

Regional Governance for Sri Lanka

China selectively devolved administrative responsibilities to Hong Kong and Macau while remaining as a unitary country. This is a suitable model for Sri Lanka. Based on this Chinese system, this document describes a political infrastructure, an approach to evolve that infrastructure, and solutions provided by this infrastructure for existing contentious issues.

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Thank You

Sri Lanka is not a rich country, yet it provides free education even at the university level. People of Sri Lanka have access to doctors with no cost. This small developing country provides these services for free to its 20.33 million people today, year after year for last 65 years. I benefited from these services when I was a Sri Lankan citizen, and I thank all those public servants and visionary leaders who made this possible for the people of Sri Lanka. The proposal in this document is a small contribution to the country that made me.

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Complete document is available in the following link:

English: <http://fathersara.info/solution/English.pdf>

Tamil: <http://fathersara.info/solution/Tamil.pdf>

Sinhala: <http://fathersara.info/solution/Sinhala.pdf>

1. Introduction

A communist revolution in 1971 and 1990 at one side, and ethno-nationalist civil war on the other side, have kept Sri Lanka away from economic growth enjoyed by other Asian countries and territories such as Hong Kong, Macau, Singapore, Malaysia, Taiwan and South Korea. Limited economic growth kept people poor and prone to corruption.

Like many other countries, Sri Lanka is also a country of interest for several international powers. India, China and the US are most notable among these powers. Civil war in Sri Lanka for last 30 years was a primary cause for international interference. War ended but causes of the war are still a concern for both the government of Sri Lanka and international powers. The US and Tamil politicians are saying if these causes are not addressed appropriately the war may revive. The government of Sri Lanka is also wary, and anticipates trouble. Large segments of armed forces are still retained in former war zones which are too expensive to maintain. International powers seem to exploit this insecurity for their own benefits.

Sri Lanka could not find a solution for last 30 years, yet it did not explore all possible solutions. Tamil leaders felt a separate country is the best solution, and they did not propose any other solution in the last decade. Prior to that, they proposed a federal system and a fifty-fifty power sharing between Sinhalese and minorities but Sinhalese leaders did not accept these proposals. India promoted a provincial council system for Sri Lanka. This system has been implemented, but without any benefits. Many Sinhalese leaders want to remove the provincial council system, but India is pressurizing Sri Lanka to fully implement it.

There are other possibilities like first nation territories in Canada, native reservations in the US and 'one country – two systems' model of China but these systems of governance were not studied for their suitability for Sri Lankan situation. 'One Country – Two Systems' is the political structure of today's modern China. This system allows the unitary communist government of China to include democratic Hong Kong and bureaucratic Macau.

Sri Lanka also wants to preserve its unitary nature while integrating minorities fully within its political system. Even though minorities participate in the political system of Sri Lanka, there are number of issues in the level of integration which culminated in a 30-year civil war. These issues still persist, and until a suitable system of governance is

introduced, these issues may persist. In this document a governing structure based on China's 'One Country – Two Systems' model is presented as the most suitable form of government for Sri Lanka.

2. Causes of Civil War

Ethno-nationalism among Tamils picked up momentum in late 1950s with Sinhala Only policy and riots. Reasonable use of Tamil was allowed. In Tamil-speaking areas medium of education and government operations are in Tamil. However, because of highly centralized administration in Sri Lanka, people need to communicate with offices in Colombo which requires fluency in Sinhala. Lack of fluency in Sinhala caused misery to people because they could not respond to legal and financial directives from the government. The largest employer of the country is the government. Lack of Sinhala fluency could be one of the reasons for unemployment in Tamil speaking areas.

Protests against government are brutally suppressed in Sri Lanka. Violence against minorities in Sri Lanka was not contained effectively because of political reasons. These experiences led Tamil political leaders to seek regional administration with police powers.

Neighboring India has a federal government system. One of the federated States in India is a Tamil state called Tamil Nadu. This state is economically and politically influential in India. Tamil politicians in India pressured Indian government to support Tamil minorities in Sri Lanka. India not only provided political support but also allowed support for armed revolution in Sri Lanka. Because of Indian pressure, in 1987 a provincial council system was established in Sri Lanka. Sri Lankan people – both Tamils and Sinhalese – opposed the provincial council system at that time; only a fraction of Tamil politicians supported it.

3. Provincial Councils

Tamil speaking minorities live primarily in Northern and Eastern provinces. There is also a significant Tamil speaking population in the central province and hillside of the country. Muslims of Sri Lanka also speak Tamil. They live in all provinces even though they are primarily concentrated in the Eastern province.

After the end of civil war, opposition to provincial council system among minority political leaders became insignificant. India is pushing for full implementation of the provincial council system. Full implementation of the provincial councils

provides powers to provincial councils that is not consistent with the unitary nature of the Sri Lankan government. Majority Sinhala Buddhists are against changing the unitary government system. Politicians will not consider any constitutional change that would be opposed by the Sinhala Buddhists. Besides, provincial councils of other 7 provinces in Sri Lanka are neither needed nor asked by the people in those regions. Cost of these provincial councils is a total waste of limited Sri Lankan revenue.

4. Concerns of Sinhala Buddhists

Just because Sinhala Buddhists are the majority in the country, assuming they do not have grievances could be a serious mistake.

Sinhala Buddhists need protected regions where they could introduce traditional Sinhala Buddhist system of governance. In these protected regions Sinhala Buddhists could ban animal slaughtering; vociferous practices of other religions and proselytizing. These are detrimental for Sinhala Buddhist way of life. A unique governing structure – similar to a provincial council – could collect taxes, renovate Sinhala Buddhist cultural centers, temples and artifacts and guide education system for traditional Sinhala Buddhist grooming of the next generation.

Protection of Sinhala Buddhist heritage and culture require police powers. Therefore the regional administration should have police powers. However, like in the United Kingdom, firearms units may be separately managed by the central

Unlike Tamils and Muslims, Sinhalese live as indigenous people, only in Sri Lanka. Therefore Sri Lanka is the only country where the Sinhalese culture could be protected and enhanced. Sinhalese are concerned that the government does not provide sufficient attention for protecting their culture, religion and heritage.

