

# NOTES AND COMMENTS

## Presidential Polls?

**A** According to available political indications, the fresh presidential elections are likely to be held towards the end of this year, or early next year. As we have commented in the editorial, new elections have been necessitated, two years ahead of the end of the present President's normal six year term, in the PA regime's own political interests. If regime interests are the overriding factor in determining the electoral calendar, one may not totally rule out the possibility of not early presidential elections.

Sri Lanka's present constitution has some strict procedures with regard to presidential elections. An incumbent President cannot call for fresh elections until s/he completes four years in office. The present President took office in November 1994. Hence, the requirement is that President Kumaratunga should wait till November this year to go before the people seeking a fresh mandate.

Assuming that President Kumaratunga decides to seek a fresh mandate for a new term in office and the presidential contest is held late this year or early next year, the politics of the forthcoming election would be qualitatively different from the politics of the 1994 election which saw a landmark victory for the PA in general and for Kumaratunga personally.

In 1994, the presidential candidate Kumaratunga was a relatively newcomer to electoral politics. The fact that she had not held political power by being a head of a regime previously was a significant political asset at her command. Her opponent was a makeshift candidate, the wife of the UNP's official candidate who was assassinated allegedly by the LTTE during the election campaign. Kumaratunga symbolized the mass desire for a regime change, and social expectations for the renewal of democracy as well as re-instituting corruption - and violence-free governance. She indeed walked into a historical moment the constitutive elements of which were in her favor. The grand electoral mandate she received in November 1994 was thus the result of a combination of a variety of political and personal factors.

This time around, those conditions would have changed significantly. For four years, Kumaratunga has presided over a regime the overall performance of which has not lived upto major expectations. Quite apart from the public perception that the PA administration has been inept, inefficient and not devoid of corruption, its record on three key projects is dismal. Peace has not been achieved, the constitution has not been changed and the war has not been won. Added to this record of failures is the weak management of the economy. Despite highly publicized statistics on new foreign investment continuing to enter the economy, inflation and cost of living remain unchecked, and the Asian economic crisis and nuclear tests in South Asia have sent the stock market reeling.

The PA strategists appear to count on President Kumaratunga's personal charisma and appeal as well as the public trust she continues to command, despite the many failures of her administration. This line of thinking is not entirely incorrect. Yet, the PA should not underestimate the negative dimensions of the Kumaratunga image, built particularly during the past couple of years. In 1994, candidate Kumaratunga projected a personal image of abundant warmth and political innocence. Hers was the most compassionate personality which large sections of the electorate, who had suffered under war, terror and political violence, could easily identify themselves with. Kumaratunga maintained this appeal of compassion for sometime even after becoming the President and going through a particularly difficult period of political setbacks. But, if President Kumaratunga's recent television appearances in direct question- and-answer sessions with the people are any indication, there is a very little left in her personal appeal with which the masses can identify. There are only remnants left in her charm, warmth and compassion. She has become intolerantly combative against the voters who would in live TV programs probably ask 'silly' questions from the President out of ignorance or even out of mischief.

President Kumaratunga's apparent loss of innocence and compassion is particularly felt among the Tamil voters and women, two social constituencies that had decisively moved away from the UNP in 1994. It is highly unlikely that Tamil voters would find any credible reason to re- elect President Kumaratunga or elect Ranil Wickramasinghe. Even those Tamil intellectuals who actively campaigned for the PA in 1994 express disappointment in the PA in general and President Kumaratunga in particular. The bitter truth is that Tamils now feel that all Sinhalese political leaders have abandoned them. It is a historical tragedy that Chandrika Kumaratunga is in this list of 'all Sinhalese political leaders'. As a Tamil intellectual recently said in utter despair, 'Chandrika was the last Sinhalese leader the Tamils could trust'. PA election strategists are obviously aware of the fact that they can no longer bank on an enthusiastic minority vote. It wont be surprising if the majority of the Tamil electorate does not take part in the next presidential election at all.

