

LEADS www.srilankaleads.com

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Working to uplift Sri Lanka with volunteer support.



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LEADS Blueprint 15

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For
Public Consumption

As a 'voice' of a group of patriotic multi-professional citizens, we believe Sri Lanka's current election system is the root cause of almost all our national problems, including its bankruptcy. Since a committee was appointed on 16th October 2023 by gazette notification on the election system reform, we seek your open commitment and assistance to make this change a reality and constructive.

We have also attached a detailed proposal best approved via a public referendum (see **Appendix 1**) for an accurate, proportional, and meritocratic simple election system that anyone committed to equality of vote, proportional representation, and meritocracy can understand. A return to the First- Pass-Post (FPP) system, denounced in 1978, is not prudent, as evidenced in the world order.

Background

Sri Lanka is bankrupt not just economically but in terms of most benchmarks of modern civilization, with autocratic governance constantly engaged in wrongdoings due to inadequate debate, lack of transparency and favouritism, systematic suppression of the people, violation of human rights, lawlessness, lack of discipline, corruption in mega levels exploiting national assets and public money whilst polarizing power. This has resulted in

widespread malnutrition, pushed 25% of people below the poverty line, rapid deterioration in healthcare and education standards and the exodus of the educated in a massive wave of brain drain. The fundamental root cause of this is a tinkered election system with centralized power to party leaders, following the tragic manipulation of Parliament's legislature to permit 'legitimate' infiltration by political crooks, including a convicted murderer as a Member of Parliament in 2021, displaying their callous disregard for any ethics or to serve the Nation's interests.

The Current Election System

The current election system fills 225 seats in the Parliament for five years, with 196 MPs (87%) elected via a 'tampered' Proportional Representation (PR) system and the remaining 29 (13%) via a 'backdoor' created as a window for professionals to be selected for the nation's benefit. Sadly, the latter has become the 'backdoor' entrance for political stooges, including candidates who lost their seats in the same election. The current President of the country is one perfect example of the latter.

Why is the current election system 'non-democratic' and unconstitutional?

The current election system does not fulfil the requirements of a 'Democratic Socialist Republic' declared in our 1972 and 1978 constitutions.

We consider that the current electoral system distorts the democratic process owing to the following.

1. Absence of equal value for valid cast votes. For example, in the 2020 General Election, the winning SLPP was allocated 145 seats for receiving 59% of the total valuable ballots cast. If this was proportionally allocated, SLPP should have received only 132 seats. This loss of $13/93 \times 100 = 14\%$ seats (in other words, transfer of valid votes to winners) from the opposition to the winners, weakening the opponent. This loss is grave, but there is another added flaw. This involves the invalidation and discards of candidates as well as their votes, receiving less than 5%. This inflates the winner artificially and makes the opponent even weaker. This is a swing of parliamentary seats at the expense of legitimate ballots received by the opposition, making a mockery of the 2/3rd majority in the Parliament.

In addition,

2. Failing to provide avenues by which voters can participate in selecting their representatives. This is essential because party leaders nominate candidates for the election districts and not the party members of that electoral district. This method of selection is subject to colossal bias as well as corruption.
3. The next impact on the equality of vote arises owing to the pre-allocation of the MP seats to the electoral districts as decided by the delimiting commission, perhaps based on many factors, including the number of registered voters. However, since the number of votes cast will always differ from the number registered, the value of

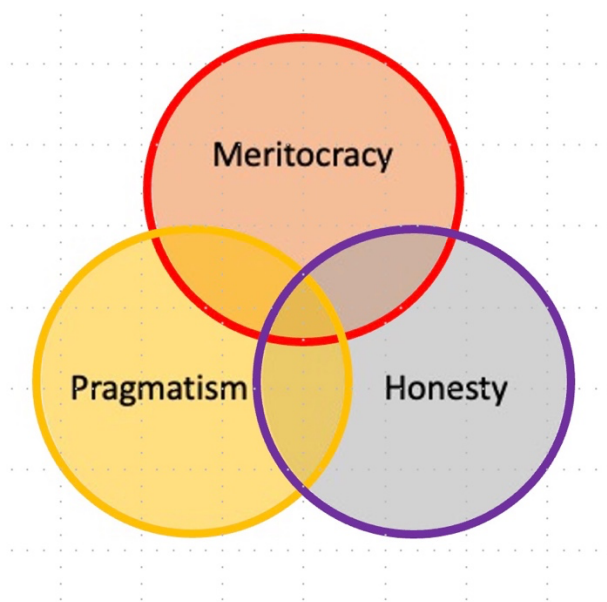
a vote to select one MP will vary between electoral districts. In other words, in one electoral district, the value of one vote may be more than that, whereas in another, it is lower.