5. Tamil Speaking Minorities

Successive governments were unable to provide satisfactory Tamil language services. Reasonable use of Tamil was insufficient because central administration functions in Sinhala language.

All domestic services of the government should be completely available in Tamil language to people in Tamil speaking regions. Therefore all these services could be decentralized to a local administration that would function in Tamil. Obviously, foreign policy, national defense and monetary policy are not domestic services. These services



Figure 1: Sinhala population compared to Tamils in the world.

would remain under the direct control of the central government.

Many among Tamil speaking minorities died and injured in ethnic riots and violence of armed groups. Many of these cases were never investigated and others were unresolved. Violence continues even today. Therefore minorities are asking for police powers, so that, they hope that they could have a better police system. This is a reasonable request. However, Sinhalese are concerned that the power to hold firearms to Tamils could result in armed violence against Sinhalese. Given the history of 30 year ethno-centric civil war this fear is justifiable. Therefore, regional administration should not have control over firearms. But police powers without firearms - like in the United Kingdom, could be devolved to regions. Firearms units under the direct control of the central government should provide support whenever it is requested by the regional administration. Police powers and firearms units are discussed in detail in another section in this document.

Tamil is a common language for ethnic Tamils and Muslims. However, historically there have been conflicts of interests between them. Therefore any governing system for Tamil speaking region should include mechanisms for resolving such conflicts of interests whenever they arise. A two-chamber (bicameral) legislature is a suitable mechanism for this, and it will be discussed in another section of this document.

6. Police Powers and Firearms Units

While regional police would not carry firearms, it could call firearms units for support when necessary. Separating firearms unit and placing it under the central government alleviates fears about armed revolution of regional administrations.

There could be a concern that these firearms units may threaten regional administrations because firearms units would not be answerable to regional administrations. In order to ensure that firearms units have the trust of regional administrations, the head of a firearms unit must be approved by the respective regional administration before the head takes up the responsibility. Regional administration may at any time withdraw its approval with a 30-days' notice, and the central government must replace the head within that period. If such replacement does not take place, the firearms unit would be dysfunctional until a head is appointed. The regional administration may request services from other firearms units. In the past there were incident where armed forces and police were accused of crime. Political leaders, international



Figure 2: British police does not carry firearms

British police does not carry firearms. Instead they use handcuffs, baton, Taser and other tools. They also do extensive detective analysis, community networking and communication.

Firearms unit is a special division of British police. Firearms unit is called only if weapons are involved in a crime scene.

governments and human rights activists have stated that accusations against armed forces and police were rarely investigated. Therefore, regional administrations would be concerned about stationing firearms units while regional administrations do not have means of controlling these units. Therefore firearms units should not function unless they are called upon by regional administrations. If one firearms unit violates general law and order, regional administration must have the capability to call another firearms unit or the national defense services to contain the situation.

7. Poverty and Global Market

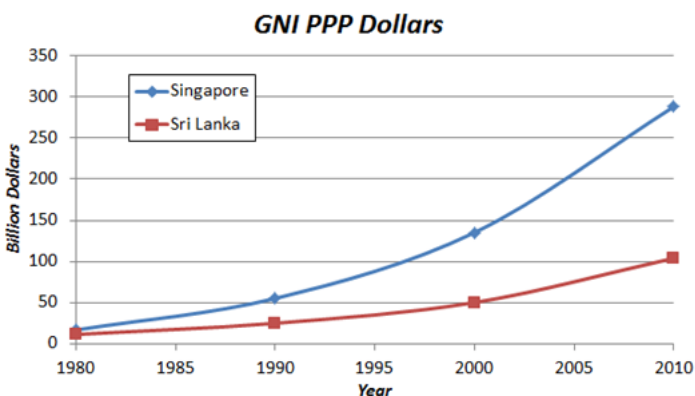
Most people in Sri Lanka are still poor. This is an island nation with limited resources. Industrialization and access to global market helped many similar countries to come out of poverty. One such country is Singapore. Access to global market needs fluency in English. Singapore, with majority Chinese speakers, chose English as their educational and working language from the day of their independence. Singapore built a successful meritocratic society. Today Singapore is one of the wealthiest countries in the world.

In order to improve global market access, English use and industrialization, Sri Lanka needs a region similar to Singapore, Hong Kong or Macau. This region must be able to promote a meritocratic society. The regional administration needs

powers to finance a meritocratic education and employment system. This region could lead the country to become another Asian miracle – like Singapore, Taiwan, South Korea, Hong Kong or Macau.

It is well-known that the Tamil diaspora and Sinhalese exile communities are against the current government of Sri Lanka. Behind this opposition, a strong interest of returning to Sri Lanka is motivating these communities. In order to return, they expect similar quality of live they are accustomed in their current resident countries.

They would gladly come back and invest if they could find a Singapore or Hong Kong in Sri Lanka. A global business region would be ideal for these exile communities to return. Since one US dollar is more than 100 Sri Lankan rupees, wealth of each person in diaspora communities is roughly equal to the wealth of 100 people in Sri Lanka. Therefore wealth of one million Tamil diaspora alone exceeds the total wealth of half of the population of Sri Lanka. Sri Lanka needs



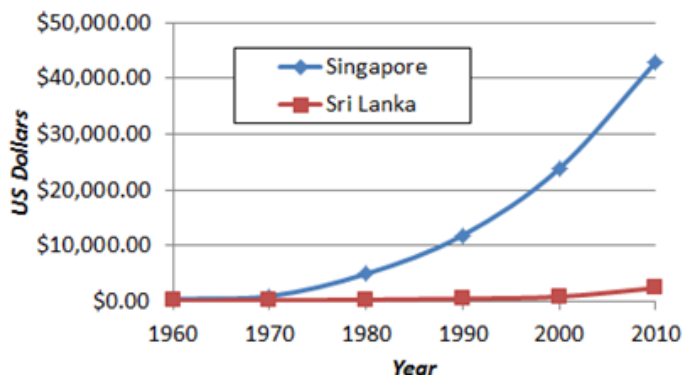
Gross National Income (GNI) measures the total income of a country. It is sometimes measured in Purchasing Power Parity (PPP) Dollars. PPP dollars show the differences in purchasing the same type of goods and services in currencies of different countries. In 1980, GNI of Singapore was 50% higher than that of Sri Lanka. In 2010 GNI of Singapore was 177% higher than that of Sri Lanka.

