

OPINION POLL ON CONSTITUTIONAL REFORM

TOP LINE REPORT

EXECUTIVE SUMMARY

- Respondents were asked about what **three key Fundamental Rights** that they believed should be included in the new Constitution. 25.5% of Sri Lankans said the freedom to live while 15.3% said the freedom or right to practice any religion of their choice. 11.2% said the right to education.
- When asked what the word **'devolution'** means to them, 54.9% of Sri Lankans said that they did not know. 8% said that it means giving certain powers like infrastructure and police power to the Provincial Councils.
- When asked what the word **'federalism'** means to them, almost 80% of Sri Lankans said that they did not know.
- 35% of Sri Lankans do not know what **'unitary state'** means to them while 23.9% of Sri Lankans said that it means being governed as one country or under a single State or governance system.
- Respondents were also asked about how favourable they were towards the **inclusion of the exact term 'unitary state' in the Constitution**. 30.7% of Sri Lankans say that they are extremely favourable towards the inclusion while 28.5% said that they did not know. From the Sinhalese community, 36.2% are extremely favourable while almost 42% from the Tamil community stated that they are not at all in favour.
- Respondents were given a list of statements about **religion and the Constitution** and were asked to select one that they agreed with the most. 37.3% of Sri Lankans said that only Buddhism should be given a special place in Sri Lanka's Constitution, while assuring the freedom of religion to all others. This view is shared by almost 50% from the Sinhalese community. 56.1% from the Tamil community, 39.3% from the Up Country Tamil community and 65.8% from the Muslim community however believe that the Constitution of Sri Lanka should protect the freedom of religion as a Fundamental Right.
- Article 9 of the present 1978 Constitution states that **Buddhism shall be given 'the foremost place' and that it is the duty of the state to protect and foster the Buddha Sasana**. 54.9% of Sri Lankans are extremely favourable towards the inclusion of the clause on Buddhism in a new Constitution while 18.2% are not at all in favour. From an ethnic perspective, the community that is extremely favourable is the Sinhalese community with 70.4% rating extremely favourable. Majority from the Tamil (75.9%), Up Country Tamil (56.6%) and Muslim (62.8%) communities are not at all in favour.

- When asked how they think **police powers in Sri Lanka ought to be exercised**, 41.2% of Sri Lankans said that it ought to be exercised exclusively by the Central Government while 23.6% said it should be shared between the Central and Provincial Governments. Almost 50% from the Sinhalese community and 31.3% from the Up Country Tamil community believe that it should be exercised exclusively by the Central Government. Majority from the Tamil and Muslim communities however do not share this opinion - 31.8% from the Tamil community believe it should be exercised exclusively by the Provincial Governments while 37.7% stated it should be shared between the Central and Provincial Governments. 34.1% from the Muslim community also stated that it should be shared.
- For 15.2% of Sri Lankans it is very important that police powers are devolved to the Provincial Councils while 17% say it is somewhat important to them. For 25.6% it is very unimportant that police powers are devolved to the Provincial Councils.
- In the Sinhalese community, 31% said that it is very unimportant to them that police powers are devolved to the Provincial Councils. Only 8.5% said that it is very important. For majority in the Tamil and Up Country Tamil community it is important that police powers are devolved to the Provincial Councils, with 43.8% and 41% respectively saying very important.
- On the power to **allocate and administer State land**, 37% of Sri Lankans believe that the power should be held exclusively by the Central Government, 23.3% said exclusively by the Provincial Governments while 24% said it should be shared between the two.
- From an ethnic perspective, once again we see a difference in opinion between the communities where most Sinhalese (42.4%) say that it should be held exclusively by the Central Government while 48.4% of Tamil, 38.6% of Up Country Tamil and 27.2% of Muslim communities believe that it should be held exclusively by the Provincial Governments.
- 36.3% of Sri Lankans are extremely agreeable to **replacing the Executive Presidency system with one where the country is headed by a directly elected Prime Minister**, while 29.4% say that they are somewhat agreeable.
- When asked how agreeable they are towards a **merger of the Northern and Eastern Provinces**, 30.1% of Sri Lankans said that they are extremely disagreeable while 25.4% said extremely agreeable. Majority from the Tamil (73.2%) and Up Country Tamil (81%) communities are extremely agreeable towards a merger while 34.6% of Sinhalese are extremely disagreeable. Muslim opinion is divided on this, with 30.4% saying that they are extremely agreeable and 31% saying that they are extremely disagreeable.

INTRODUCTION

On the 9th of January 2016, Prime Minister Ranil Wickremesinghe presented a resolution in Parliament aimed at converting 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.

In January 2016, the Prime Minister also appointed a 20 member Public Representations Committee (PRC) for the purpose of obtaining proposals from the public for the proposed Constitutional reforms. Citizens can make oral or written representations to the PRC or submit their proposals on a dedicated website for this process.

This survey was conducted in order to enrich the ongoing discussions by gathering views of the communities on key issues currently being discussed and what change they hope to see in the new Constitution. It recorded public perceptions with regard to the Bill of Rights, devolution, police and land powers, role of religion in the Constitution, merger of the Northern and Eastern Provinces and other key proposals. Data was collected from all 25 districts thereby making this a comprehensive survey with much insight into the perceptions on the Constitutional reform process.

This survey was conducted by Social Indicator, the survey research unit of the Centre for Policy Alternatives. The research team comprised of Dr. Asanga Welikala, Iromi Perera and M. Krishnamoorthy. Data processing was done by Shashik Dhanushka.

METHODOLOGY

The survey was carried out using a semi-structured questionnaire administered through face-to-face interviews. Sixty (60) trained Field Researchers conducted face-to-face interviews with 1991 respondents in both the Sinhala and Tamil languages across all Provinces.

Questionnaire

Key issues pertaining to Sri Lanka's current Constitution reform process were taken into consideration when formulating the questionnaire. The questionnaire was translated into Sinhala and Tamil and a pilot survey was conducted by senior field staff. Findings from the pilot survey were taken into account in the finalisation of the questionnaire.

