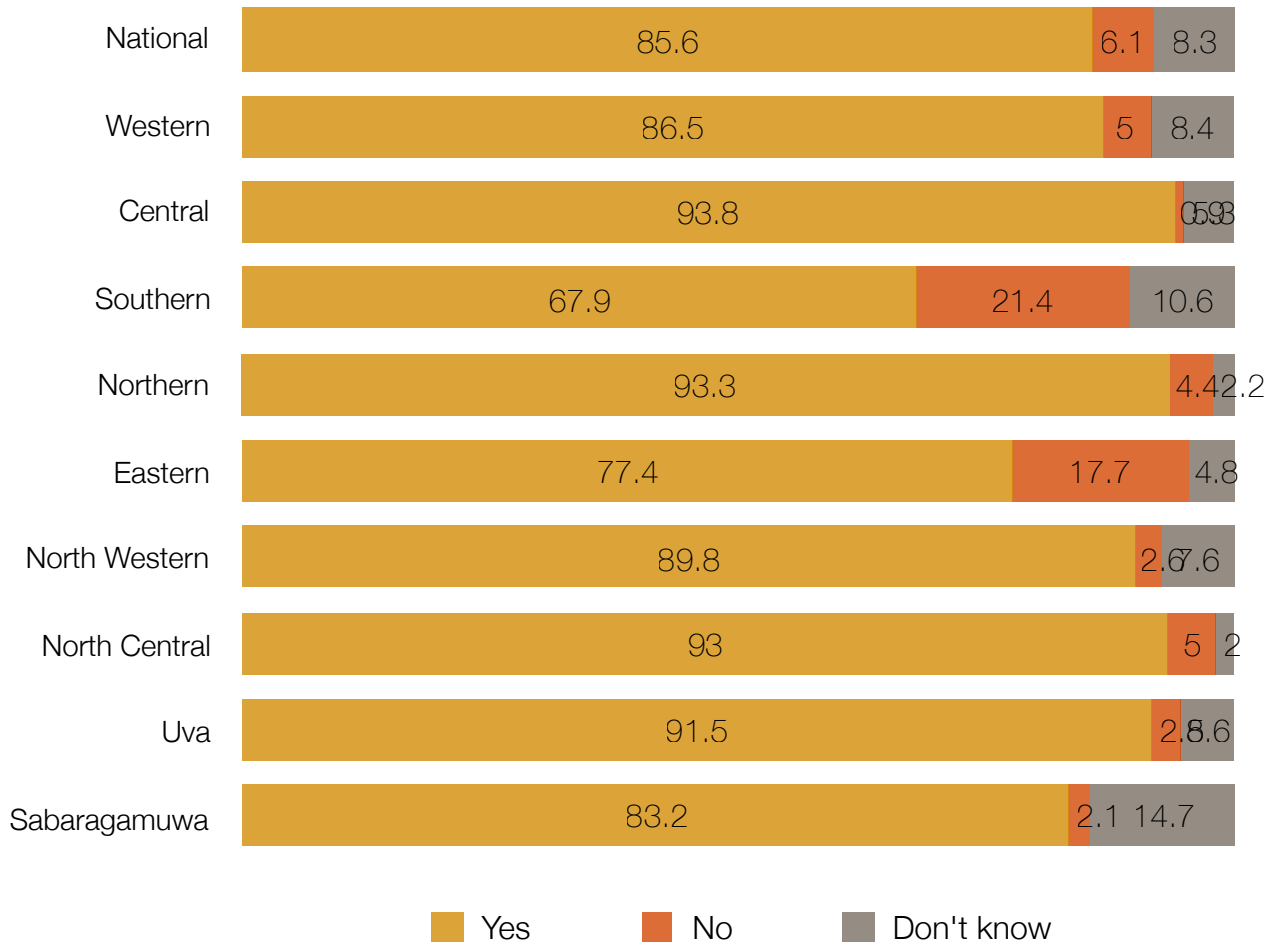
The last referendum that was held in Sri Lanka was held in 1982. In this survey, when asked if they know what a referendum is, 62.1% of Sri Lankans said yes while 37.3% said no. 88% from the Sabaragamuwa Province, 82% from the North Western Province and 70% from the North Central Province said that they know what a referendum is while 54.6% in the Eastern Province and around 50% from the Northern and Southern Provinces said that they do not know what a referendum is. (See Graph 3.1)

Those who said that they know what a referendum is were asked if we need a referendum in order to have meaningful constitutional reforms and 85.6% of Sri Lankans stated that we do. 21.4% from the Southern Province and 17.7% from the Eastern Province however believe that meaningful constitutional reform in Sri Lanka can be achieved without holding a referendum. (See Graph 3.2)

**Graph 3.1: Do you know what a referendum is?**



**Graph 3.2: Do you feel that we need a referendum in order to have meaningful constitutional reforms?**



## 4

### Priorities for the Government

The three key areas that Sri Lankans believe the Government should prioritise at present are (1) Economy and development (2) Law and order (3) Corruption. This selection was made out of a list of five key areas, the other two being constitutional reform and reconciliation. When asked what specific aspect of their first choice (economy and development) the Government should prioritise, people said it should be to reduce the cost of living. In the Southern and Uva Provinces people also said the Government should prioritise increasing wages.