4. Using the registered number of voters instead of the valuable votes cast to determine the winning candidate numbers makes a further caveat. This distorts the expression of the people's will through valid ballots cast. This also introduces a large discrepancy in a single vote value instead of being uniform as 1. For example, 100,000 votes cast may only elect 3 MPs in one district but 6 in another for the same number of votes cast in that district. This is where violence in election centres and incentive-based boycotts of voting can significantly impact the outcome. This allows, even with fewer number votes, the culprit candidate to become highlighted as the winner.
5. Allocation of 'bonus seats' is another method of twisting the expression of the people's will. This overinflates the winning party at the expense of the opposition, in other words, weakening the value of the votes cast for the opponent.
6. Legitimizing cunning party tactics to weaken the opposition further is in place. Misleading the voters through 'decoy' candidates to invalidate votes as all candidates scoring less than 5% of the valid votes are eliminated through a 'legitimate' discarding process. In other words, if used successfully, ten decoy candidates may even let the system invalidate 50% of the votes cast.
7. This distorted election system itself results in a composition of the Parliamentary representation being different to the people's intentions as expressed by them through the exercise of their franchise. Members of Parliament who get elected in this manner have little honour for the voters or their ambitions, as their survival in the Parliament and the perks they expect depend on how well they can keep their leader happy, irrespective of the national outcome or impact, good or bad.

Whereas we are of the considered opinion that many of the increasing difficulties we are forced to undergo and the rising frustration at having to bear these unnecessary and avoidable burdens are the outcome of our inability to ensure that the parliamentary outcome of elections reflects the exercise of our franchise. This disastrous deficit is caused by the current electoral system and we appeal for your intervention and redress of this increasingly intolerable situation. We suggest the following and the attached proposed new election system based on regional and national meritocracy with proportional representation overcomes 99% of the issues discussed above.

- A. Voters are to participate in screening their representatives before registration by Parties. This needs political parties conducting candidate primary elections at their branches relevant to the electoral district they represent. This should be a legal requirement to minimize bias introduced by the party leader and promote the election of candidates known to the local electorate, allowing them to elect clean, committed, trustworthy local candidates.

- B. Promote the institutionalized robust functioning of intra-party democracy within all parties by the enactment of a "Registration and Regulation of Political Parties Act", setting out a uniform structure and internal process governing all political parties, including their conduct and duties to their members and the public as well as provisions for their monitoring and periodic external audits.
- C. Using only the number of valid votes cast in the allocation of seats to Districts promotes the equality of the vote. The distribution of MPs for people who did not vote is similar to that of bogus registered voters in a genuinely democratic system.
- D. The total votes cast in the country to be divided by 196 to determine the MPs' average value is a reasonable basis. This average value of an MP in votes, determined nationally, helps us calculate the number of MPs to be allocated to each electoral district. This can be done by dividing the total votes cast in that electoral district by the average value of MP by votes determined above. This further strengthens the equality of vote policy. Discarding decimals in the process and doing a second meritocratic allocation of 29 plus remaining vacancies in the Parliament nationally as described in the attached election system proposal, capture the candidates who may not have been selected in the district meritocratic list. This also makes sure they are chosen more equitably nationally, further ironing out factors that can make the equality of vote unstable. Since there is a national election process via meritocracy, there is no need to maintain the 'abused' national list of MPs described in the current election system.



LEADS VALUES

Appendix 1 DM-PR Electoral Method for Equitable, Meritocratic, Proportional Election System

TO WHOM THIS MAY CONCERN

Call a referendum for public approval to install a district-wise, meritocratic, proportional representation-based election system (DM-PR) in Sri Lanka in alignment with its Constitution.