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

Fieldwork for the entire study was conducted from January 17 - 25, 2016.

Training of Field Researchers

A total of 60 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 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 set out a descriptive explanation on the basis of National data, and have been divided according to ethnicity.
- For questions that allowed more than one answer (multiple answer questions) from respondents, figures do not add up to a 100%.

FINDINGS

Respondents were asked about what **three key Fundamental Rights** that they believed should be included in the new Constitution. 25.5% of Sri Lankans said the freedom to live while 15.3% said the freedom or right to practice any religion of their choice. 11.2% said the right to education.

When asked what the word **'devolution'** means to them, 54.9% of Sri Lankans said that they did not know. 8% said that it means giving certain powers like infrastructure and police power to the Provincial Councils.

When asked what the word **'federalism'** means to them, almost 80% of Sri Lankans said that they did not know.

35% of Sri Lankans do not know what **'unitary state'** means to them while 23.9% of Sri Lankans said that it means being governed as one country or under a single State or governance system. From an ethnic perspective, 27% of Sinhalese said it means being governed as one country or under a single State or governance system, while 26% said that they did not know. 38.2% from the Tamil community said that they did not know either while 30% said it means being governed under one person. Around 65% from the Up Country Tamil and Muslim communities said that they did not know.

On a scale of 1 - 10 (1 being not at all favourable and 10 being extremely favourable), 31.1% of Sri Lankans say that they are extremely favourable towards a unitary state. This view is shared by 36.1% from the Sinhalese community, 24.1% from the Up Country Tamil Community and 17.3% from the Muslim community. Almost 38% from the Tamil community stated that they are not at all favourable towards a unitary state. (See Table 1)

Table 1: On a scale of 1 - 10, how favourable are you regarding a unitary state?

	1	2	3	4	5	6	7	8	9	10	DK
National	9.3%	3.5%	2%	1.7%	3.5%	4.6%	4.2%	5.3%	7.9%	31.1%	26.9%
Sinhala	3.9%	2.3%	1.4%	1.6%	3.9%	5.1%	5.1%	6.3%	9.3%	36.1%	25.2%
Tamil	37.8%	11.6%	4.4%	2.2%	2.7%	2.2%	1.8%	2.7%	4.4%	11.1%	19.1%
UCT	18.1%	3.6%	3.6%	1.2%	2.4%	4.8%	2.4%	1.2%	1.2%	24.1%	37.3%
Muslim	15.1%	4.3%	3.2%	2.2%	1.1%	3.8%	1.6%	2.7%	4.3%	17.3%	44.3%

Respondents were also asked about how favourable they were towards the inclusion of the exact term 'unitary state' in the Constitution. 30.7% of Sri Lankans say that they are extremely favourable towards the inclusion while 28.5% said that they did not know. From the Sinhalese community, 36.2% are extremely favourable while 6.7% from the Tamil community, 23.8% from the Up Country Tamil community and 18% from the Muslim community stated the same. Almost 42% from the Tamil community stated that they are not at all in favour about the inclusion of the exact term 'unitary state' in the Constitution. (See Table 2)

Table 2: On a scale of 1 - 10, how favourable are you about having the exact term 'unitary state' included in our Constitution?

	1	2	3	4	5	6	7	8	9	10	DK
National	9.7%	3%	2%	1.6%	3.2%	5%	3.2%	6.7%	6.4%	30.7%	28.5%
Sinhala	3.6%	1.9%	1.6%	1.5%	3.6%	5.7%	3.8%	8.1%	7.4%	36.2%	26.7%
Tamil	41.8%	8%	5.3%	2.2%	2.7%	2.2%	1.8%	1.8%	4.4%	6.7%	23.1%
UCT	19%	3.6%	1.2%	2.4%	2.4%	4.8%	2.4%	2.4%	0%	23.8%	38.1%
Muslim	16.4%	5.5%	1.6%	1.6%	1.1%	3.8%	0.5%	2.7%	3.3%	18%	45.5%

Article 9 of the present 1978 Constitution states that ***Buddhism shall be given 'the foremost place' and that it is the duty of the state to protect and foster the Buddha Sasana.*** Respondents were asked to rate on a scale of 1 – 10 about how favourable they were towards the inclusion of the clause on Buddhism in a new Constitution. (1 being not at all favourable and 10 extremely favourable)

54.9% of Sri Lankans are extremely favourable towards the inclusion of the clause on Buddhism in a new Constitution while 18.2% are not at all in favour. From the ethnic perspective, the community that is extremely favourable is the Sinhalese community with 70.4% rating 10 on the scale. Majority from the Tamil (75.9%), Up Country Tamil (56.6%) and Muslim (62.8%) communities are not at all in favour. (See Table 3)

Table 3: Article 9 of the present 1978 Constitution states that Buddhism shall be given ‘the foremost place’ and that it is the duty of the state to protect and foster the Buddha Sasana. On a scale of 1 – 10, how favourable are you towards the inclusion of the clause on Buddhism in a new constitution? (1 being not at all favourable and 10 extremely favourable)

	1	2	3	4	5	6	7	8	9	10	DK
National	18.2	1.3	1.8	0.7	2.2	2.3	3.6	4.7	7.4	54.9	2.9
Sinhala	2	0.7	1	0.1	1.7	2	4.5	5.9	9.4	70.4	2.5
Tamil	75.9	4	4.5	0.4	1.8	0.9	0.4	0.4	0.9	6.7	4
UCT	56.6	3.6	6	1.2	2.4	8.4	3.6	3.6	1.2	12	1.2
Muslim	62.8	2.2	3.8	5.5	6.6	4.4	1.1	0.5	1.6	6	5.5

Respondents were given a list of statements about **religion and the Constitution** and were asked to select one that they agreed with the most. 37.3% of Sri Lankans said that only Buddhism should be given a special place in Sri Lanka’s Constitution, while assuring the freedom of religion to all others. This view is shared by almost 50% from the Sinhalese community.