8. Innovative Government Structure

Current provincial councils do not address concerns of all the people in Sri Lanka. An innovative governing structure that would provide space and power to Sinhala Buddhists, Tamil speaking minorities and for industrialization is necessary.

Local administrations for conservation of Sinhala Buddhist tradition, Tamil language use, and global business opportunities could be introduced without changing the unitary nature of the country. China has shown this possibility when it took back Macau and Hong Kong. These

GDP Per Capita



Gross Domestic Product (GDP) per capita measures productivity of an average person in a region. Total value of all produced goods and services divided by the population provides GDP per capita. It reflects the standard of living in a country or territory. Standard of living in Singapore was 2 times of Sri Lanka in 1960. In 2010, standard of living in Singapore is 18 times that of Sri Lanka.

two territories were colonies of Portugal and United Kingdom respectively. Hong Kong and Macau have their own government structures. When China took them back in late 1990s, it introduced a Special Administrative Region (SAR) system for these two territories. Chairman Deng Xiaoping introduced SAR under an innovative policy of 'One Country, Two Systems'. Democratic and capitalist way of Hong Kong and Macau were preserved while they are part of Communist China. Even today Hong Kong and Macau are successful parts of China, with their political and business lives smoothly moving forward. People of mainland China benefited immensely from the success of Hong Kong and Macau.

9. Special Administrative Regions for Sri Lanka

Following China's 'One Country Two Systems' example, Sri Lanka could introduce 3 Special Administrative Regions (SAR) within its unitary system of governance. These could be named as:

1. Sinhala Buddhist Conservation Region,
2. Tamil Speaking Region and
3. Global Business Region.





These would be special regions designated for specific purposes. Rest of the country would remain under the direct administration of the central government as it is today. People would have freedom to settle down anywhere within these special administrative regions (SAR) or in any part of the country under the direct administration of the central government.

As part of the government, these SARs would help the central government to administrate the country in a more efficient way. These SARs would take some of those difficult responsibilities of the central government, such as providing Tamil language services; protecting Sinhalese Buddhist culture; and global business development, but perform these functions in a more specialized manner. The country would remain as a unitary state as it is in China.

These three SARs could have similar powers like Hong Kong and Macau. Only domestic services of the government need to be devolved to these SARs. These regions do not need to be contiguous. Tamil language administration is necessary in some parts of north, east and central regions where people cannot communicate in Sinhala or English, but these regions

activity would have highest priority with all resources focused primarily on this function, namely conservation and promotion of Sinhala Buddhist culture and heritage. The same is applicable for other SAR as well. Tamil language use would continue in all regional administrations and throughout the country as it is today. In Tamil speaking SAR the highest priority would be given for providing administration in Tamil language. While business activity would continue in all regional administrations and throughout the country, within Global Business SAR all resources would be allocated with highest priority to business development and industrialization. Other regional administrations and institutions such as temples and businesses in other regions could establish their own businesses within Global Business SAR for generating

People in divisional secretariats would use self-determination to decide with which SAR they would join or not to join any SAR at all. Lowest granularity of decision making is polling booth vicinity.

 - Global Business Region
 - Sinhala Buddhist Region  - Tamil Speaking Region  - Direct Central Government







 vote	Example 1: More than 5/6 people (83.33%) in this divisional secretariat decided to join in Sinhala Buddhist SAR. Therefore they would be part of Sinhala Buddhist SAR.	 decision
 vote	Example 2: More than 5/6 people (83.3%) of this divisional secretariat voted to join with Tamil speaking SAR, but those opposed voted to join with Sinhala Buddhist SAR. The latter would join with neighboring Sinhala Buddhist SAR.	 decision
 vote	Example 3: This divisional secretariat could not decide its destiny with a 5/6 absolute votes. Therefore the divisional secretariat will continue under the direct governance of the central government.	 decision

Table: Self-Determination of all People

may not be contiguous. Similarly, regions suitable for building a global business with English language administration may not be contiguous. Vast stretches of lands with Sinhala Buddhist heritage would be under the Sinhala Buddhist regional administration. Rest of the country would be directly under the central government.

Regional administration does not confine a particular activity (such as conserving and promoting Buddhism) to that region. In contrast, that activity would still continue in all the regions and throughout the country, while within its specialized SAR it would be performed in an enhanced manner. For example, conservation and promotion of Sinhala Buddhist heritage and culture would continue in all regional administrations and throughout the country, but in Sinhala Buddhist SAR this

income for their own regional and institutional development.

A regional administration would be only a part of the government of a SAR while the central government would be still in control on many aspects. Notably, national defense, foreign policy and monetary policy would be under the control of the central government. Firearms units of the police force also would be under the direct control of the central government.

10. Self Determination

No change in Sri Lankan political structure is possible without the support of people. People must have the right to decide whether they want to be part of a SAR or not. If 5/6 voters of

a divisional secretariat choose to be part of a particular SAR - for example to be part of the Sinhala Buddhist region - the government must grant that wish.

If the 1/6 who decided differently in a divisional secretariat are at the border of a divisional secretariat and the divisional secretariat at the other side of the border also wishes the same as this 1/6 of the population, this 1/6 population could be joined within the SAR they preferred. Modern computing facilities enable such voting pattern analysis. Example 2 in the above table shows this scenario.

