CHAPTER - III

Introduction

The general election of 1977 was unprecedented in the political history of Sri Lanka on two counts. Firstly, the UNP secured a massive mandate both in terms of seats (83.3%) and votes polled (50.9%) which no party had achieved in the past.\(^1\) It was because of the failure of the Sri Lanka Freedom Party (SLFP)-led United Front government to fulfil its promises during the 1970 general election\(^2\) and the volatile nature of the first-past-the-post electoral system that was in practice in Sri Lanka since 1931.\(^3\) Secondly, the three-fourth majority received by the UNP in the 1977 general election enabled it to bring about a fundamental change in the political system as proposed during the

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election. Hence, the Westminster model of parliamentary system that was followed since independence was replaced by a Presidential form of government. Further, a new constitution was framed to give effect to the new system. This envisaged far-reaching changes in Sri Lanka's electoral system. The new Constitution called for the direct election of the President under a preferential system of voting, Parliamentary elections under a system of proportional representation and a referendum to procure people's opinion on issues that were considered to be of national importance. The new electoral system with regard to the post of Executive President was put into practice in 1982 when the first ever Presidential election was held in Sri Lanka. This chapter has two primary objectives - to examine the electoral framework introduced under the 1978 Constitution and to analyse the first ever Presidential election held on 20 October 1982.

The New Constitution and Presidential System

The Presidential system was at first put forward by J.R. Jayewardene in December 1966 at a conference. He stated that "a developing country requires a strong executive president who can take right and sometimes unpopular decisions for the development of the country". He also suggested that "proportional representation may provide
an opportunity for efficient people to participate in politics'.

Though Jayewardane proposed this idea in the Constituent Assembly in 1971, he failed to secure support from the ruling United Front government. In fact, he could not even secure the support of his own party, the UNP, which at that time was controlled by Dudley Senanayake and his supporters. However, when Jayewardene became the UNP President (after the death of Dudley Senanayake), the Party officially accepted to replace the Parliamentary system by a Presidential form of government. And as a follow-up to this the UNP in its 1977 election manifesto submitted to the electorate in 1977 stated that:

We seek your mandate to draft, adopt and operate a new republican constitution in order to achieve the goals of a democratic socialist society. Executive power will be vested in a president elected from time to time by the people. This will ensure stability of the Executive for a period of years between the elections. The Constitution will also preserve the parliamentary system, we are used to, for the Prime Minister will be chosen by the president from the party that commands a


majority in parliament and the other ministers of the cabinet will also be elected members of parliament." 7

The UNP secured a resounding victory with more than two-thirds majority in the Parliament. This enabled it to go ahead with the constitutional changes proposed during the 1977 election campaign. The UNP introduced the Presidential system of government through a Second Amendment to the 1972 Constitution, which was passed in the Parliament on 22 September 1977. According to the Second Amendment, the Executive President was to exercise power through the Prime Minister and a Cabinet responsible to Parliament. The President was not a member of Parliament and he was not subject to it. And it also stated clearly that the Prime Minister who was holding office at the time of enactment of the Constitution was to become the first President and would hold office for six years. Thereafter, elections were to be held to choose a President. 8 While the SLFP leader Sirimavo Bandaranaike criticized it on the ground that the amendment would lead the country towards dictatorship, the TULF

leaders A. Amirthalingam said that it was irrelevant for the Tamil people, whether the country had parliamentary or presidential system. The Lanka Sama Samaja Party (LSSP) leader N.M. Perera criticized the UNP for the way in which it brought the Second Amendment as an urgent matter without providing enough time for the people to discuss and debate its implications and for postponing its implementation to early 1978.

J.R. Jayewardane became the first executive President of Sri Lanka on 4 February 1978, which resulted in the formal shift from the Westminster system. This was followed by the framing of a new constitution, which came into effect on September 7, 1978.

Electoral Framework Under the New Constitution

The new Constitution made a radical departure with regard to the elections and electoral systems of the past. Three major innovations were introduced - Presidential election under preferential system of voting, parliamentary

11. For a detailed study of all aspects of the new constitution see, Radhika Coomaraswamy, Sri Lanka : The Crisis of the Anglo-American Constitutional Traditions in a Developing Society, (New Delhi, 1984), and A.J. Wilson, n. 4.
election under proportional representation system, and referendum.

**Presidential Election Under Preferential System of Voting**

As per the new electoral system introduced the President would be elected by the people for a term of six years. And the election would be held under the newly introduced preferential system of voting. This system would be followed only if there are more than two candidates in the fray. Under such circumstances, a voter, apart from marking his vote for any one of the candidates, is also asked to indicate his second preference if there are three candidates. Moreover, if there are more than three candidates, a voter also has to mark his third preference. A Presidential candidate has to secure a minimum of 50 per cent of the total votes polled to be elected as President. If there is no candidate with 50 per cent of total votes, candidates other than the first two (who have received the highest number of votes) would automatically be eliminated from the contest. Then, the second and third preferences indicated in the eliminated candidates' ballot would be redistributed among the remaining two candidates, until one

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of them obtains a minimum 50 per cent of the total votes polled. If both the candidates receive an equal number of votes even after counting the preference, a winning candidate would be determined by draw of lots. 13