56.1% from the Tamil community, 39.3% from the Up Country Tamil community and 65.8% from the Muslim community however believe that the Constitution of Sri Lanka should protect the freedom of religion as a Fundamental Right. 35.7% from the Up Country Tamil community also believe that Sri Lanka’s Constitution should have reference to all major religions in the country. (See Graph 1)

Graph 1: Please tell me which statement you agree with the most - (only one answer)

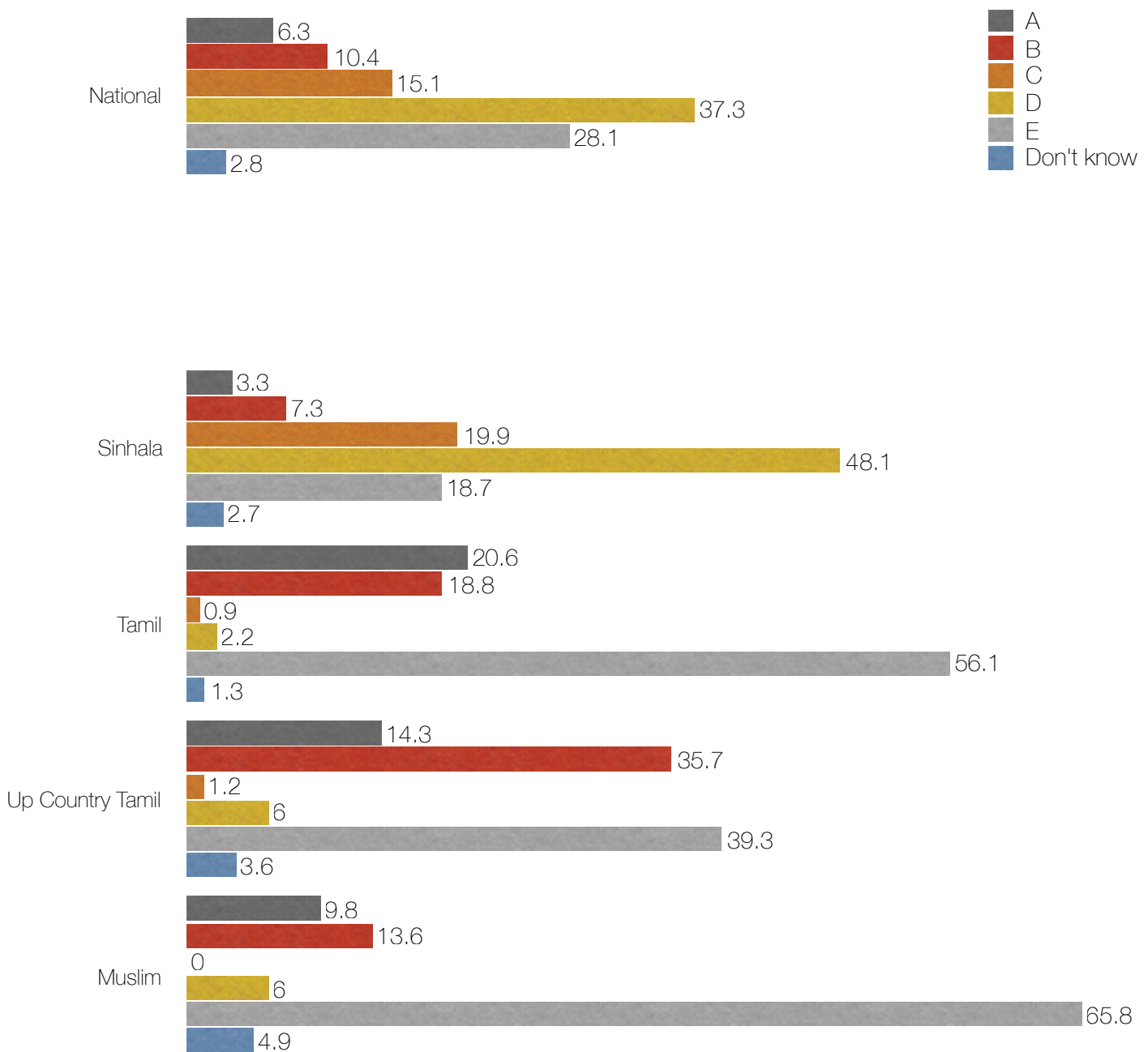
A - Sri Lanka's Constitution should have no mention of religion, except to guarantee the freedom of religion to all

B - Sri Lanka's Constitution should have reference to all major religions in the country

C - Only Buddhism should be given a special place in Sri Lanka's Constitution

D - Only Buddhism should be given a special place in Sri Lanka's Constitution, while assuring the freedom of religion to all others