In some other divisional secretariat this 1/6 population may have been scattered throughout the divisional secretariat. In this case, these people should be allowed to get transfers to

Exchange companies may be established for exchanging properties and employments. SAR and the central government could facilitate employment and property exchanges so that people could move to their SAR of choice. Internet systems could be established in order to facilitate these exchanges. Moving a living space is an expensive process. Government loans, bank loans and in some cases grants may be made available, so that financial burden to people would be bearable.

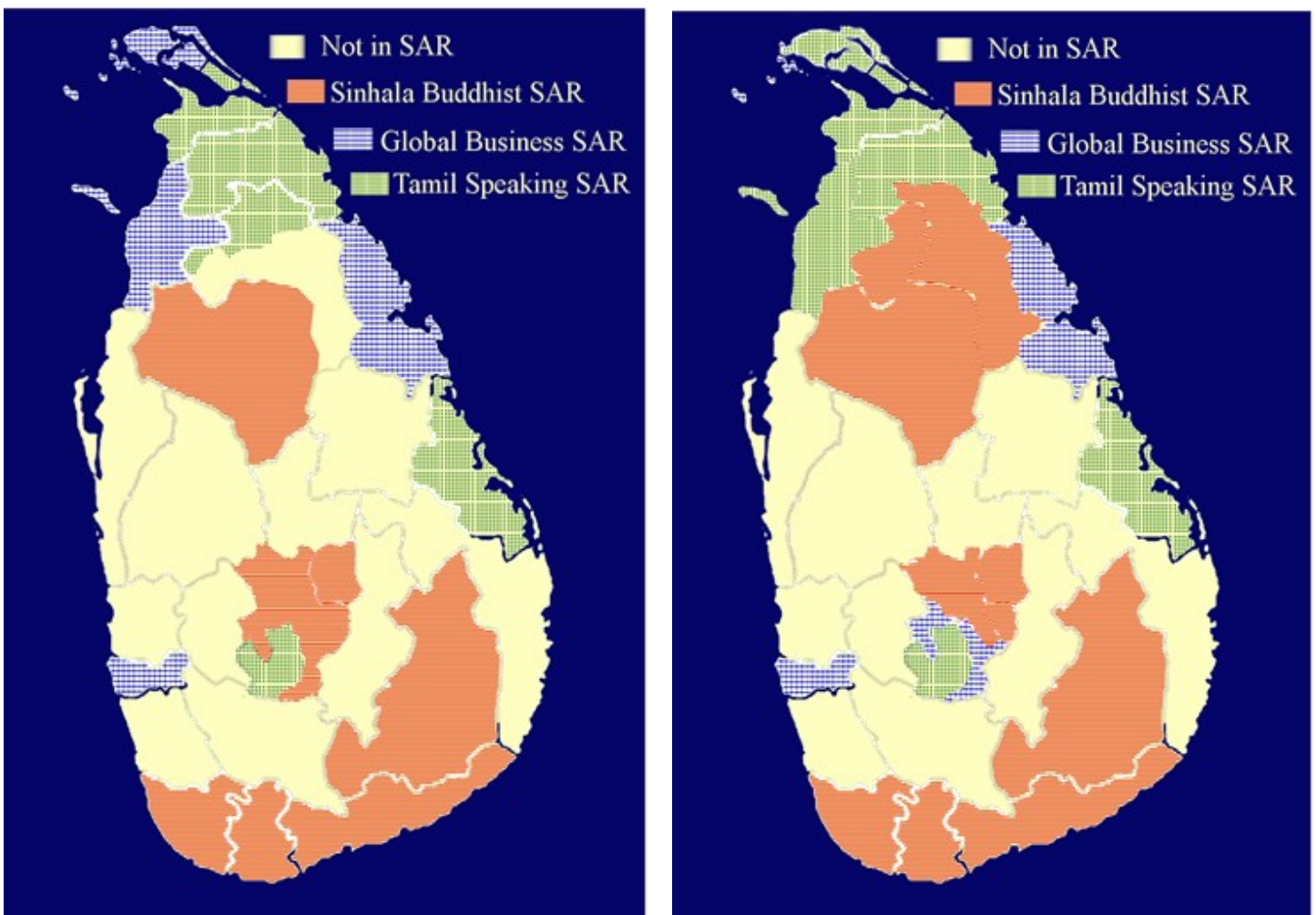


Figure 3: Two examples of people's self-determination of SAR boundaries. These are only imaginary hypothetical examples because it would be the people who would decide their destiny using their right of self-determination.

their chosen SAR, and they should get help for exchanging properties. But this transfer should happen only on their own choice and free will – it should not be imposed by any authorities.

11. Senate

Sri Lanka had a second chamber – senate, for a brief period in its early stages after independence from Britain. Recently the main opposition party proposed a second chamber that would have provincial council representatives. Therefore Sri Lankan political leaders see a senate as a part of the solution.

The senate could be the guarantee against arbitrary dissolution of this proposed SAR system. Senators would be elected directly by people. Equal number of Senators would be elected from each SAR. Like in any other bicameral parliamentary system, here too both Senate and House of Representatives need to pass any bill for it to become law. Any resolution must be passed by both chambers. These chambers would be called as Senate and the House of Representatives as in the United States of America.

One of the reasons for Tamil political leaders seeking a federal government system is the fear that a unitary government could anytime take away any powers devolved to regional administrations. Since Senators represent their respective SAR, it would not be possible to take away regional devolution. However, if a particular SAR oversteps its authority, with approval from both chambers of the parliament, that particular administration could be dismissed. A court of law also could dismiss a regional administration. A re-election should follow for that regional administration.

12. Role of the Central Government

The central government would govern the whole country as it is today. SAR systems are special for specific regions, and for special purposes. Matters under specified special purposes must be within the domain of SAR. All other matters would be within the control of the central government.

For example, Sinhala Buddhist SAR would have the responsibility to manage religion, culture, food, health, safety, construction, architecture and educational affairs within its territory. The SAR would tax services and properties in order to earn revenue for its expenses. Tamil language SAR would have similar responsibilities, but in addition, it would also provide language translation services and functions as conduit to central government communication. Global business SAR would have commercial, industrial, investment, English use and media management responsibilities in addition to religious, cultural, health and safety responsibilities. These are examples; not an exhaustive list of responsibilities. Universities and research institutes in Sri Lanka could help the government for developing exhaustive lists of responsibilities that should be devolved to SAR or retained at the central government level.