Who can make it happen?

The President, The Parliament, The Supreme Court, The People

What needs to happen?

Sri Lanka's current election system has installed a Parliament that has only brought misery to its people over the decades. Some MPs have no people's mandate. The country is bankrupt on multiple fronts, including its economy, and no sustainable resolution is in sight. There is a need to have a people's Parliament to resolve people's problems with a long-term consolidated plan. Installing an electoral district-wise meritocratic proportional representation (DM-PR) based election system via a referendum will ensure accurate accountability of electoral district representation in the Parliament for a brighter future. The candidate numbers elected by the people will determine the winning party and not by the party leader nominated, biased district representatives.

Why is it important?

Sri Lanka is at a crossroads. Although we can identify and blame many institutions and individuals for our downfall, the fundamental root cause is 'our corrupt tinkered election system' designed to elect dynasties and weaken the duly elected opposition. The current system is designed to discard votes of candidates who obtained less than 5% of the vote in the electoral district and offer bonus seats to hyperinflate the winning party by 10% at least, further polarizing power at the expense of the votes received by the opposition. This Parliament has no code of conduct; even a convicted murderer was allowed to be sworn in as an MP in 2021. As a result, this Parliament is autocratic, and our democracy is broken. People suffer.

We must unite and work together to change our election system before the next general election, at least to see any light at the end of the tunnel. Sri Lanka can recover from its current misery with people's representatives elected by people's wishes in a proper democratic process. There is no point calling the fire brigade once the whole house has burnt down. If we do not commit now, we are likely on a slippery path to becoming a failed

'state' with another 'parliament' interested in serving itself at the expense of the ordinary people and national assets.

The election system proposed here is for our patriotic leaders to understand that there is an alternative that can help us recover for a better future. We need a fundamental design change to ensure that people in districts can elect representatives they wish and not parachute their candidates by the party leaders. We must educate the patriotic leaders and the public, big and small at all levels, that this is possible. A campaign of education and raising awareness combined with a petition at the Supreme Court may be the key that will help us reverse the tide.

The current party-based election system is based on party leader nominations as district candidates with inflator bonus seats for the winners and national seats for 'backdoor' entrance. The 2/3rd in the Parliament is a mockery as MPs switch sides for covert self-profitable reasons. They do not represent public voter proportions or aspirations. The current election system is almost impenetrable by a young, innovative, honest grassroots representative with a different political mindset.

Most of these 'elected' individuals have little interest in serving the people, with so many examples in the public domain. Instead, they use the opportunity to strike as many corrupt deals as possible for personal, family and their stooges' gain whilst in power at people's expense. They are above the law of the country, making lawlessness the norm. There are no credible resolutions for the dominant national crises in power, education, health care, poverty and starvation. Public services are in shambles. Despite 21 amendments, our Constitution remains largely non-democratic with no checks and balances and allows even a convicted murderer to continue to enjoy parliamentary privileges. Neither our election system nor our Constitution has ever faced a national referendum for approval.

[How can a District Meritocracy and Proportional Representation \(DM-PR\) Election System produce fundamental changes to restore a true democracy and development?](#)

An electoral district-wise, meritocratic selection based on a proportional representation system will elect leaders with a commitment and capability to design a sustainable solution for Sri Lanka to recover from its current misery with social responsibility. The prevailing election system is a no-goer as it will only elect the same breed with little accountability to people. The Parliament is a place of constructive debate, a lawmaker and the guardian of our sovereignty and welfare. The Parliament is not a place of 'business' for personal gain, as seen now. The elected policymakers need to be knowledgeable, people-friendly, empathic and moral to honor the interests of the public who voted them in. They should offer unbiased best resolutions for the country's future with factual evidence. This proposed system is designed for the 225 to be law and policymakers and not business intermediaries at national expense.

This proposed new election system will represent the popular vote accurately in the Parliament and allow nominees at the grassroots level to reach the Parliament without having to run an obstacle course incorporated by the current system.

What are our gains?