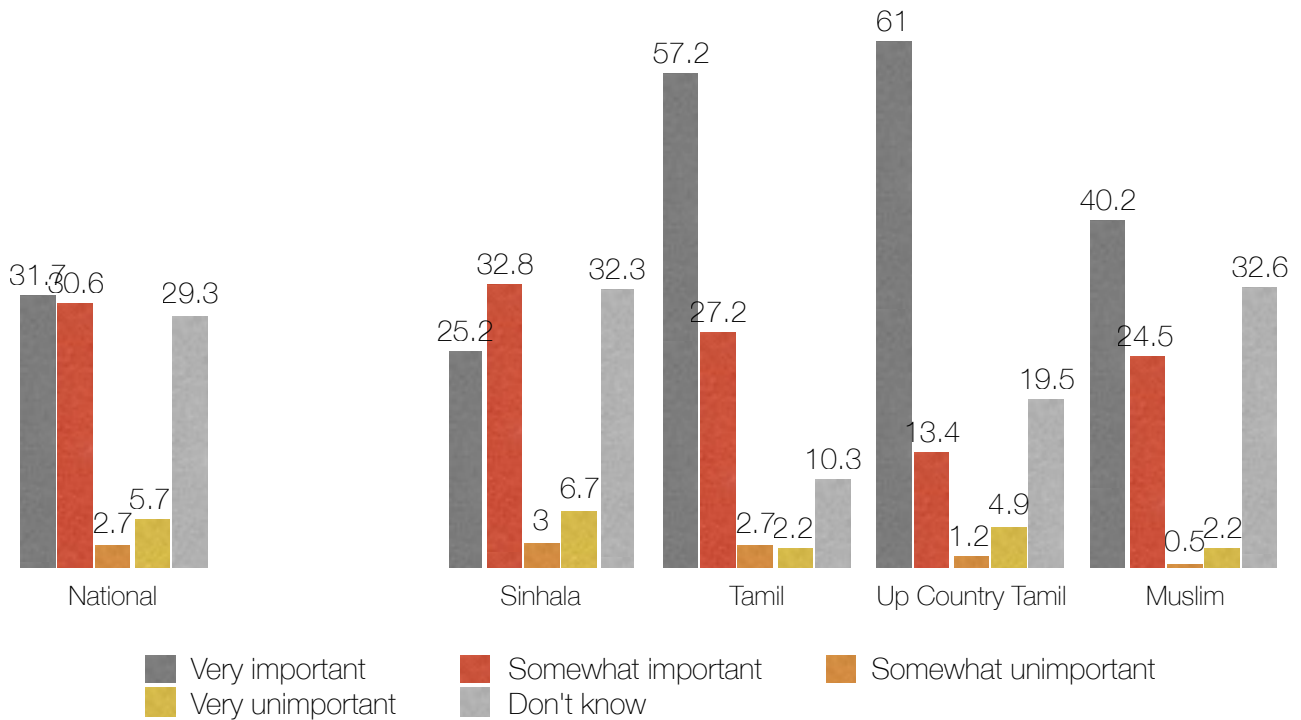
E - The Constitution of Sri Lanka should protect the freedom of religion as a fundamental right



Majority of Sri Lankans (84%) answered 'do not know' when asked for the opinion on the **13th Amendment**.

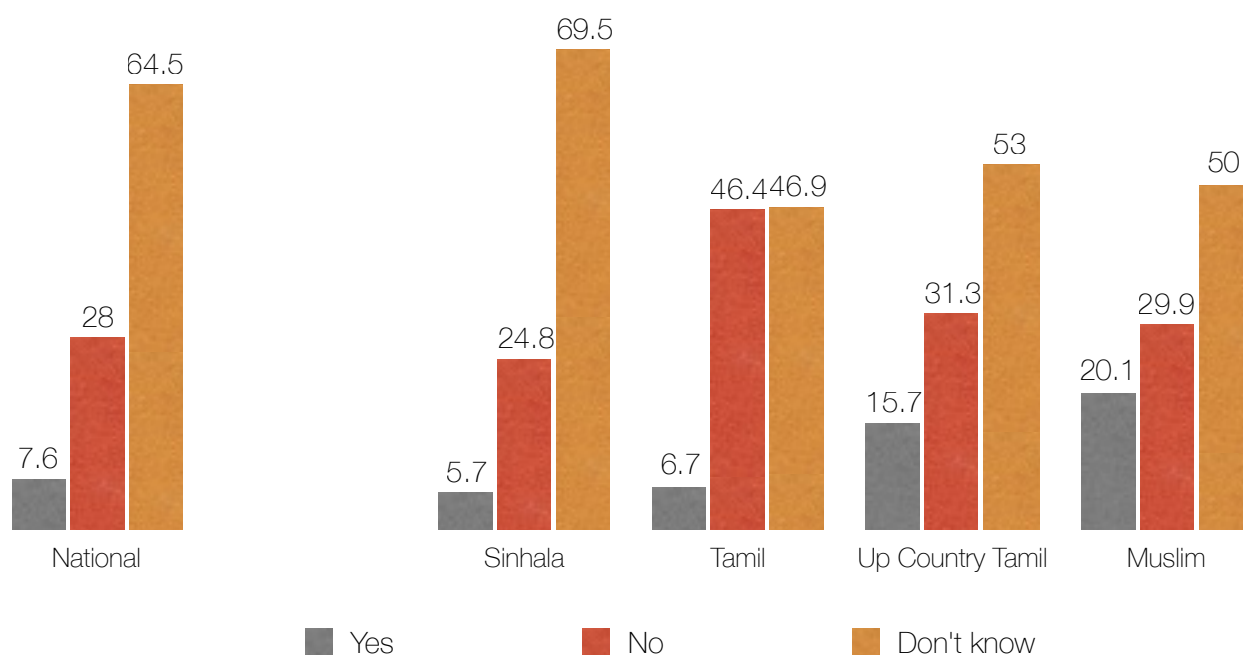
When asked how important it is to establish **devolved institutions**, 31.7% of Sri Lankans stated that it is very important while 30.6% said that it is somewhat important. 32.8% from the Sinhalese community said that it is somewhat important while 32.3% said that they did not know. 57.2% from the Tamil community, 61% from the Up Country Tamil community and 40.2% from the Muslim said that it is very important to establish devolved institutions. (See Graph 2)

Graph 2: How important is to establish devolved institutions?