The central government and a particular SAR may negotiate areas of responsibilities based on its specialty. For example, the central government would expect the Tamil speaking SAR to take Sinhala – Tamil translation services for people living in that region. These services are necessary if people in that region need communication with the central government, other SAR and other organizations. Central government would no longer administrate Tamil language education or government services for the people administered by the Tamil speaking SAR. However, the central government cannot expect similar responsibilities from other SAR, because those administrations would not have that capability. For example, the central government cannot expect the Sinhalese Buddhist SAR to provide Tamil medium education. If there is a need for that, the central government should provide that.

Another area of negotiation is Hindu and Islamic religious services. The central government could ask Tamil speaking SAR to take over these responsibilities. There would be Hindus and Muslims in the area directly administered by the central government and other SAR. They need Hindu and Islamic religious support. The central government would provide these services as it is today, but the quality of these services could not be better than the services expected from Tamil speaking SAR. Similarly, Sinhalese Buddhist would expect the central government to provide services and support for Sinhalese Buddhist culture and practices within area under the direct administration of the central government and other SAR. While the central government is obligated to provide these services, these services would not be better than the services provided by the Sinhalese Buddhist SAR.

Transferring these services to SAR would relieve the central government to focus on other important activities in its domain such as foreign policy and national security. Since SAR administrations need to find their own money from tax and other revenue such as services and products, transferring these services to SAR would also relieve the central government from finding funds for these services.

13. Executive Authority

Currently the executive authority of a provincial council is the governor. Today the governor is appointed by the president. Since the governor is not elected by people, the governor is not answerable to the people of the province. This is one of the factors that makes today's provincial councils inefficient.

In SAR system, people would have the right to elect their governor. The governor would report to the president. The

president may dismiss the governor because of unlawful activities.

14. Religious Minorities

Religious minorities in Tamil speaking SAR need a mechanism in governance that would protect them from biased legislations. A bicameral legislature for Tamil speaking SAR would have a second chamber for religious representation. Hindu, Islam and Christian religious interests would be represented by 2 senators for each religion. All other religions including Buddhists and Atheists would be represented by 3 senators. Catholics would be considered as Christians in this representation. All laws and resolutions require approval from both chambers.

Catholics, other Christians and other religious minorities would prefer to live either directly under the central government or within Global business SAR. Under the central government these minority communities would enjoy the same freedoms and rights as it is today. Within global business SAR they may enjoy similar freedoms and rights because such freedoms and rights are vital for business development, industrialization and modernization of the country.

15. Future Government

A modern democratic government has 3 independent components: legislature, judiciary and executive. Sri Lanka government is a modern democratic government with these 3 components. Special Administrative Regions (SAR) of the Sri Lanka government would also practice modern democratic governance with their respective independent legislature, judiciary and executive.

15.1 Central Government

15.1.1 Parliament

The parliament would have 2 chambers: the House and Senate. House representatives, who are now called as Members of Parliament (MP), would be directly elected by people. These house representatives would represent their respective electorate in the Parliament as is today.

Senators would represent SAR. For each SAR, 5 representatives would be elected by the people living in the respective SAR.

15.1.2 Cabinet

The cabinet would be headed by the Prime Minister. Cabinet ministers would lead parliament standing committees of their respective responsibilities. Unlike today, ministers would only focus on legislative process. Their role in executive process today is a cause for conflict of interest, particularly when the executive president is from an opposition party. Therefore, the role of cabinet ministers in the executive process would not continue in the new government structure.

15.1.3 Presidential Secretariat

The President would be the head of the executive branch as is today. Presidential secretaries similar to the members of the United States cabinet would assist the President in executing his/her directives. These secretaries would be referred as Secretary of State, Secretary of Treasury etc., as in the United States. Presidential secretaries would be chosen by the President based on merit and experience. However, all such

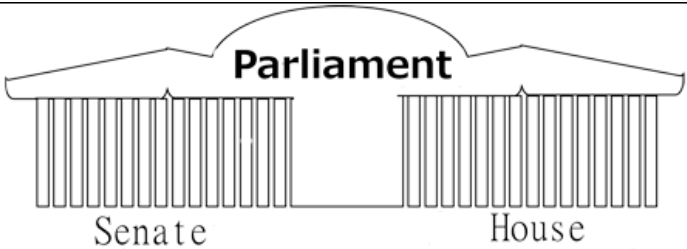
<p>Chief Executive: The President People would elect the President directly by popular voting process as it is today.</p>	 <p>Bicameral Supreme Parliament would have 225 representatives in the house and 15 senators. Each SAR would be represented by 5 senators directly elected by people.</p>
<p>Highest Judiciary: The Supreme Courts of Sri Lanka</p>	

Table 1: Future Central Government of Sri Lanka

appointments should be approved by associated standing committees.

15.1.4 Judiciary

The supreme courts would lead the judiciary, and it would have final say in any legal disputes. The Chief Justice would head the administrative branch of the courts system. Any appointment and removal of supreme courts justices and chief justice would be performed by the President, and a parliament standing committee should approve these changes.

15.2 Sinhala-Buddhist SAR Administration

The people in Sinhala Buddhist SAR would elect 43 members, but this number would be finalized only based on the number of divisional secretariats joining in Sinhala Buddhist SAR. The legislature would be a single house because a bicameral system is not needed for this homogenous community. But the people of this SAR may decide otherwise.

15.3 Tamil Speaking SAR Administration

Unlike Sinhala Buddhist SAR, Tamil Speaking SAR would have multiple religious communities – Hindus, Muslims, Christians including Catholics and Evangelists and other communities such as Tamil Buddhists, agnostics and atheists. Therefore, the legislature of Tamil speaking SAR needs a bicameral structure with a senate providing representation for interest of these communities (Table 3).