However, the new electoral system came in for criticism from the opposition parties. Sirimavo Bandaranaike, leader of the SLFP, argued that the new system was too complicated and warned that it may lead to the disenfranchisement of voters from backward areas. 14 The LSSP leader, N.M. Perera was of the opinion that it would be a difficult task for voters to indicate their preference, when they were not even educated enough to mark a simple cross against candidates of their choice, which would lead to a large number of invalid votes. 15 The UNP's defence was that voters from rural areas were educated enough to write 1, 2 and 3 in order of their preferences. 16 It was felt that the positive aspect of the new system was that it might not be possible for the two

major political parties, the UNP and the SLFP, (who were able to come to power in the past with the sole support of the Sinhalese people), to win the Presidency by instigating communal sentiments. Since the support base of these two political parties is more or less evenly divided among the Sinhala Buddhist population and a candidate who aspires for the Presidency had to secure 50 per cent of total votes polled, the role of the minorities, especially the Sri Lankan Tamils, had become crucial in deciding the outcome of the election. Hence, this would force political parties to do away with their communal outlook and choose a neutral path if they needed to secure victory in the Presidential election.17

Parliamentary Election Under Proportional Representation

Until 1977 Parliamentary elections were held under the first-past-the-post electoral system. But the new constitution replaced it with the system of proportional representation to overcome the volatile nature of the earlier electoral system that was evident from the 1970 and 1977 general elections. In the 1970 general elections, while the SLFP gained 60.3 per cent of seats with only 36.9

per cent of votes, the UNP secured 37.9 per cent of the total votes but was able to get only 11.3 per cent of the seats. In the 1977 general elections, the SLFP, with 29.7 per cent of votes obtained only 4.8 per cent of the seats. Whereas, the UNP, which secured 50.9 per cent of the votes, gained 83.3 per cent of the seats.18

The new system has many salient features. Firstly, instead of single member constituencies a delimitation commission would demarcate a number of multi-member electoral districts. The country would be divided into a minimum of twenty or a maximum of twenty-four electoral districts and each electoral district would be a part of one or more administrative district. Secondly, the total number of seats in the parliament was fixed at 196. Of these, 36 would be allocated to the nine provinces (four seats each). The remaining seats would be distributed on the basis of a qualifying number obtained by dividing the total number of registered voters by 160.19 Thirdly, the political parties or independent groups contesting the parliamentary elections have to submit a list of candidates for each electoral


district in the order of their priority. More importantly, the electorate is required to vote for the party and not for the individual candidates. Fourthly, a party or group that fails to secure a minimum of 12.5 per cent of the total votes polled in an electoral district would be disqualified and the votes obtained by them would be considered invalid. The party that secures the highest number of votes in an electoral district would be assured of a bonus seat and a candidate whose name is first in the list of that party would be declared elected. The remaining seats in that electoral district would then be distributed on the basis of a qualifying number, which would be decided by dividing the total number of valid votes by the number of seats.

The proportional representation system was widely criticized on two counts. Firstly, though it was welcomed by the smaller parties, they strongly opposed the high cut-off point of 12.5 per cent. N.M. Perera, the leader of

20. ibid, Article 99.
the LSSP criticized that "the high cut-off point clearly favours the major political parties at the expense of smaller parties, which was against the concept of proportional representation". 23 "The new electoral system instead of increasing the representation of the minorities, would reduce it owing to the high cut-off point", said A. Amirthalingam, leader of TULF. 24 The C.W.C. leader S. Thondaman said that "Sri Lanka being a multi-ethnic society, the high cut-off point was uncalled for". 25 However, the Parliamentary Select Committee justified that the new system was introduced only on the basis of the previous electoral system which rules that a candidate who fails to secure 12.5 per cent of the total valid votes polled would lose his deposit. 26 Secondly, it was believed that the list system would lessen the contact between the Members of Parliament and the voters. However, R. Premadasa, who was the Select Committee Chairman, said that "it is time for the legislatures to put their effort on issues of national importance rather than involving themselves in partisan ---

23. N.M. Perera, n. 10, p. 49.
politics".\textsuperscript{27} It was also argued that the new system would make the party a powerful body since it has the right to nominate the list of candidates and change the order of its priority on its own. The constitution further strengthened the parties' position under Article 99(3), which empowered the party to nominate a vacant seat which may occur as a result of resignations, expulsions or deaths.\textsuperscript{28} This may alienate the people since the party system in Sri Lanka was not yet decentralized and decision making was still in the hands of the leadership.\textsuperscript{29}

Referendum

The third major innovation was the referendum which aimed at enabling the people to express their opinion on the policy-making of the country. The referendum could be conducted at two levels. Firstly, the President can put forward any bill after its approval by the parliament (with two-thirds majority) to the people in a referendum. Secondly, the President can call for a referendum on any bill other than the repeal or amendment of the provisions of

\textsuperscript{27} C.R. de Silva, n.14, p. 28.

\textsuperscript{28} The Constitution of Democratic Socialist Republic of Sri Lanka, n.12, Article 99.

\textsuperscript{29} Radhika Coomaraswamy, n. 11, p. 51.
the Constitution, even if the Parliament rejects it. The bill would be approved if it secures an absolute majority of the valid votes polled in a referendum. However, if the total number of valid votes is less than two-thirds of the registered voters of the country, the bill would be approved only if it secures the support of a minimum of one-third of the registered voters.\textsuperscript{30} Hence, the referendum would pave the way for direct participation of the people in the governing process. However, the referendum can be used by the President as a political weapon whenever he is in conflict with Parliament which makes it more of a Presidential power than of popular control.\textsuperscript{31}

The Presidential Election of 1982

The first ever Presidential election in Sri Lanka was held on 20 October 1982. The election was significant in several respects. Firstly, for the first time, the executive of the government was to be directly elected by the people. Secondly, it was also for the first time that the whole country was brought under a single electorate to elect the President. Thirdly, the Presidential election was to be

\textsuperscript{30}. *The Constitution of Democratic Socialist Republic of Sri Lanka*, n.12, Article 85 and 86.