As we have commented quite often, one of the major political failures of the PA is the leadership's self-induced alienation from the democratic political forces, which were in alliance with the PA in 1994. It is highly unlikely that these influential political forces of civil society would take the plunge on behalf of the PA at another Presidential election, or at any other election for that matter.

Given such a ground situation, the PA will have to forge new alliances. Among the candidates are extreme Sinhalese forces that have already made inroads to PA leadership circles by proposing the postponement of the provincial council election. Both the PA and the UNP know that the outcome of the next presidential election would be largely determined by the choices the Sinhalese voters make. And

of course, there may not be any new political ideas coming from the ruling party or the opposition concerning war, peace, democracy, human rights or governance. Instead of a clash of ideas, as was the case in 1994, a clash of vision-less personalities is more likely to characterize the next presidential election.

Elections are usually moments of re-alignment of political forces. It is obviously an exercise in political education to speculate about possible re-alignment of political forces, if presidential elections are held in early '99. Given the crucial importance of the Tamil and Muslim minority vote, the PA and UNP would be hard pressed to find new formulas for alliance-making with the minority parties. The PA already has material, in the form of the draft constitution, to renew and re-strengthen its present alliance with the minority parties. In fact, the new constitutional document, with its proposals for greater devolution, remains a draft due primarily to the UNP's negative tactical manoeuvring. What the PA can ideally do is go for fresh presidential elections seeking a mandate to enable the President to sign into law the draft constitution, thereby bypassing an uncooperative parliament. If the PA intends to adopt such a bold strategy, it can also further refine the constitutional draft. Thus the draft constitution can be turned into the keystone of the PA's election strategy around which a broader and more solid multi-ethnic and multi-social political coalition is built. It would also enable the PA to re-invigorate its reformist agenda.

It is however highly doubtful whether the PA leadership can now take such a bold initiative. The unity among top PA leaders does not seem to be as solid as it was in 1994. According to reports, serious differences have emerged between President Kumaratunga and the powerful deputy Minister of Defense, Anuruddha Ratwatte. Ratwatte has already begun to mobilize personal support among extreme Sinhala nationalist elements that are opposed to any accommodation with the minorities. Indeed, in the new balance of forces within the PA, the reformist wing does not seem to be very strong.

Meanwhile, the UNP's options for new alliances appear to be extremely limited. If the UNP makes any political offer to the minority parties, it may not be treated with any seriousness. The UNP does not have any legitimacy among civil society groups either. But the UNP at an election will have one advantage: those UNPers who were either politically inactive or swayed towards the PA in 1994 are likely to back the party this time.

## Presidential Governance

One of the least studied, yet significant areas of Sri Lanka's political change in recent years concerns the way in which the system of government has been re-organized under the Presidential system. Professor A. J. Wilson's description of Sri Lanka's polity under the 1978 constitution as a Gaullist system is largely correct. The 1978 constitution totally re-arranged the structural composition of Sri Lanka's system of government. Indeed, the office of the President became the center of state power.

The rise of the Presidential Secretariat is perhaps one of the most striking institutional changes that occurred during the past twenty

years. Both Presidents Jayewardene and Premadasa had secretaries who exercised presidential authority over the entire system of public administration. Under Jayewardene, the Presidential secretariat oversaw defense and foreign affairs while under Premadasa, the secretariat managed and monitored the functioning of practically all the ministries and departments. The mythology of the three super bureaucrats under Premadasa -- Wijedasa, Paskaralingam and Weerakoon -- is largely founded on the reality of Premadasa's will and capacity to control the entire state structure from the Presidential Secretariat.