15.4 Global Business SAR Administration

Global Business SAR would be similar in structure of Sinhala Buddhist SAR. Global business SAR would have a wide spectrum of ethno-religious mosaic, but the people in this region would be interested in modern economic development rather than religious or ethnic interests. Delays in making laws and passing resolutions inherent to a bicameral system are detrimental for fast economic development. Therefore introducing a bicameral system to global economic region would be defeating the purpose of creating this region in the first place.

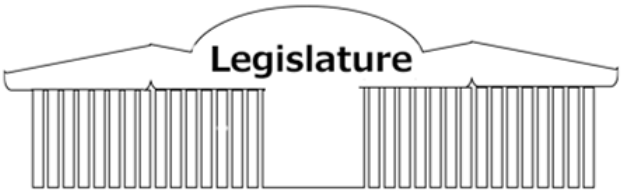
<p>Chief Executive: Governor People would elect the Governor directly by popular voting process. The Governor would report to the President.</p>	 <p>Residents of Sinhala Buddhist SAR would elect 43 Legislative Members directly using popular voting process.</p>
<p>Highest Regional Judiciary: Supreme court of Sinhala Buddhist SAR</p>	

Table 2: Sinhala Buddhist SAR Administration

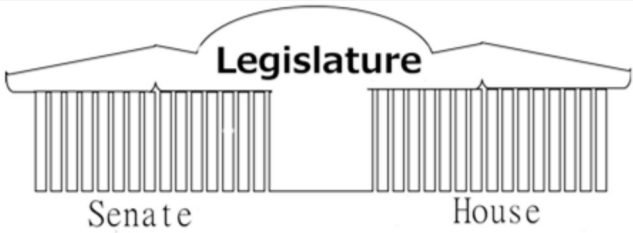
<p>Chief Executive: Governor People would elect the Governor directly by popular voting process. The Governor would report to the President.</p>	 <p>Residents of Tamil speaking SAR would elect 21 house representatives and 9 senators directly using popular voting process. There would be 2 senators representing Hindus, 2 for Muslims, 2 for Christians and other 3 would represent Buddhists and others.</p>
<p>Highest Regional Judiciary: Superior court of Tamil Speaking Region</p>	

Table 3: Tamil Speaking SAR Administration

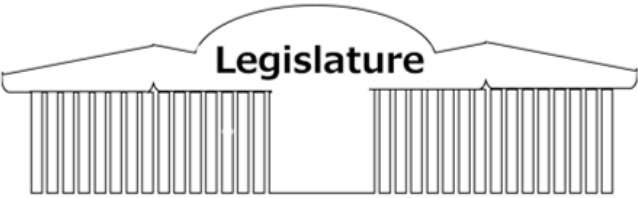
<p>Chief Executive: Governor People would elect the Governor directly by popular voting process. The Governor would report to the President.</p>	 <p>The Global Business Region would have 21 Legislative Members directly elected by people in popular voting process.</p>
<p>Highest Regional Judiciary: Superior court of Global Business Region</p>	

Table 4: Global Business SAR Administration

15.5 Regional Cabinets

Regional cabinets would be modeled based on the parliament. Cabinet ministers would be responsible for legislative process and head respective standing committees. They would not be responsible for executive process.

15.6 Regional Secretariats

Regional secretariats would be responsible for regional executive process. Secretaries of Governor in regional secretariats would perform similar functions as Secretary of State, Secretary of Treasury etc., but only at regional level. Secretaries of Governor would be chosen by the Governor based on merit and experience, and they would be referred as Regional Secretary of State, Regional Secretary of Treasury etc. Any appointment for a secretary of governor should be approved by relevant standing committee of a SAR administration.

15.7 Regional Judiciary

Regional judiciary would be independent of executive and legislative branches. Regional superior court would be the highest legal authority within a SAR administration. Superior court would have the final decision making authority on any legal dispute within a SAR and within the domain of SAR administration.

16. Inter-Regional Disputes

Inter-regional disputes should not be allowed to escalate to violence. Since executive branch of SAR would be responsible for peace and harmony within SAR administration, governors should be held responsible for any regional disputes escalate to violence. A clear and well-defined accountability and containment action are required to manage potentially disastrous inter-regional disputes. Example for such a definition is: 'If 3 or more people were killed within 3 days of

the beginning of an inter-regional dispute, both SAR governors and their regional secretariats should be automatically dismissed and replaced by an interim administration by the President”.

17. State Land

Land within physical boundaries of a SAR would be under the administration of that SAR if it falls under the special interest of that SAR. For example, a state land with a Buddhist temple within the region of Sinhalese Buddhist SAR would be administered by the SAR, but a land with a military base would be administered directly by the central government.

All unused state lands within SAR boundary would be under the administration of the SAR so that the SAR government could generate revenue for its expenses. All unused state lands outside of any SAR would be directly under the administration of the central government.

18. Finance

Sri Lanka has large trade deficit and very large foreign and domestic loans. The country is depending on financial help from other countries. This situation must be reversed. SAR systems must be part of this reversal process. Money needed to operate a SAR must be found by the SAR government. This includes salaries of legislators and election costs. Revenue for a SAR could come from:

1. personal income taxes,
2. sales taxes,
3. transportation taxes,
4. selling services to other SAR, central government and private companies, and wealth and job creation.

While foreign direct investment (FDI) should be encouraged, borrowing from foreign entities must be done with the consent and consultation of the treasury of the central government and central bank.

Global Business SAR is perhaps the best place for other SAR administration such as Sinhala Buddhist SAR and Tamil Speaking SAR for generating wealth for their own regional development. For example, Sinhala Buddhist SAR could encourage their regional residents and businesses to establish branches in Global Business SAR. This is similar to having a Singapore or Hong Kong within Sri Lanka itself with no visa restrictions and airfare costs, where people of Sri Lanka could establish their own businesses, promotions and employments.