\textsuperscript{31}. C.R. de Silva, and S.W.R. de A. S\text{"a}marasinghe, n.3, p.152.
held under the preferential system of voting introduced under the 1978 Constitution.

Background

When President J.R. Jayewardene declared 1982 as the election year, it led to speculation since his own term was due to end only in February 1984 and that of the Parliament in August 1983.\(^{32}\) Under the Constitution, the election of the President cannot be held less than one month and more than two months before the end of his or her term in office.\(^{33}\) Hence, the Presidential election should have been held only at the beginning of 1984. This led the opposition parties to think in terms of an early Parliamentary election. But to the surprise of the opposition, the government advanced the Presidential election through an amendment to the Constitution. The Third Amendment to the Constitution of 1978 authorised the President, who has completed four years in office, to call for a fresh election.\(^{34}\)

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34. For more details see Parliament of the Democratic Socialist Republic of Sri Lanka : Third Amendment to the Constitution, (Colombo, 1982).
Accordingly, the Presidential election was conducted way ahead of schedule. It was attributed to a number of factors under which the ruling UNP and President J.R. Jayewardene tended to gain. Firstly, the main opposition party, the SLFP, was in total disarray for which the UNP contributed to a great extent by depriving Sirimavo Bandaranaike of her civic rights. This was done after the special Presidential Commission of Enquiry, appointed by the UNP government, found her guilty of abuse of power. The Parliament approved it by a legislation which prohibited her from participating in public life for seven years.35 This led to infighting in the SLFP over the leadership between Sirimavo Bandaranaike and her deputy Maithripala Senanayake. The latter was supported by Anura Bandaranaike and a majority of the politbureau members of the SLFP.36 Thus the UNP was in a better position when the election was held in 1982. Secondly, the UNP's achievements on the economic front were not upto the satisfaction. The export sector, a major


source of income for Sri Lanka's revenue, was badly affected owing to worldwide depression. This made it hard to find a better market for its export goods.\(^{37}\) The poor performance of the export sector made the government dependent on foreign aid to overcome the balance of payments deficit and to meet domestic development expenditures. The heavy dependence on foreign aid led donor countries to put pressure on the government to reduce its expenditure and devalue the rupee to a greater extent.\(^{38}\) It was also believed that the economic situation would further get worse by 1983, and so could affect the electoral prospects of the UNP, if elections were to be held as scheduled.\(^{39}\) Thirdly, the UNP thought that it would be a political risk to hold Parliamentary elections since some of its MPs and ministers were quite unpopular among the electorate. Therefore it


decided to hold the Presidential election and hoped to exploit the personal popularity of its leader J.R. Jayewardena and the divided nature of the opposition. All these factors led the UNP to advance the presidential election through the Third Amendment to the Constitution.

The opposition challenged the Third Amendment in the Supreme Court on the ground that it should have been approved by the people at a referendum since it interfered with the sovereignty, fundamental rights and franchise. The Supreme Court, however, ruled out the need for a referendum and stated that the amendment could be approved if it secured a two-third's majority in the parliament. Hence, the third amendment was passed in the Parliament without much difficulty since UNP enjoyed more than two-thirds majority in Parliament on its own. This resulted in an early Presidential election to the advantage of the ruling UNP.

43. The third amendment was passed by the Parliament by 139 votes and only one vote was cast against it. While the SLFP abstained from voting, the TULF refused to participate in the discussion on the bill and abstained from the Parliament. Manik de Silva, "Sri Lanka : Tub-thumbing time", Far-Eastern Economic Review, (September 3, 1982), p.14.
Candidates

There were six candidates who contested the Presidential election of 1982. While President J.R. Jayewarden e contested as a UNP candidate, there were five opposition candidates nominated by their respective parties. Though the opposition parties realised the need for a common anti-UNP candidate, they failed to reach a consensus. The five opposition candidates were: Hector Kobbekaduwa of SLFP, Calvin R. de Silva of LSSP, Vasudeva Nanayakana of NSSP, Rohana Wijeweera of JVP, and Kumar Ponnambalam of Tamil Congress.

Among all these candidates J.R. Jayewardene went to the polls with several advantages. Firstly, since Sirimavo Bandaranaike, was deprived of her civic rights, there was no candidate of his stature in the contest. Secondly, as mentioned earlier, infighting in the SLFP, as well as lack of co-operation between SLFP and Left Parties made Jayewardene's task easier. Thirdly, UNP had the support of Ceylon Workers Congress (CWC), whose leader S. Thondaman was a Cabinet Minister. The CWC's support was very crucial


45. C.R. de Silva, n. 37, pp. 36-37.
for the UNP since a candidate had to receive a minimum of 50 per cent of the total votes polled to become President. Fourthly, though Jayewardene failed in his efforts to secure the support of the Tamil United Liberation Front (TULF), he was assured by TULF leader A. Amirthalingam that his party would not contest the election.\(^{46}\) This might have led to a low percentage of polling, which would have reduced the absolute total needed by him. But it failed to a certain extent because of the entry of Tamil Congress leader, Kumar Ponnambalam.\(^{47}\)

Of the other candidates in the fray the SLFP candidate Hector Kobbekaduwa's position was gradually strengthened by the support extended by a number of smaller parties and groups. Foremost among them was the rival SLFP group led by Maithripala who, after having failed to get recognition for his group, offered unconditional support to Hector Kobbekaduwa.\(^{48}\) The other parties that pledged to support the SLFP candidate were the Communist Party (CP), Mahajana Eksath Peramuna (MEP), National Democratic Front (NDF) of


\(^{47}\) C.R. de Silva, n.37, p.38.