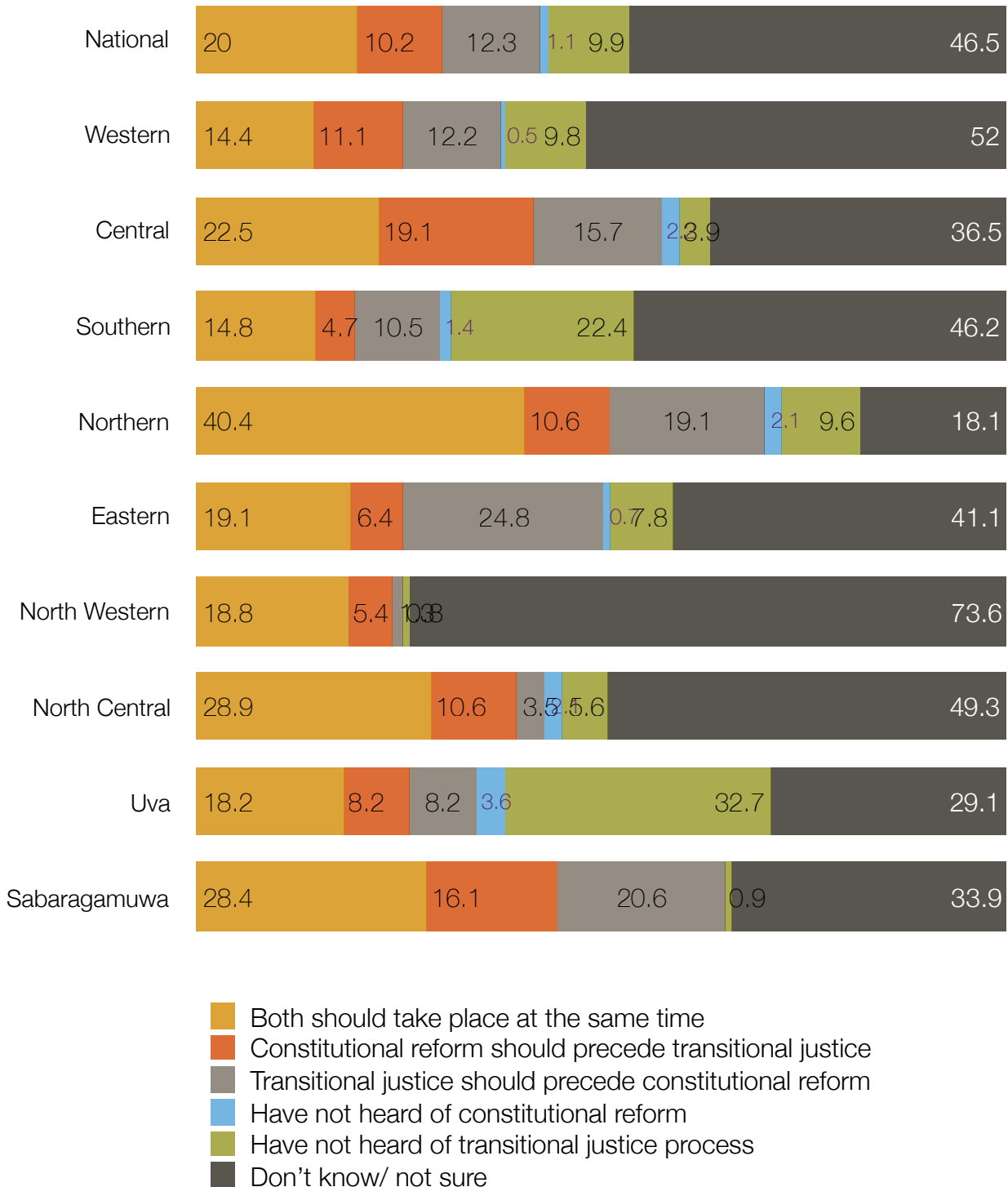
In the Western Province, the first choice was constitutional reform while in all other Provinces the key area people believed the Government should prioritise was the economy and development. In the Eastern, North Western and North Central Provinces the second key area was corruption while in the other Provinces (except Western where it was reconciliation) it was law and order.

When asked if a constitutional reform process and a transitional justice process should take place in Sri Lanka at the same time or whether one should precede the other, 46.5% of Sri Lankans said that they did not know while 20% said that both should take place at the same time. 40.4% in the Northern Province said that both should take place at the same time. (See *Graph 4.1*)

66.2% of Sri Lankans believe that there are more important issues than constitutional reform and transitional justice for the government to address. This view is held across all Provinces except in the North and East. (See *Graph 4.2*) When asked to specify what these more important issues are, the answers given were all related to the economy and development - cost of living, infrastructure development, economy of the country and unemployment.



**Graph 4.1: Do you think a constitutional reform process and a transitional justice process (for example setting up of the Office on Missing Persons, accountability mechanism, truth commissions, reparations) should take place in Sri Lanka at the same time, or do you think one should precede the other?**



**Graph 4.2: Do you think there are more important issues than constitutional reform and transitional justice for the government to address?**

