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Guest Column by Dr Kumar David

This piece is premised on the assumption that President Mahinda Rajapakse (Mahinda) may be defeated on 8 January 2015, which is not the same as saying it is a certainty - that is too early to judge since the Maithripala Sirisena (Maithri) challenge needs to prove its endurance.

Maithri was Secretary of the Sri Lanka Freedom Party (SLFP; 40%) for 14 years and a stalwart of 45 years till a fortnight ago he split with Mahinda to become the common opposition candidate backed by former president Chandrika Bandaranaike Kumaratunga (CBK) who still has considerable clout in the SLFP and whose father founded the SLFP, and Ranil Wickremesinghe (Ranil) leader of the opposition United National party (UNP; 30%). [Percentages in parenthesis are the vote base of each party and given as a very rough guideline for the benefit of non-Lankan readers].

Maithri, Ranil and CBK have pulled off a *coup de grace*. It was a deft and unexpected move that caught the regime flatfooted and grabbed the limelight. Mahinda, once thought unbeatable, is now quite vulnerable. In recent months I visited no end of imprecations on the heads of opposition leaders for lack of clarity, coordination and commitment. This turn of events has shown that my criticisms were excessive. Understandably, the hazards of the stratagem made concealment imperative. As the first person to conceptualise and develop the Single Issue Common Candidate (SI-CC) strategy two years ago, I am delighted. Rarely does a prophet enjoy such exact and fulsome validation.

The Opposition has pulled off a Single Issue challenge and established a Common Candidacy. Maithri has promised to abolish the Executive Presidency (EP) within 100 days. Every journey begins with a first step, but still the road ahead is long and steep – to Survive, to Win, to Survive Again, and then to Utilise the Victory. I will clarify this cryptic ordering of steps anon.

SI (Single Issue) refers to abolishing EP, the cornerstone for which the whole opposition can unite around a Common Candidate (CC). Simultaneous constitutional amendments will also establish a near-Westminster-style parliamentary system. Thereafter parties may depart from the alliance and contest parliamentary elections on their own economic, social, cultural etc manifestos. That is, the single issue once fulfilled drops out of view (the Executive Presidency evaporates) and a new system is put in place. A prime minister answerable to parliament will lead as in India or the UK. De facto therefore, the presidential election has become a referendum. Mahinda wants to be EP for a third term; Maithri is asking for a mandate to abolish EP and return to a near-Westminster-system. What's in it for Maithri, personally, if these changes go through? An option is that afterwards he assumes the role of ceremonial figurehead president.

To Survive till 8 January and to Win

Nobody in his senses puts anything beyond the craft and guile of the powers that be. Clan and cronies, in order of perfidy, are struggling to retain loot, stay clear of prosecution and imprisonment, and evade the fate of fallen dictators. Images of Mussolini strung up on a lamppost, Saddam on trial, and Gaddafi in a ditch, can strike dread into febrile minds. This however is not my point. More importantly, jeopardy for the regime after the event is a precursor of deadly peril for the opposition now before the event. Who can put assassination, palace coups, manufactured pogroms, emergency rule, and bogus threats to national security to justify brutal repression, beyond the pale?

The worst of this can be thrown back if the opposition stays united and mobilised, but apart from these mega hazards is the usual litany of electoral perfidy – rigging, abuse of state resources, biased police and state officials, and dirty money by the sack-full. The antidote is to convince the public that Mahinda is last year's baggage; the prospect of future punishment may deter government servants and less corrupt police officers. I have adopted a tight style in these two paragraphs; there is much to say and limited space to spell it all out in. Readers can reach behind my sentences and reconstruct possibilities more fully in their minds. For sure one should expect more surprises, some lurid others comic, in the run-up.

In the meantime there are five hurdles the opposition needs to clear.

- Ensuring that the UNP mass vote of say 30% turns out in strength for Maithri. The hard-core needs to see that once EP is abolished and parliamentary elections held, their party will be in office and Ranil will be prime minister.
- Facilitating well timed defections from the SLFP. If CBK and her allies can pull a quarter of the SLFP 40% base-vote, Maithri is nearly home. A future task is jettisoning this clan of self-seeking usurpers and reclaiming the SLFP as a populist nationalist party.
- Making sure Tamils and Tamil National Alliance (TNA; 10%) throw in their weight. There is no need to mislead them; a Single Issue is just that - abolishing EP. Opposition unity is only to get this one common objective fulfilled. There is no longer-term socio-economic

agenda. There should be no deception that full devolution (13A+) will be enacted. These issues lie down the road and are the tasks of future parliaments and governments. The gain for Tamils is that they will then be dealing with a more democratic state, a less chauvinist government and a regime not tainted by alleged war-crimes and human rights violations.