G.D.I. Dharmasekera, Sri Lanka Sama Samaja Party (SLSSP) of Anil Moonesinghe and the Democratic Workers Congress (DWC) led by A. Aziz. 49

All the other four candidates had little chance of being elected as President. In the beginning, Calvin R. de Silva of the LSSP was proposed as a common anti-UNP candidate. However, he could not even secure the support of the other Left Parties at the end due to a lack of consensus among them. 50 The JVP, after its unsuccessful attempt to capture power in 1971 by violent means had entered into democratic politics in 1977. Since then, it rejected the anti-systemic struggle 51 which resulted in JVP's participation in the Presidential election of 1982. The JVP nominated its leader Rohana Wijiweera as its candidate with a view to becoming a leading left wing political party in the country. 52 Another leftist party, the NSSP, nominated its leader Vasudeva Nanayakara as its candidate. Among the Tamil political parties, the Tamil Congress leader Kumar Ponnambalam appealed to the TULF to nominate a candidate who

could secure a mandate for a separate state. However, the TULF declined to do so and stated that Tamils had already expressed their desire for a separate state in 1977. Moreover, it called on the people to boycott the Presidential election. Hence, Kumar Ponnambalam himself contested as a candidate of the Tamil Congress. 53

c) Issues

The major issues which the nation encountered on the eve of the first ever Presidential election were: the impact of the open economy introduced by the UNP in 1978, abolition of executive Presidency, restoration of 1972 Constitution and the restoration of the civic rights of those who had been deprived of it. The UNP, instead of issuing a manifesto, sent out a personal letter to the people seeking their support to President J.R. Jayewardene to complete the programmes and policies the party had initiated from 1977. 54 The SLFP sought the people's mandate for the abolition of the Executive Presidency, restoration of the 1972 constitution and restoration of the civic rights of Sirimavo Bandaranaike, reinstating the dismissed workers


54. See the UNP pamphlet named Come My Friends, Let Us Travel Together to the Goal of a Free and Just Society, (Colombo), September 17, 1982.
in the 1980 general strike, issue of ration books and provision for other subsidies.\textsuperscript{55}

The LSSP's objectives were more or less identical with the SLFP's programme. These were: the restoration of the sovereignty of the people, parliamentary democracy and the supremacy of the parliament, restoration of the civic rights of those who had been deprived of them, restoration of subsidies and immediate reinstatement of the victimised strikers with full back pay and compensation.\textsuperscript{56} The JVP promised to nationalise all private lands, factories and business enterprises, reinstate all dismissed workers, and adopt measures to increase local production.\textsuperscript{57} While the NSSP expressed revolutionary objectives in its manifesto,\textsuperscript{58} the candidate of the Tamil Congress sought a mandate from all the Tamils who supported the cause of a separate state.\textsuperscript{59}

On the economic front, the UNP capitalised on the gains made under the open economy, especially on two counts.


\textsuperscript{56} W.A. Wiswa Warnapala and L. Dias Hewagama, n.36, p.17.

\textsuperscript{57} \textit{The Island}, 22 September 1982.

\textsuperscript{58} \textit{Tribune}, 16 October 1982.

\textsuperscript{59} \textit{Ceylon Daily News}, 18 September 1982.
Firstly, the availability of consumer goods under the open economy in contrast to the situation of scarcity during the SLFP government. Secondly, the increasing employment opportunities due to the liberalization policy which had brought down the unemployment rate from 24 per cent in 1973 to around 12 per cent in 1982. Further, the UNP highlighted its achievement in constructing 1,00,000 houses as promised for homeless people. While the UNP sought a mandate from the people to continue with its development projects like the Mahaveli Development Scheme and the Free Trade Zone, housing development programme and the free trade policy, it promised to make Sri Lanka self-sufficient in rice, sugar, textiles and other basic needs of the people. The opposition criticised the UNP for the high cost of living, inflation and the reduction of the food subsidy. The UNP stated its helplessness in controlling the high cost