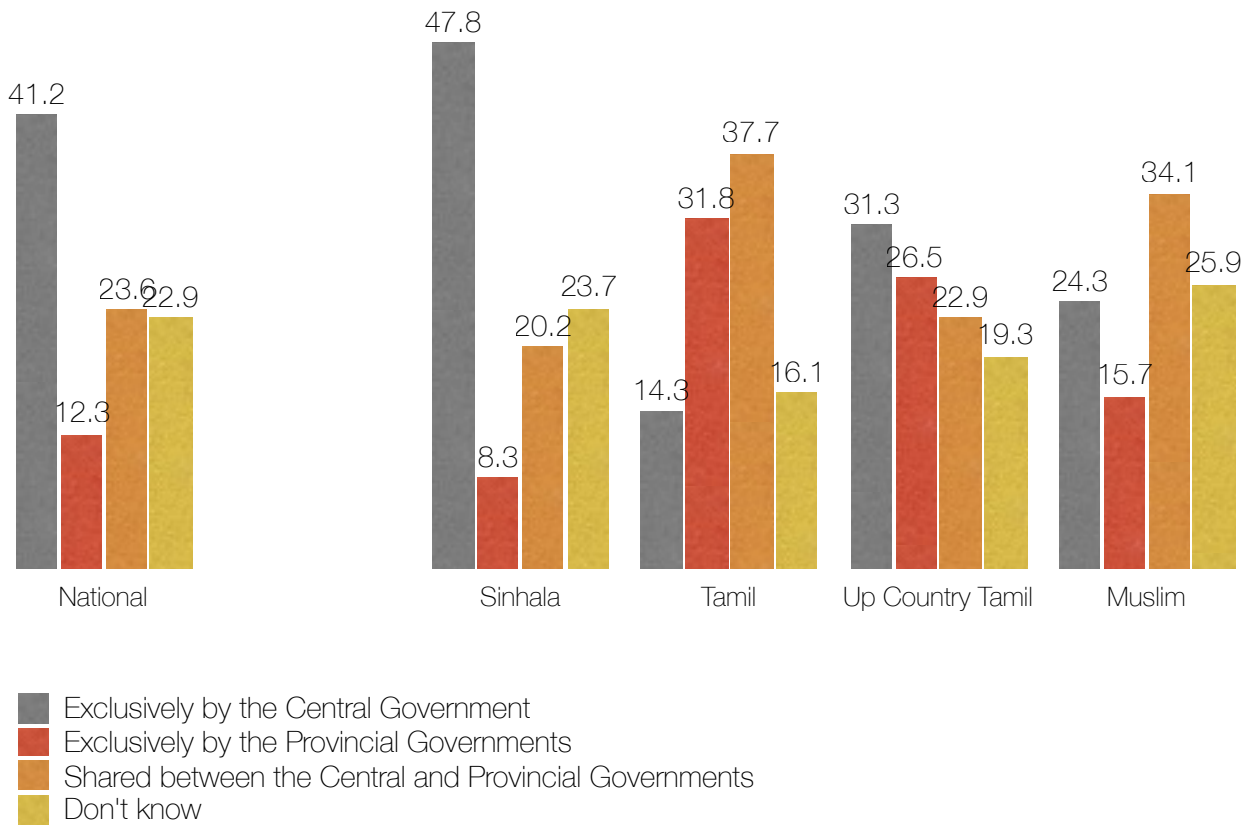
Majority of Sri Lankans (64.5%) say that they do not know if **police powers** under the 13th Amendment are well implemented. 24.8% from the Sinhalese, 46.4% from the Tamil, 31.3% from the Up Country Tamil and 29.9% from the Muslim communities are of the opinion that they are not well implemented. (See Graph 3)

Graph 3: Are police powers under the Thirteenth Amendment well implemented?

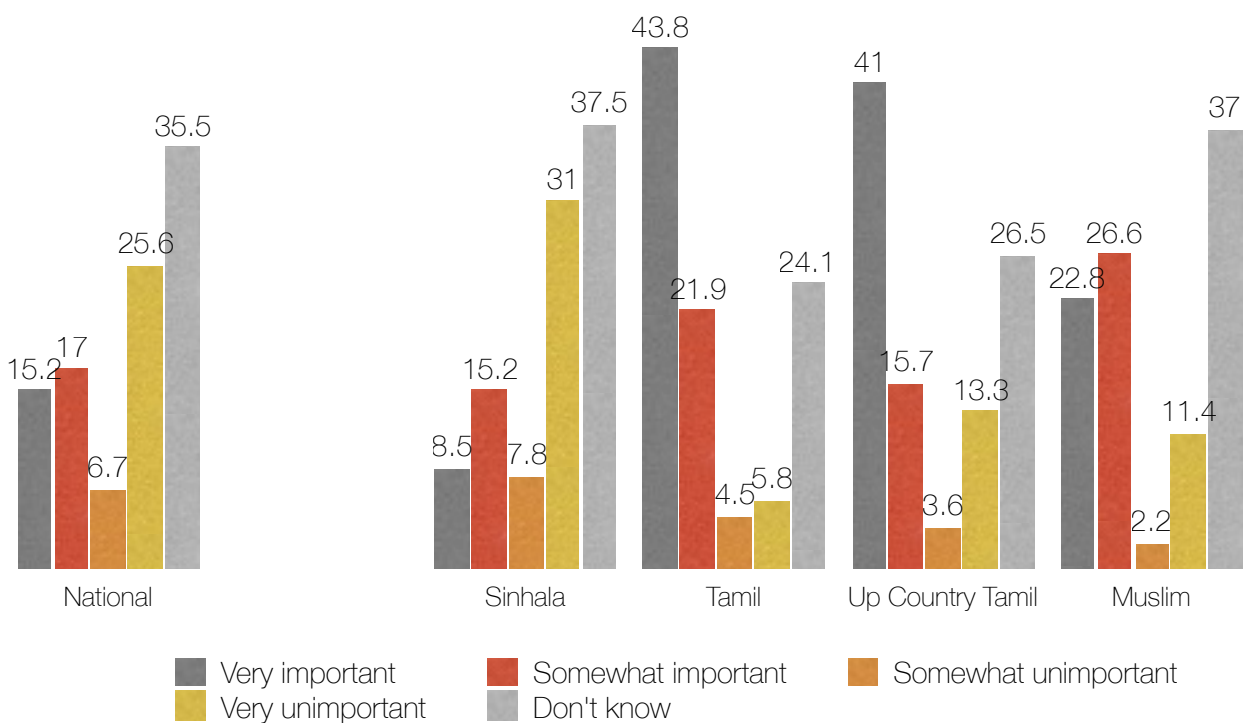


When asked how they think police powers in Sri Lanka ought to be exercised, 41.2% of Sri Lankans said that it ought to be exercised exclusively by the Central Government while 23.6% said it should be shared between the Central and Provincial Governments. Almost 50% from the Sinhalese community and 31.3% from the Up Country Tamil community believe that it should be exercised exclusively by the Central Government. Majority from the Tamil and Muslim communities however do not share this opinion - 31.8% from the Tamil community believe it should be exercised exclusively by the Provincial Governments while 37.7% stated it should be shared between the Central and Provincial Governments. 34.1% from the Muslim community also stated that it should be shared. (See Graph 4)

Graph 4: How do you think police powers in this country ought to be exercised?