- Convincing the Janatha Vimukthi Peramuna (JVP; 5%) that it is time to grow up. It is a small Marxist mass party that won't soil itself in capitalist business. That's fine, but defence of democracy, albeit the bourgeois-democratic variant, is obligatory. JVP leader Anura Kumara Dissanayake and his team I hope have the common sense to understand this.
- The Sinhala nationalist Jathitha Hela Urumaya's (JHU; 5%) can break the regimes hold in the ultra Sinhala-Buddhist belt (Nugegoda-Maharagama-Kotte-Kottawa-Homagama) south-east of Colombo. This is a sizeable population, maybe 10% of the national electorate. If the JHU swings a part of it to Maithri, his poll will swell from the mid-fifties to near sixty percent. A sizeable defeat of the incumbent is important for reasons I will advert to later. Retaining both JHU and TNA is predicated on assuring the former that EP will be abolished in ways that do not endanger Lanka's unity, while TNA and Northern Province Chief Minister Wigneswaran need to appreciate that democratising the centre enhances democracy at the periphery.

I have not made reference to Muslims and Upcountry Tamils in this list of key tasks. A large proportion of Muslims will vote against Mahinda irrespective of hide-and-seek games the Sri Lanka Muslim Congress (SLMC; 5%) and its leader Rauff Hakeem get up to. The SLMC has degenerated into a graft infested outfit since selling itself to Mahinda to enact the 18-th Amendment (18A) which removed presidential term limits. The leadership is well past its shelf-life; time for a younger breed.

Whatever the allegedly gluttonous and booze-soaked Ceylon Workers Congress (CWC; 5%) leaders say, half the Upcountry Tamils will vote against Mahinda. It will be complete if Delhi puts its foot down in the wake of an Associated Press story that the regime is toying with 'Trinco for China' delusions. Then stakes will be immeasurably higher. Indira Gandhi ground President JR Jayewardene into the dust for a lesser offence. The Modi-US axis will finish the regime and vaporise already flimsy Sri Lankan sovereignty. Morality, I leave readers to pontificate about; this is *real-politik*. However, an anti-Mahinda Delhi stance is manna from heaven that opposition planners cannot count on.

To Survive Again

I am done with two items on my cryptic list; to Survive and to Win. The next item was to 'Survive Again'. ['Utilising the Victory', that is social renewal, ethnic reconciliation and institution rebuilding, will have to wait; it's too much for one essay]. The constitution is unambiguous; if defeated Mahinda must step down promptly. But the courts can no longer be relied on to uphold the law, especially if the margin is small. The elections commission is not reliable either? Will courts and commission play fiddlesticks and fabricate a hiatus allowing MR to flounder on as a lame-duck in a miserable interregnum where nothing gets done and the economy slides?

A defeated Mahinda will flop, his parliamentary support crumble. The UNP will do well in the next parliamentary election and the anti-Mahinda SLFP faction will not do badly. The pro-Mahinda contingent, after a failed presidential bid, will score zilch. For this reason I fear a hiatus will be a period of grave danger; my 'Surviving Again' problematic. Were a hiatus to materialise, in the interim, government coffers will be in the grasp of the venal sibling, the military usurped by the Gobbelsian one. Conspiracies reminiscent of Marcos and the worst African dictators when voted out are not impossible. In retaliation the streets will be aflame; a prospect to eschew as it will not herald revolutionary social transformation but be a forerunner of anarchy.

Therefore a thumping defeat is best; it will compel Mahinda to depart pronto without hanky-panky. Neither can abolishing EP be delayed; the people's mandate must be implemented forthwith. If the current parliament, which would have morally crumbled by then, demurs, it must be sent packing and another elected. Cromwell's is one way of doing it!

Students of political, constitutional, and social change concede that orderly transitions are best. Maithri, if he wins, should at once establish an all-party Cabinet to stamp moral authority – a Shadow Cabinet if there is a hiatus. Former Army Commander Sarath Fonseka as Defence Minister (or Shadow Defence Minister) has clout and connection to nullify military subterfuges. Neither do the obligations of the JVP, JHU and TNA end on 8 January. They run till amendments abolishing EP, repealing 18A and invoking fresh parliamentary elections under the new system are completed.

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