19. Universal Rights

All people have certain universal rights. These rights are accepted as fundamental rights of all humans by the United Nations and all recognized countries. Sri Lanka is one of these countries. Therefore SAR and the central government should continue to protect these rights. These rights include freedom to live anywhere, freedom to travel, assemble, following a religion and rights for education. Regardless of specialization of a SAR, the SAR government must ensure all people living within its administration have these rights.

20. Summary and Benefits

Sri Lanka is spiraling downwards deeply into the vicious cycle of poverty and corruption, because of international geopolitical exploitation. This vicious cycle is dangerous to all people living here, particularly to the Sinhala Buddhist community who are a unique indigenous people of this island. This vicious cycle cannot be stopped unless a political framework is developed for the inclusion of Tamil speaking minority, because this is the issue international powers exploit for their interference.

Provincial council system does not address concerns of all communities: different solution is necessary. Chinese government is a unitary government. China implemented innovative 'One Country, Two Systems' approach that allowed capitalist Hong Kong and Macau to join within communist China. This system enhanced and accelerated economic growth of China in the last decade. This is the most suitable model for Sri Lanka because it allows devolution of legislative and administrative powers within a unitary government. Under this system, Special Administrative

Regions (SAR) would be created for special interests of people. There would be 3 Special Administrative Regions:

1. Sinhala Buddhist Region,
2. Tamil Speaking Region and
3. Global Business Region.

These 3 would be specialized regions in the country, but rest of the country would be directly under the administration of the central government. These SAR would be part of the unitary government of Sri Lanka. The purpose of these special administrative regions (SAR) is enhancing certain special activities such as conserving and promoting Sinhala Buddhist culture, Tamil language use and global business development, not only in their respective specialized regions but also throughout the whole country.

Bicameral parliament of the central government would have senators elected equally from each SAR. The Senate would protect SAR system within the central government. Supreme Courts and the parliament are supreme, and they would have the ultimate power. Interests of people would be protected and promoted by specialization through SAR system.

21. Questions and Answers

The civil war in Sri Lanka was continuing for 30 years. Grievances of the people of Sri Lanka are still continuing. Many attempts to find better governance failed. In this context, here again, there is another proposal, from an unknown author: certainly there would be questions readers want to ask. You are always welcome to email the author at Sooriyajeewan@gmail.com. But here, some of the questions already raised by reviewers are answered, so that it would help those readers who may have the same questions.

1. Is it a federal government system, but disguised like Chinese government which is of course a unitary government?

Sri Lanka is a unique country with its own unique history, resources, people and difficulties. Another country's governing structure would not fit for Sri Lanka. British introduced the Westminster parliamentary system to Sri Lanka, but it caused many issues, including Marxist revolutions and civil war with minority Tamils. A federal solution is not acceptable to majority of the people. A unique solution within unitary system is the only solution for Sri Lanka. This proposal is a solution of this type. China

shares administrative responsibilities with Hong Kong and Macao, but within its unitary government structure. This solution has been developed on this fundamental structure, but introduces unique democratic elements for those unique needs in Sri Lanka. In a federal system, the central government cannot dissolve federated state governments. In the U.S., Canada, and other federal government systems, state or provincial governments cannot be dissolved by the central government. In this solution, the central government has this ultimate authority, like in China and India.

2. In this system Sinhala Buddhist are given higher priority than others, is it not unfair?

Unlike Tamils, Muslims and Christians, Sinhala Buddhists live as native indigenous people, only in Sri Lanka. Tamil language, culture and history are protected and promoted in Tamil Nadu, Malaysia, Singapore, Mauritius, South Africa and in many other countries. Muslim religion and culture are protected and promoted in many Islamic countries all over the world. Christians and Catholics have their culture and religion rooted in many developed and rich countries. Sinhala Buddhists need a country to protect and promote their culture. Sri Lanka is their only country. It is unfair to deny them equal opportunities to protect their culture and heritage like Tamils, Muslims and Christians.

3. If Tamil Speaking SAR decides to secede how can we prevent that?

Tamils can only secede if influential countries like the U.S. see there is no other solution other than a separate country for Tamils in Sri Lanka, so that they could live with peace and prosperity. This proposal could make the U.S. and other countries to see that there are indeed alternate solutions other than a separate country. If Sri Lankans accept this solution, no country would recognize a separate Tamil country within Sri Lanka. The LTTE in fact had a separate country called Tamil Eelam from early 1990's, but not a single country recognized that. Instead all powerful countries supported Sri Lanka when it conducted a full-scale war against Tamil Eelam, until it was fully destroyed. Therefore, Tamils cannot secede if this solution was implemented. Besides, in this solution, not only Tamils but also Tamil speaking Muslims, who trace their origin to Arabs, would be within Tamil Speaking SAR. They are not interested in living in a Tamil country instead of Sri Lanka.

4. Without firearms how could Tamils protect themselves from racial riots and violence of armed forces?

The 30-year old but failed armed struggle of Tamils shows that firearms could not protect Tamils. Number of people killed during armed struggle is several times higher than

those who were killed in racial riots. During armed struggle the international community did not support the Tamils. After Tamils gave-up the armed struggle, international community - with the leadership of the United States - is speaking for Tamils in the United Nations and with the Sri Lankan government. Diplomacy, negotiations and interest in humanity trump against firearms.

5. Global Business SAR would become richer than other regions: would not that cause agitation, riots and other similar undesirable outcomes?

Richer regions within a country would provide employment and business opportunities for people from other regions. Since this would be within the same country, Global Business SAR cannot prevent people from other regions finding employment and business opportunities there. Therefore, the richness of the Global Business SAR would not cause agitation or riots, rather it would be considered as an attractive region for employment and business.

6. How would the government prevent smuggling in North and East if the central government does not have full control there?

Border security would be central government responsibility all over the country.

7. How do we prevent Indian illegal immigration in to Sri Lanka if Tamils have separate administration?

Border security would be central government responsibility all over the country. Illegal immigration cannot take place without first encountering the border security.