Graph 5: How important is to you that police powers are devolved to the Provincial Councils?

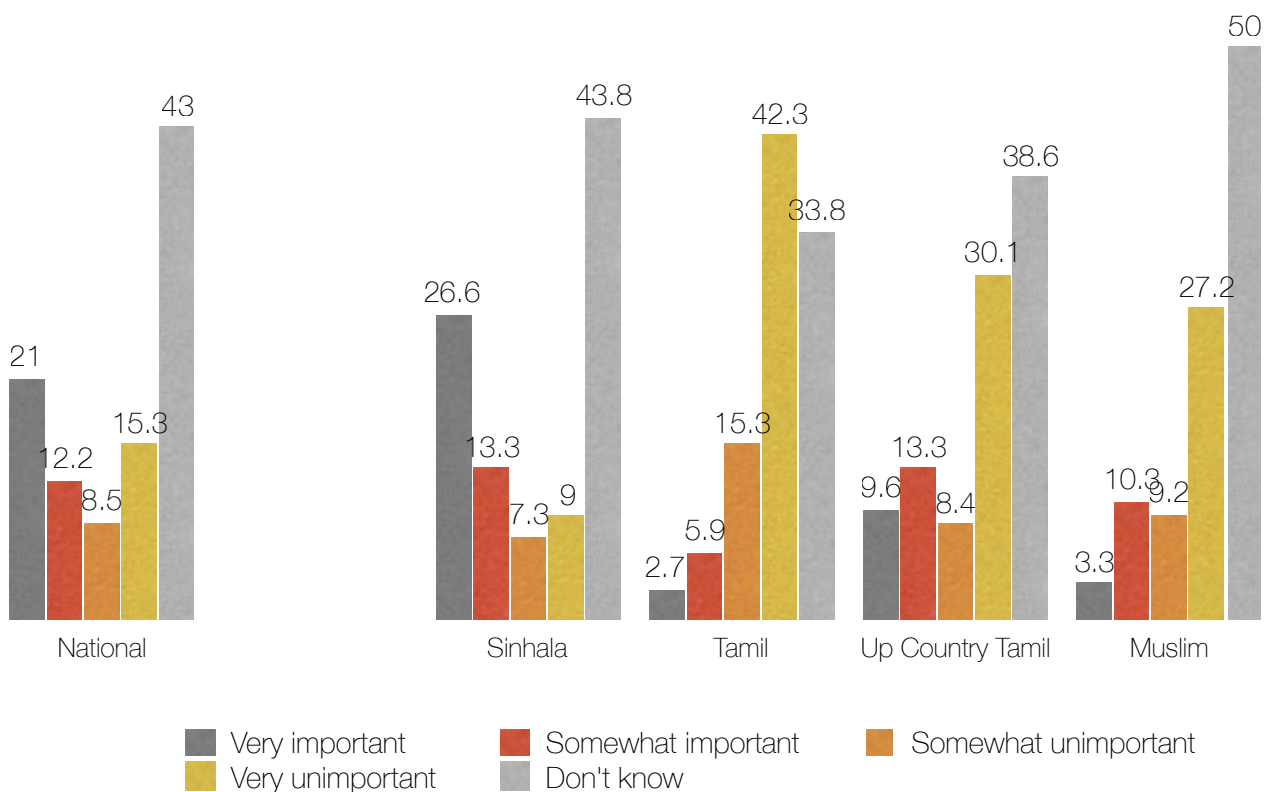


For 15.2% of Sri Lankans it is very important that police powers are devolved to the Provincial Councils while 17% say it is somewhat important to them. For 25.6% it is very unimportant that police powers are devolved to the Provincial Councils.

From an ethnic perspective there is a notable difference in opinion. In the Sinhalese community, 37.5% stated that they do not know while 31% said that it is very unimportant to them that police powers are devolved to the Provincial Councils. Only 8.5% said that it is very important. For majority in the Tamil and Up Country Tamil community is important that police powers are devolved to the Provincial Councils, with 43.8% and 41% respectively saying very important. (See Graph 5)

When asked how important it is to them that police powers are *not devolved* to the Provincial Councils, 43% of Sri Lankans said that they did not know while 21% said that it is very important to them that police powers were not devolved to the Provincial Councils. For 26.6% from the Sinhalese community it is very important to that police powers are not devolved while 42.3% from the Tamil community, 30.1% from the Up Country Tamil community and 27.2% from the Muslim community stated that it is very unimportant. (See Graph 6)