64. C.R. de Silva, n. 37, p. 40.
of living which it attributed to the worldwide depression.\textsuperscript{65} However, the UNP countered the opposition criticism by pointing out that incomes also went up along with the high inflation which helped the people to overcome the crisis situation.\textsuperscript{66} The SLFP pledged to reform the economy and revalue the rupee to contain the inflation and the increasing cost of living. It also said that the economy would be restructured by utilising national resources to achieve self-reliance. The SLFP proposed to give more importance for the development of agriculture and industries with a view to increasing foreign exchange earnings and generating more employment.\textsuperscript{67} The SLFP candidate, Hector Kobbekaduwa promised that his party would reduce the prices of consumer goods and provide sugar, flour and fertilizer at a subsidized rate.\textsuperscript{68} He also proposed that the SLFP would establish food subsidy, restrict national projects from being privatised and ban the import of onions and chillies.\textsuperscript{69}

\begin{itemize}
\item \textsuperscript{65} Victor Gunewardene, n. 35, p. 135.
\item \textsuperscript{66} Ceylon Daily News, 4 October 1982.
\item \textsuperscript{67} W.A. Wiswa Warnapala and L. Dias Hewagama, n.36, pp. 17-18
\item \textsuperscript{68} Ariel, Parties and Manifestoes-1, SLFP's Programme, Tribune, 2 October 1982.
\item \textsuperscript{69} Victor Gunewardene, n. 35, p. 135.
\end{itemize}
On the political front, President J.R. Jayewardene pointed out that while the SLFP postponed the election by two years in 1975 he advanced it by more than one year. He asked the people whether they wanted to take the country back to the days of autocratic rule, shortages of consumer goods and high unemployment or to proceed towards prosperity. While Jayewardene assured that the UNP would stand by the democratic rights of the people, he highlighted that his party was the one that secured the voting rights for the people. However, one embarrassing moment for the UNP was when Jayewardene commented that after this election the electoral map of Sri Lanka may be rolled up, since it would not be needed for another ten years. The opposition parties capitalised on this and warned the people that voting for Jayewardene would be the end of Parliamentary democracy. It led Jayewardene to reiterate his commitment to the electoral process in his address to the people over television. During his campaign in Jaffna, Jayewardena

70. C.R. de Silva, n. 37, p. 41.
73. K.M. de Silva, Howard Wriggins, n. 36, p. 532.
74. W.A. Wiswa Warnapala, and L. Dias Hawagama, n. 36, p. 22.
appealed to the Tamil people to vote for anyone they like but insisted that they should take part in the election.\textsuperscript{75} The opposition parties, the SLFP, LSSP and NSSP, took a common stand about replacing the 1978 Constitution with the 1972 Constitution. They criticised the Presidential system on the ground that it was a rule of one man and one party.\textsuperscript{76} However, the UNP countered the criticism by arguing that the 1978 constitution was best for the country, since it guaranteed the fundamental rights of the people, safeguarded democracy and ensured peace, security and political stability.\textsuperscript{77} Jayewardene pointed out that parliament cannot be extended without the people’s approval at a referendum.\textsuperscript{78} The SLFP candidate, Hector Kobbekaduwa promised that he would restore the civic rights of Sirimavo Bandaranaike and reinstate those employees who had lost their jobs in the 1980 general strike. Moreover, he also pledged to repeal the Prevention of Terrorism Act thereby hoping to secure the support of the Sri Lankan Tamils.\textsuperscript{79}

\textsuperscript{76} Victor Gunewardena, n. 35, p. 131-32.
\textsuperscript{77} ibid, p. 132.
\textsuperscript{78} \textit{Ceylon Daily News}, 16 September 1982.
\textsuperscript{79} Victor Gunewardena, n. 35, p. 132.
Campaign

Unlike in the past where campaigns were held on the basis of constituencies, the campaign for the Presidential election was held on an all-island basis. Political parties campaigned through public meetings, house-to-house canvassing and the mass media. One of the significant developments in the electoral history of Sri Lanka was that for the first time political parties utilised the services of radio and television to mobilise support for their candidates. The parties were provided a total of 45 minutes each which could be used on one occasion or on three different occasions (15 minutes on each occasion).\(^8^0\) While Kumar Ponnambalam and Vasudeva Nanayakkara availed only 15 minutes each over radio and television, all the other candidates utilised the time allotted to them.\(^8^1\)

The parties organised all the major public meetings at the district centres and a central place in the electorate to enable the presidential candidates to appear in these meetings. Wherever the presidential candidates could not reach the people, local branches of the parties organised meetings to mobilise support for their party candidates. In


\(^8^1\). Wiswa Warnapala and L. Dias Hewagama, n.36, p. 39.
addition to this, a number of organizations associated with their respective parties engaged in house-to-house canvassing.\textsuperscript{82} Among the five candidates, President Jayewardene was better placed. Since the UNP was in power he could utilise the services of the government machinery for his campaign purposes. Moreover, out of 168 Members of Parliament the UNP alone had 143 members. Of these, 90 held positions in the government and played a crucial role in mobilising support for his candidature.\textsuperscript{83}

At the same time, opposition candidates were dependent on their parties and associated organizations for resources and to mobilise the support of the people. The weakened party structures and intra-party conflicts further added to the troubles of their candidates.\textsuperscript{84} This was evident in the case of the SLFP. Anura Bandaranaike, who was disappointed over his failure to secure the nomination as the SLFP candidate, was forced to come out of his political isolation and campaign for Hector Kobbekaduwa. But this campaign, instead of helping Kobbekaduwa only brought discredit to his candidature. Anura Bandaranaike said in a public meeting that Kobbekaduwa was on a temporary contract under which he

\textsuperscript{82} ibid., pp. 15-16.
\textsuperscript{83} ibid., p.15.
\textsuperscript{84} ibid.
was expected to perform three tasks. They were - restoration of the civic rights of Sirimavo Bandaranaike, the dissolution of Parliament and the restoration of the Constitution of 1972. This led the UNP to caution the people that Kobbekaduwa, once elected, would immediately vacate the Presidency in favour of Sirimavo Bandaranaike. However, Kobbekaduwa argued that if he was elected President he would continue to be President for six years. He also called for the support of the people if he were to be deprived of his post as President.