- It recognizes and respects the equality of vote to promote trust and unity.
- The election would produce a government that serves national interests.
- It uses a simple, uncomplicated, transparent method understood by everyone.
- The elected Parliament reflects district accountability.
- The election design is robust and not favorable to divisive politics and exploitation of different communities using race, religion, descent and other forms of casts.
- It seals the openings of corruption and voter intimidation through violence, decoy candidates, 'mushroom' parties and abstention.

Methods for selection of MPs

Nominations

Since the party leader nomination is so embedded with phenomenal corruption in our current election system, a closed 'primary election process' implemented solely by the members of a political party of the electoral district through the application of a meritocratic rank for that electoral district would be ideal for the nomination of candidates to face the election. In other words, each electoral district's 'meritocratic primary election process' should be a legal requirement. This process will prevent the currently dominant party leader bias based on family dynasty, corrupt mindset, religion, race or gender.

All candidates should fulfil minimum eligibility criteria defined by the election commission (Minimum educational qualification, No criminal records, etc.). False declarations shall be a reason for dismissal even after the election and conduct of a by-election.

Phase 1 – Meritocracy based selection process in each Electoral District.

Currently, there are 22 electoral districts in Sri Lanka. This DM-PR methods uses the same. At the conclusion of a general election apply the following.

- Construct the total number of valid votes cast nationally (A)
- Divide (A) by 196 = the average value of each MP in polls (B)

$\begin{aligned} &\text{Average votes per MP (B)} \\ &= \frac{\text{Total valid votes cast nationally (A)}}{196} \end{aligned}$

- Divide the total valid votes cast district-wise by (B) = number of MPs for each district.

$$\begin{aligned} &\text{Number of MPs in district} \\ &= \frac{\text{Total valid votes cast in district (C)}}{\text{Average votes per MP (B)}} \end{aligned}$$

In other words, this calculation determines the number of MPs elected for each electoral district based on the number of valid ballots cast in each electoral district.

$$\text{Number of MPs in district (D)} = \frac{\text{Total valid votes cast in district (C)}}{\text{Total valid votes cast nationally (A)}} \times 196$$

- Apply above calculation to all 22 districts.
- 'Number of MPs in each district' (D) may not be a whole number. Consider the integer part of it as the number of MPs to be elected from that electoral district. Use electoral district meritocracy in each district (candidates ranked by votes received in the district they are contesting) to select the winning candidates.
- The total number of MPs from all districts will be 196 or less. If it is less than 196, the remaining seats (E) will be used in Phase 2 (see below).

Phase 2 - Meritocracy based National selection process.

- The number of seats available for national meritocracy selection (F) = 29 + remaining seats from phase 1 (E)
- Prepare a national merit list of all candidates based on the number of votes (score) received by them in their contesting districts.
- Delete winning candidates of Phase 1 from this list.
- The result is a rank of the unelected candidates through a National merit list.
- Select the (F) number of MPs from the National unelected merit list.

Phase 3 - Constituting the Parliament and the winning Party.

- Collate the total number of elected candidates by Party vs. Independent.
- This will determine the winning party, and they can elect the prime minister.
- All independent candidates will be collated as one group. If they have the highest number of MPs, they will be considered the winning party (even if they did not belong to a party at the outset)
- In the event of an absence of a majority, parties may come together to form a shared government.

By-Elections

Any vacancy arising in the parliament should be re-instated by a by-election held within 60 days. The selection process will be a meritocracy in the indexed electoral district.

Advantages

- This will curtail the 'parachuting' of MPs and party leader favorites and relatives.
- A grassroots representation is guaranteed at the district level and in the parliament.
- No covert discrimination of candidates by party leaders.
- There are no bonus seats or backseat entrances via a 'national' list.
- Promotes district representation. MPs not popular in the district will never get through.
- Minimal opportunity for intimidation of voters during the election.
- Voter corruption practices become damaging to the offenders and not others.
- Electoral district borders are not an issue, as the election of candidates is based on votes cast in each district.
- Simple meritocracy replaces the corrupt Manapé system.
- National representation of women and youngsters in the Parliament will increase.

Make this a reality. Your contribution counts.

Real change happens when everyday people like you and me stand up for what we believe in.



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On behalf of the LEADS forum