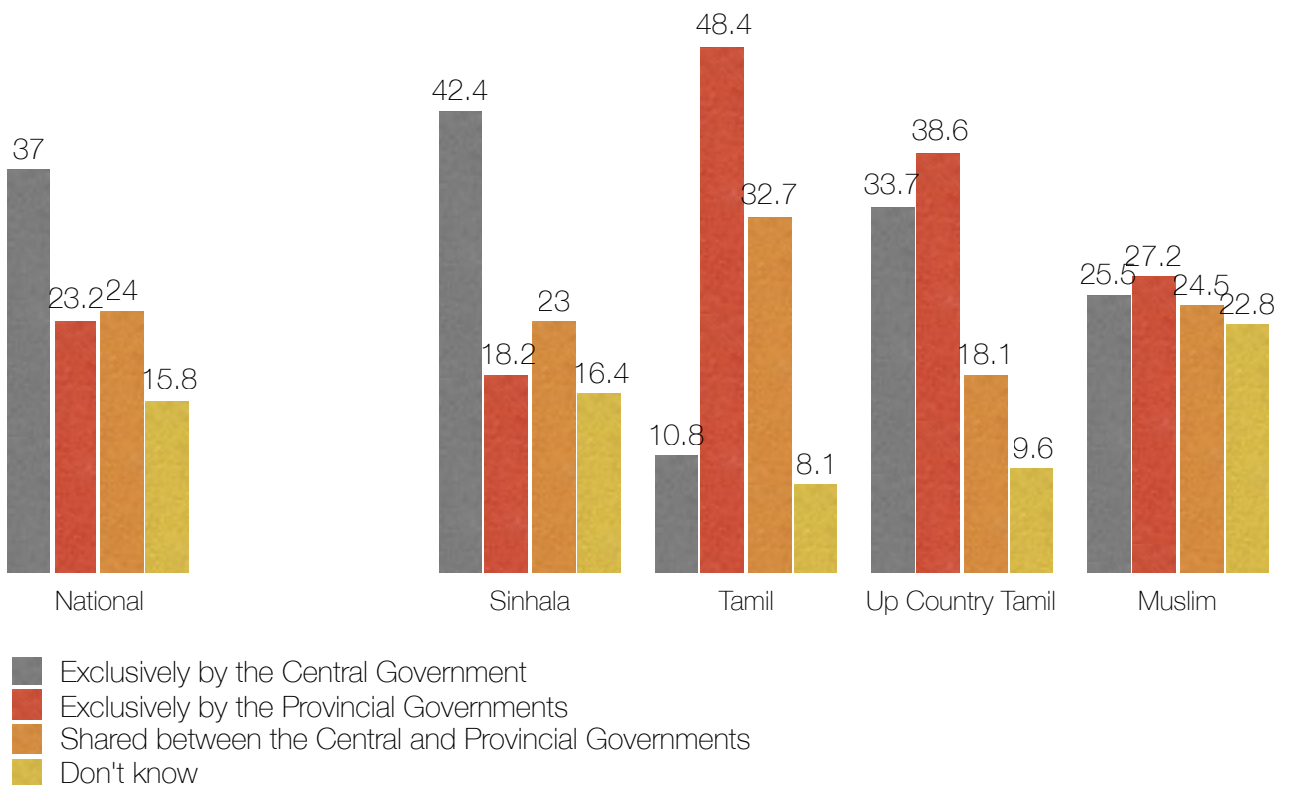
Graph 6: How important is to you that police powers are not devolved to the Provincial Councils?



On the power to **allocate and administer State land**, 37% of Sri Lankans believe that the power should be held exclusively by the Central Government, 23.3% said exclusively by the Provincial Governments while 24% said it should be shared between the two.

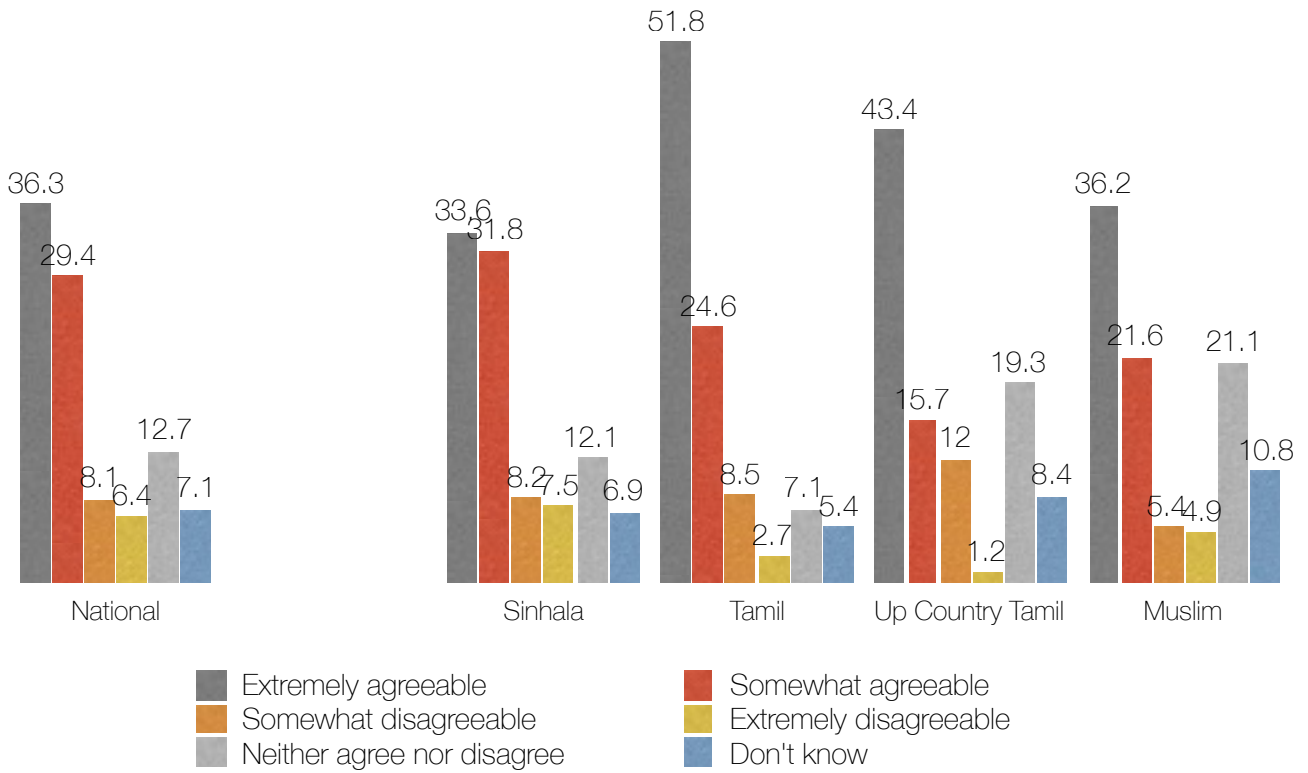
From an ethnic perspective, once again we see a difference in opinion between the communities where most Sinhalese (42.4%) say that it should be held exclusively by the Central Government while 48.4% of Tamil, 38.6% of Up Country Tamil and 27.2% of Muslim communities believe that it should be held exclusively by the Provincial Governments. (See Graph 7)