In addition to this, the legality of Kobbekoduwa's candidature was questioned by the LSSP candidate Calvin R. de Silva, on the grounds that Sirimavo Bandaranike, who lost her civic rights continued to be President of the SLFP, which could lead to the legal contention that she played the role of Kobbekaduwa's agent. He also said that if Kobbekaduwa won the Presidency he might be disqualified by the Court and Jayewardene be declared as the winner. This further created uncertainty among the voters and damaged the electoral prospects of the SLFP candidate.

The three left party candidates could not make much headway in the campaign since their support base was limited to some areas only. Furthermore, while the LSSP and the NSSP candidates' campaigns were fading, the JVP succeeded in influencing a large number of people in its election rallies and meetings.88

Voter Participation

This was the political background when around eight million registered voters went to the polls. This was 22.2 per cent higher than the total voting strength of the 1977 election.89 Among them, 81.1 per cent turned out to vote in the Presidential election. This was 5.6 per cent lower than the 1977 general election which polled 86.7 per cent. This was attributed to the TULF's boycott call in the North and the East, job opportunities in foreign countries which led to a sizeable number of voters being away from the country during the election and the confusion among people regarding preferential system of voting.90

Table 3.1 depicts the votes polled in each province in

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88. C.R. de Silva, n. 37, p. 42.
89. W.A. Wiswa Warnapala and L. Dias Hewagama, n.36, pp.54-55.
90. S.W.R. de A. Samarasinghe, n.32, p.162.
the Presidential Election. Of the nine provinces, except the North and East all other provinces polled more than 80 per cent of votes. The North and Eastern provinces together polled only 60.8 per cent of votes which was 20.3 per cent less than the national average of 81.1 per cent and 23.8 per cent lower than the 1977 general elections which polled 84.6 per cent. Further, while the Eastern province polled 74.7 per cent, the Northern province polled only 49.2 per cent. This may have been due to the composition of the population in these provinces. In the North, where the majority were Tamils, TULF's boycott call had its impact. In the East, however, the population is more or less evenly distributed (Tamils 42%, Sinhalese 21% and Muslims 32.3%). Moreover, the Muslims to a large extent identified themselves with the national politics.

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94. ibid., p.339.
### TABLE -3.1
Percentage of Votes Polled in Each Province in the 1982 Presidential Election

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Total No. of electorate</th>
<th>No. of votes polled</th>
<th>Percentage of votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Province</td>
<td>2,306,676</td>
<td>1,894,033</td>
<td>82.1</td>
</tr>
<tr>
<td>Central Province</td>
<td>953,921</td>
<td>826,890</td>
<td>86.7</td>
</tr>
<tr>
<td>Southern Province</td>
<td>1,154,333</td>
<td>962,492</td>
<td>83.4</td>
</tr>
<tr>
<td>Northern Province</td>
<td>612,798</td>
<td>301,799</td>
<td>49.2</td>
</tr>
<tr>
<td>Eastern Province</td>
<td>510,394</td>
<td>381,417</td>
<td>74.7</td>
</tr>
<tr>
<td>North-Western Province</td>
<td>985,180</td>
<td>845,384</td>
<td>85.8</td>
</tr>
<tr>
<td>North-central Province</td>
<td>406,218</td>
<td>345,496</td>
<td>85.1</td>
</tr>
<tr>
<td>Uva Province</td>
<td>406,745</td>
<td>348,796</td>
<td>85.7</td>
</tr>
<tr>
<td>Sabaragamuwa Province</td>
<td>808,750</td>
<td>696,310</td>
<td>86.1</td>
</tr>
</tbody>
</table>

The election also witnessed an increase in invalid votes. There were 80,470 invalid votes, which was 1.2 per cent of the total votes polled. It was 0.67 per cent higher than the 1977 general election.\footnote{Report on the First Presidential Election in Sri Lanka held on 20th October 1982, n.91, p.104.} It may be due to the new preferential system of voting and the confusion which existed during the election about the mode of voting.\footnote{For more information see W.A. Wiswa· Warnapala and L. Dias Hewagama, n. 36.}

Results

The outcome of the presidential election was considered one of the unusual features of Sri Lanka's electoral history. For the first time since 1956 the people had returned the ruling party for a second term. The percentage of votes polled by each candidate or party is provided in \textbf{Figure 3.1}. J.R. Jayewardene won the election by receiving 52.9 per cent of votes and became the first person to win two consecutive terms. While the SLFP candidate secured a respectable 39.07 per cent of the votes, all the other four candidates lost their deposits -- Rohana Wijeweera secured 4.19 per cent, Kumar Ponnambalam got 2.67 per cent, 0.90 per cent went to Calvin R. de Silva, and Vasudeva Wanayakkara secured 0.26 per cent.

An important development was the failure of the
Percentage of Votes Polled by each Political Party in the 1982 Presidential Elections.

preferential system of voting. Of the 81.1 per cent of the total votes polled, only two per cent of the voters marked their preference.\textsuperscript{97} This could have led to confusion had Jayewardene secured less than 50 per cent of votes in the very first count.