Under President Kumaratunga, some noticeable, new changes have occurred in Sri Lanka's system of governance. The gradual disappearance of the notion of collective responsibility of the cabinet is one such new development. The old practice in the cabinet government is that ministers may disagree on policy, but would defend the government policy in public. If any minister disagrees with the rest of the cabinet, he or she would leave office and may run the risk of being asked to resign. During Jayewardene's Presidency, two ministers left the cabinet because of policy disagreements. But during the past four years, that principle of collective responsibility of the cabinet has been seldom adhered to, except in the single instance of Minister Srimani Athulathmudali being left out in a cabinet reshuffle. And interestingly, Athulathmudali was dropped from the cabinet not on the principle of collective responsibility, but because President Kumaratunga thought that this particular minister was becoming an intolerable political liability. Neither did Minister Athulathmudali appear to care much about the notion of the collective responsibility of the cabinet.

President Kumaratunga's frequent criticisms of some of her own cabinet ministers, as reported in the political columns of Sunday newspapers, need to be viewed against this backdrop of institutional change. Newspapers have also frequently reported that President Kumaratunga has been often absent from weekly cabinet meetings, although constitutionally she is the head of the cabinet of ministers. In a coalition where personal as well as political differences among leaders remain high, the President does not seem to trust some of her own cabinet colleagues. The fact that at a number of occasions in the recent past cabinet memoranda appeared in the oppositionist Sunday press, just a few days after cabinet meetings, was a telling testimony to the lack of unity and the absence of collective responsibility at the level of the cabinet.

The rise of the Presidential Secretariat has occurred under different Presidents in different ways. Under President Kumaratunga, it is linked to the phenomenon of presidential task forces. Premadasa also had task forces, but not more than three or four. Prominent among the presidential task forces under Premadasa was the one on poverty alleviation. Now President Kumaratunga appears to have developed the idea of task forces much further, to such an extent that both policy-making and policy implementation in a large number of areas are now the task of presidential task forces. There are now task forces on educational reforms, prevention of drug abuse, health policy, cinema industry, prevention of child abuse, industrial development and a host of other areas of public policy.

The proliferation of task forces under President Kumaratunga is in a way symptomatic of certain structural weaknesses of Sri Lanka's present system of government. Traditionally, it was parliament that debated and defined public policy. But Sri Lanka's parliament is now an institution in decay. Public policy is not a major concern among parliamentarians. Parallel to the decay of parliament as an institution of governance is the sheer incapability of the public bureaucracy to formulate new policy in a context where far reaching reform is needed in many spheres of governance. As President Kumaratunga may have realized soon after coming into power, Sri Lanka's public bureaucracy is a particularly conservative entity, with an amazing lack of initiative for policy innovation. It is interesting, in this context, to note that almost all Presidential task forces are headed by persons outside the state bureaucracy. Many of their members are academics, professionals or representatives of the private sector.

Critics of Kumaratunga's style of presidential governance, meanwhile, point out that state institution-building has been one of the least of her concerns. The decline of the institution of cabinet is often cited by critics as a major instance of her disregard for institutions. They also single out the deliberate distance she has been maintaining with the PA parliamentary group. It has been sort of a tradition

under Jayewardene, Premadasa and Wijetunga that the President presided over the weekly government parliamentary group and the group met as regularly as once a week. But in the Kumaratunga administration, the ruling coalitions' parliamentary group meetings have been irregular events. As reported in the press, President has been often absent from meetings, even when the group met. This has created much consternation among ruling party MPs. Many MPs and deputy ministers have been complaining in private that meeting the President has become an exceedingly difficult affair. Not holding frequent and regular parliamentary group meetings, President has also deprived herself of a good opportunity to meet with and consult her own MPs.

Looking at the whole issue of presidential governance objectively, one can observe that President Kumaratunga's isolation from the people of the country is far greater than that of her predecessors. The constant threat to her life has largely contributed to this situation. President Premadasa liked to go out and meet the people outdoors and ultimately he paid the price for it when he led the UNP's May Day procession in 1993. Today's presidents in Sri Lanka are compelled to live in isolation from the masses, even from their own party members. This has made the office of the President a hyper-elitist center of state power.

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