8. Are we expecting all Tamil speaking people outside of North and East move to there?

No. All the people would continue to live in their homes. The whole country is the home for all citizens of Sri Lanka. However, no one can prevent any one moving from one region to the other. Some people may prefer to move into a particular SAR, for example to Sinhala Buddhist SAR. In this case, the central government and regional administrations should provide all necessary help.

9. Do we need to close down all Hindu temples, mosques and churches in Sinhala Buddhist SAR?

Religious freedom is a universal right. Therefore, regardless of the type of regional administration, all people would have the right to follow their religion. However, Sinhala Buddhist SAR is a special region to conserve and promote Sinhala Buddhist culture. The regional administration may stipulate regulations

and laws that would require relocation.

10. What about meat business in Sinhala Buddhist SAR? Are we supposed to close our businesses?

Sinhala Buddhist SAR may decide not to allow meat sale and cattle slaughter within their region.

11. Can national parties such as SLFP and UNP establish regional administration in North East?

With candidates who could secure more than half of regional seats, any party can establish regional administration. In North and East, people in significant area may decide to be part of Global Business SAR and not to be within Tamil Speaking SAR. Some other area people may decide to be within direct governance of the central government. National parties have better opportunities to win these two areas.

12. Can Sinhalese settle down in North East?

Sinhalese can settle down in anywhere as Tamils and Muslims do. In North and East, within Global Business SAR and regions directly under the central government Sinhalese may find comfortable to settle down. Sinhalese who are conversant in Tamil language may not find any difficulties to settle down within Tamil Speaking SAR.

13. The central government in this proposal would be still dominated by Sinhalese: would not it continue Sinhala hegemony in Sri Lanka?

Sinhala Buddhists are the majority community in the island. Therefore any decision made democratically would be influenced by the interests of Sinhala Buddhists. In International scale, Tamils, Muslims and Christians have significant population and support than Sinhala Buddhists. Therefore in international diplomacy and business opportunities Tamils, Muslims and Christians have stronger influence than Sinhala Buddhists. Therefore Sinhala Buddhists and other communities could help each other for better future for all the people in the island.

22. Further Research

Universities and scholars in Sri Lanka seem reluctant to get involved in designing a political future for Sri Lanka. This is perhaps one of the reasons for 30-year civil war, two Marxist revolutions and economical setback that keep Sri Lanka poor while countries like Singapore that were poorer than Sri Lanka before but became wealthiest countries in the world.

There are so many ways universities, research institutions and scholars could contribute for a political infrastructure. Developing alternate designs for provincial council system and the government is one of them. This document provides an

example for this. Another way of contribution is critically analyzing special administrative regions proposed in the document. Yet another way is developing this proposal further, with details on responsibilities that should be devolved to regions, and responsibilities that should be retained by the central government.

Another interesting method of analysis is developing predictive models for people's choice of regions. Regions would be chosen based on voting at divisional secretariat level. People in each divisional secretariat would exercise their right of self-determination, and vote for one of the following choices:

1. Joining in Sinhalese Buddhist SAR
2. Joining in Tamil Speaking SAR
3. Joining in Global Business SAR
4. Not joining in any SAR, but to stay as today within direct central government administration.

Contiguity of a region is not necessary but beneficial. On the other hand, a scattered discontinuous region may pose challenges in administration. Predictive models based on 2012 census statistics of religions at divisional secretariat level may provide some level of understanding of the shape and structure of SAR that would evolve when people exercise their right of self-determination.

A citizen being a Sinhalese Buddhist does not mean she\he would definitely vote for joining with Sinhalese Buddhist SAR; instead she\he may vote for joining with Global Business SAR or prefer to stay under the direct administration of the central government. Therefore, field survey in divisional secretariats may help to understand people's preferences. Multiple predictive models would enable scholars and the government to foresee the future political infrastructure the people would design using their right of self-determination. University staff and students could help the government immensely if they come forward to carry out predictive model analysis.

23. Appendix I : Current Challenges

A change in government in January 2015 increased interest in peace and wealth creation. But the new government is also made of the same politicians who are entrenched in the same position of war times. During the time of previous government, there were accusations about government abducting journalists, human rights defenders and business community members for reasons ranging from displeasure of senior politicians to extorting ransoms. The current government is investigating these accusations. Government resources are primarily dedicated to these processes and managing crisis in financing the almost bankrupt country. Resolving the underlying systemic structural faults in politics and governance are moving forward only with significant pressure from the United States, The United Kingdom, The European Union and The United Nations.

23.1 New Constitution

The current leadership of the government does understand the need for resolving systemic structural faults in the governing system but it is simply unable to develop the most appropriate resolution. A committee was appointed to seek



Sri Lanka Presidential Secretariat—the previous parliament building

out public opinion about constitution changes. The Public Representations Committee on the Constitutional Reforms received many proposals, including this document. Political parties presented their stated positions to the Committee. Representatives of Tamils presented federal and confederal structure as their proposed solution, which was historically rejected by Sri Lanka's major political parties and majority Sinhalese people. Many Sinhalese people and organizations made representations opposing any form of devolution of

power. The Committee visited various parts of the country for listening to presentation from the people and organizations. In addition it received and reviewed submissions made through Internet. Final report of the committee was released on May 2016. The final report was non-conclusive. The Committee of 19 members could not reach consensus recommendation to the Government, therefore varying views of the Committee members were presented in this final report.

23.2 Executive Branch

In Chapter 7.1.2 the Committee recommended British Westminster type legislatures to central and regional level. The Executive Committee system should be implemented below the central government. This means the regional legislature can make laws but the implementation shall be the responsibility of the central government. This is the current provincial government structure which is ineffective and a root cause for many contentious issues between the Northern provincial council and the central government.

The position of the President as the Head of the Executive branch was not supported by the Committee members. In

contrast, the Committee recommended the President to be titular Head of the State and Commander in Chief of the armed forces. Prior to introducing the Executive Presidency in 1978, Sri Lanka was with Westminster parliament system and titular presidency. Essentially the Committee recommend to revert the governing structure to pre-1978 system. Reasons cited by the Committee was misusing power, justice and equality under the law. But this structural change did not consider its impact on the

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