Both the UNP and SLFP increased their voting percentages in the Presidential election compared to the 1977 general elections. While the UNP increased its votes by 2.01 per cent, the SLFP secured 9.35 per cent more than the previous election. The percentage of votes polled in each district by both the UNP and the SLFP in the 1977 Parliamentary and the 1982 Presidential elections are given in Table 3.2. Out of the 22 electoral districts, the UNP secured absolute majority in 14 districts and a simple majority in 7 districts. The only district in which the UNP could not even secure a simple majority was Jaffna, where it secured only 20.4 per cent of votes. Even though the SLFP could not get even a simple majority in any of the districts, it received 35.46 per cent of votes in Jaffna which was 14.92 per cent more than the UNP's vote.

The result also witnessed a small percentage of UNP's Sinhala Buddhist votes shifting to other Sinhala political

\textsuperscript{97} ibid., p.61
### TABLE 3.2

**Percentage of Votes Polled by UNP and SLFP in the 1977 Parliamentary and 1982 Presidential Elections in Each District**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UNP</td>
<td>UNP</td>
<td>Difference</td>
<td>SLFP</td>
<td>SLFP</td>
<td>Difference</td>
</tr>
<tr>
<td>Colombo</td>
<td>57.14</td>
<td>56.71</td>
<td>+ .47</td>
<td>25.02</td>
<td>36.57</td>
<td>+11.55</td>
</tr>
<tr>
<td>Gampaha</td>
<td>54.40</td>
<td>52.50</td>
<td>- 1.9</td>
<td>42.76</td>
<td>43.31</td>
<td>+ .55</td>
</tr>
<tr>
<td>Kalutara</td>
<td>53.53</td>
<td>50.15</td>
<td>- 3.38</td>
<td>24.14</td>
<td>44.05</td>
<td>+19.91</td>
</tr>
<tr>
<td>Kandy</td>
<td>53.72</td>
<td>59.8</td>
<td>+ 6.08</td>
<td>32.69</td>
<td>36.89</td>
<td>+ 4.2</td>
</tr>
<tr>
<td>Matale</td>
<td>62.84</td>
<td>58.11</td>
<td>- 4.73</td>
<td>34.67</td>
<td>36.65</td>
<td>+ 1.98</td>
</tr>
<tr>
<td>Nuwara Eliya</td>
<td>42.96</td>
<td>63.1</td>
<td>+20.14</td>
<td>33.20</td>
<td>33.05</td>
<td>- .15</td>
</tr>
<tr>
<td>Galle</td>
<td>54.23</td>
<td>50.23</td>
<td>- 4.08</td>
<td>28.00</td>
<td>42.96</td>
<td>+14.96</td>
</tr>
<tr>
<td>Matara</td>
<td>55.29</td>
<td>49.32</td>
<td>- 5.97</td>
<td>24.67</td>
<td>43.29</td>
<td>+18.62</td>
</tr>
<tr>
<td>Hambantota</td>
<td>55.62</td>
<td>45.9</td>
<td>- 9.72</td>
<td>36.80</td>
<td>38.73</td>
<td>+ 1.93</td>
</tr>
<tr>
<td>Jaffna</td>
<td>2.59</td>
<td>20.54</td>
<td>+17.95</td>
<td>1.52</td>
<td>35.46</td>
<td>+33.94</td>
</tr>
<tr>
<td>Vanni</td>
<td>27.3</td>
<td>46.41</td>
<td>+19.11</td>
<td>.54</td>
<td>32.83</td>
<td>+32.29</td>
</tr>
<tr>
<td>Batticoloa</td>
<td>25.46</td>
<td>40.05</td>
<td>+14.59</td>
<td>24.59</td>
<td>18.06</td>
<td>- 6.53</td>
</tr>
<tr>
<td>Digamadulla</td>
<td>44.47</td>
<td>56.4</td>
<td>+11.93</td>
<td>25.70</td>
<td>33.0</td>
<td>+ 7.3</td>
</tr>
<tr>
<td>Trincomalee</td>
<td>47.10</td>
<td>48.6</td>
<td>+ 1.5</td>
<td>24.03</td>
<td>33.9</td>
<td>+ 9.87</td>
</tr>
<tr>
<td>Kurunegala</td>
<td>56.81</td>
<td>55.8</td>
<td>- .3</td>
<td>34.21</td>
<td>40.1</td>
<td>+ 5.89</td>
</tr>
<tr>
<td>Puttalam</td>
<td>55.63</td>
<td>59.1</td>
<td>+ 3.47</td>
<td>38.84</td>
<td>36.7</td>
<td>- 2.14</td>
</tr>
<tr>
<td>Anuradhapura</td>
<td>53.29</td>
<td>49.8</td>
<td>- 3.49</td>
<td>39.96</td>
<td>43.5</td>
<td>+ 3.54</td>
</tr>
<tr>
<td>Polonnaruwa</td>
<td>57.80</td>
<td>55.8</td>
<td>- 2</td>
<td>39.12</td>
<td>35.0</td>
<td>- 4.12</td>
</tr>
<tr>
<td>Badulla</td>
<td>59.89</td>
<td>58.7</td>
<td>- 1.19</td>
<td>36.1</td>
<td>36.8</td>
<td>+ .7</td>
</tr>
<tr>
<td>Moneragala</td>
<td>54.73</td>
<td>49.4</td>
<td>- 5.33</td>
<td>40.9</td>
<td>42.5</td>
<td>+ 1.6</td>
</tr>
<tr>
<td>Ratnapura</td>
<td>52.88</td>
<td>50.9</td>
<td>- 1.98</td>
<td>29.55</td>
<td>44.1</td>
<td>+14.55</td>
</tr>
<tr>
<td>Kegalle</td>
<td>55.19</td>
<td>57.0</td>
<td>+ 1.81</td>
<td>30.17</td>
<td>36.9</td>
<td>+ 6.73</td>
</tr>
</tbody>
</table>