Graph 7: Do you think that the power to allocate and administer State land should be -

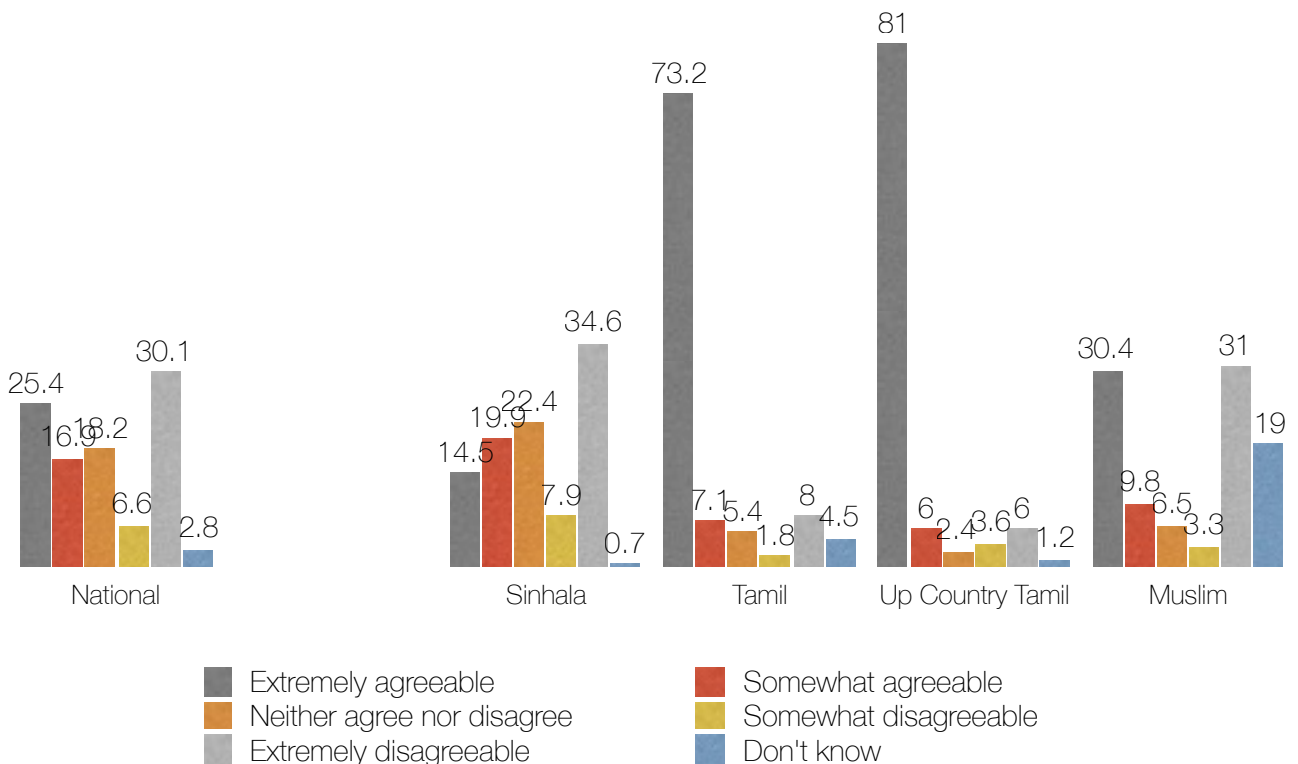


36.3% of Sri Lankans are extremely agreeable to **replacing the Executive Presidency system with one where the country is headed by a directly elected Prime Minister**, while 29.4% say that they are somewhat agreeable. Agreement is high across the four main ethnic communities as well with 33.6% of Sinhalese, 51.8% of Tamil, 43.4% of Up Country Tamil and 36.2% of Muslim communities saying that they are extremely agreeable. (See Graph 8)

Graph 8: How agreeable are you about replacing the Executive Presidency system with one where the country is headed by a directly elected Prime Minister?



Graph 9: How agreeable you towards a merger of the Northern and Eastern Provinces?



When asked how agreeable they are towards a **merger of the Northern and Eastern Provinces**, 30.1% of Sri Lankans said that they are extremely disagreeable while 25.4% said extremely agreeable. Majority from the Tamil (73.2%) and Up Country Tamil (81%) communities are extremely agreeable towards a merger while 34.6% of Sinhalese are extremely disagreeable. Muslim opinion is divided on this, with 30.4% saying that they are extremely agreeable and 31% saying that they are extremely disagreeable. (See Graph 9)

Given three choices of how they would like **Members of Parliament elected**, 40.7% of Sri Lankans selected having their local MP elected from a smaller constituency on a first-past-the-post (FPP) system while 32.8% said electing their local MP at the district level according to the present proportional representation (PR) system. (See Graph 10)

Graph 10: From the following list, which system are you most in favour of?

A - Having your local Member of Parliament elected from a smaller constituency on a first-past-the-post (FPP) system

B - Electing your local Member of Parliament at the district level according to the present proportional representation (PR) system

C - Electing your Members of Parliament on a mixed member proportional (MMP) system, whereby some MPs are elected in constituencies according to FPP and some MPs are elected in districts by a PR system