parties, especially the SLFP.\textsuperscript{98} Though the UNP increased its votes in ten districts, its votes dropped in 12 other districts. Among these 12 districts, the UNP experienced a drop of more than 3 percentage of votes in six districts. They were Matara, Galle, Hambantota, Matale, Moneragala and Anuradhapura. These votes were gained by both the SLFP and the JVP. While the SLFP gained from Matara and Galle, the shift in votes in the remaining four districts went to the SLFP and the JVP.\textsuperscript{99} Though the SLFP gained from the UNP's votes it failed to perform well in rural areas which hitherto had remained its traditional support base. This was evident from the SLFP's poor performance in Anuradhapura and Polonnaruwa, which could have been due to the UNP government's development policies in these areas.\textsuperscript{100}

The UNP's loss in votes among the Sinhalese Buddhists was, however, neutralised by its good performance among the minorities, especially the Indian Tamils and the Muslims.\textsuperscript{101}

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\textsuperscript{100} W.A. Wiswa Warnapala and L. Dias Hewagama, n.36, p.67.
\end{flushleft}

\begin{flushleft}
\textsuperscript{101} M.P. Moore, n.99, p.63.
\end{flushleft}
Plantation Tamils. The CWC, under the leadership of S. Thondaman, played a crucial role in the UNP's victory by mobilising the support of the majority of the Indian Tamils. This was evident from the fact that the UNP did well in Kandy, Nuwara Eliya, Badulla, Ratnapura and Kegalle. Especially in Nuwara Eliya, the UNP got 63.1 per cent of votes which was 20.4 per cent higher than in the 1977 general election. Although the SLFP had the support of the DWC and United Estate Workers Union it could not make much impact on Indian Tamils. Moreover, the Muslims who had acquired much benefit out of the open economy and job opportunities in the Arab countries extended their support to the UNP all over the island. The UNP gained more votes in Digamadulla, where the Muslims formed 41.5 per cent of the population.

Further, the UNP also had the support of the Sri Lankan Tamils especially those living outside the Northern Province and to a certain extent from the Batticaloa district in the Eastern province. However, unlike other provinces, the

103. ibid., p.66.
104. ibid., p.65.
SLFP increased its votes in the North by a big margin. While the SLFP polled only 5000 votes in the 1977 election, it got 101,000 in the 1982 Presidential election. Though the UNP secured 31,000 in 1977, it was able to increase its votes to only 81,000 in 1982. While this may have been due to the UNP government's repressive policy, it was also attributed to the Tamil farmers who gained from the ban on imports of various vegetables and other subsidiary food crops during the SLFP's rule.106

Among the Left parties, only the JVP was able to secure a reasonable 4.73 per cent of votes. The JVP polled more than 20,000 votes in Kurunegala, Hambantota, Matara, Galle, Gampaha and Colombo.107 Calvin R. de Silva of LSSP and Vasudeva Nanayakkara of NSSP surrendered their support base to the SLFP and the JVP candidates. Kumar Ponnambalam of Tamil Congress was able to secure a simple majority only in Jaffna district. While in Batticaloa he came second by securing 39.22 per cent, in Vanni and Trincomalee he secured only third place by polling 16.28 per cent and 10.76 per cent respectively.108

106. ibid., pp.66-67.
Conclusion

The introduction of Presidential system and the changes brought in the electoral system led Sri Lanka's electoral politics into a new phase. Firstly, the direct election of a President on the basis of an absolute majority (one half of the total votes polled plus one vote) altered the equations of the post. Since the two main political parties' (the UNP and the SLFP) support base in terms of votes were evenly divided among the Sinhalese, the minorities' votes became crucial in deciding the outcome. It was hoped that this would prevent any party or candidate, who aspires to occupy the office of the President to campaign on sectarian lines. This was evident from the 1982 Presidential election in which neither the UNP nor the SLFP raised issues that were communal in nature. Secondly, parliamentary election under proportional representation system would remove the disparity between votes and seats secured by the political parties. More importantly, under the new system it was rather difficult for any party to secure two-thirds majority. This would enable minority group parties to play a more active role in Parliament. Thirdly, the referendum would add to the increased participation of people in decision making.

The first Presidential election was held when the
economic and political situation was favourable to the UNP. The main opposition party, the SLFP was in total disarray owing to intra-party conflict after its leader Sirimavo Bandaranaike was deprived of her civic rights. Moreover, there was no unity among the opposition parties, especially between the SLFP and the Left parties which had been a winning combination in the past. The LSSP and the NSSP's decision to contest the Presidential election eroded the chances of the SLFP candidate.

The election was contested more on the basis of economic and political issues than communal ones. The UNP was better placed than the opposition because of its economic policies which had removed the scarcity of consumer goods and reduced the unemployment problem by half. Although the opposition criticised the UNP's economic policies, it could not provide any viable alternative economic programme. Instead, the opposition put their efforts more on political issues such as re-instating the 1972 Constitution and restoration of civic rights of those who had been deprived of it. Thus, the intra-party conflict within the SLFP and the disunity among the opposition, coupled with the opposition's failure to present an alternative economic programme, resulted in President Jayewardene's victory in the 1982 Presidential election.