

Sri Lanka: Local Government, Local Governance, Local Democracy

Friday 14 September 2018, by [SKANTHAKUMAR Balasingham](#) (Date first published: May 2018).

The shock result of the February 2018 local government election, on a high turnout exceeding 75%, has triggered governmental instability and continuing turmoil within the 'good governance' touting coalition that rode to power in the presidential election of January 2015, and stabilised itself after the August 2015 parliamentary election.

Three years later, the single-largest share of the votes cast (44.7%) was received by a new player: the Sri Lanka Podujana Peramuna (SLPP—Peoples' Front), which is the new political vehicle of former president Mahinda Rajapaksa. The United National Party (UNP)/United National Front (UNF) led by Prime Minister Ranil Wickremesinghe slumped to 32.6% in the polls; which is reminiscent of its dismal electoral performance during the Rajapaksa reign. Meanwhile the Sri Lanka Freedom Party (SLFP)/United Peoples Freedom Alliance (UPFA) aligned with President Maithripala Sirisena collapsed to 13.3% of the popular vote, as its former supporters decamped en-masse to the SLPP.

Only to its own surprise, the *Janatha Vimukthi Peramuna* (JVP—Peoples' Liberation Front) was unable to break into double figures in percentage terms, scoring 6.3% of the popular vote. [1] Other significant outcomes in relation to ethnic minority parties include the swing against the Tamil National Alliance (TNA) in the North and East and the Tamil Progressive Alliance (TPA) in the Hill-Country, to the advantage of their traditional rivals (All-Ceylon Tamil Congress and Eelam Peoples Democratic Party, and Ceylon Workers Congress respectively); as well as the expansion in the electoral footprint of the All-Ceylon *Makkal* Congress (ACMC—Peoples' Congress) in the Eastern and North-Central provinces to the detriment of the Sri Lanka Muslim Congress (SLMC).

At least two-thirds of local councils are now controlled by loyalists of the former strongman. Through local alliances with the rump SLFP/UPFA, the SLPP has also secured some councils where the UNP was the single largest party. Quarrels between factions of the undivided SLFP became secondary to the common goal of denying its historic rival the opportunity to recover the ground it had lost in local government whilst largely out of state power since 1994. All three parties, it is alleged, have oiled post-poll political transactions to achieve majorities, with financial inducements to wavering councillors. In the North and East too, there have been unlikely combinations between antagonistic parties such as the TNA and EPDP against the ACTC; while the UNP and the ACMC have teamed up against the SLMC in a settling of intra-Muslim scores.

No doubt, as was clear from the repeated deferral of this election, this local government election promised to be a referendum on the current government's record in office. Local issues were not of concern in the election – despite valiant efforts by certain candidates, especially from some independent lists and minor parties, as well as some communitybased-organisations. This is unremarkable in so far as the main parties have strong centralising instincts in the management of power and resources. Local government exists it seems only to provide an arena for institutionalised

party politics at local level, and to facilitate political clientelism: not only between voters and their representatives; but also the local councillors and their patrons in provincial and national politics.

Thus in a case-study of a municipal council in the Eastern Province of Sri Lanka some years ago, Aliff [2] analysed the voting behaviour and perceptions of the local citizenry as follows: “The local people readily recognize the dominant presence in the local arena of regional and national level political actors ... The result is that they do not recognize an autonomous, local political domain, but rather recognize the role of [the Cabinet Minister of regional origin] in addressing local issues”.

The voters themselves are by now accustomed to this game crafted by their rulers, which is to discipline and channel their political activity into electoral competition and passivity inbetween. Spencer [3] has commented on this “paradox of a combination of very high levels of political participation with very low levels of expectation of the actions of politicians”, which he cautions is not unique to this country. Politics in Sri Lanka has long been electoralised, but evidently is a long way from being democratised.

In this local election too, a host of considerations to do with national politics and policy were pre-eminent in the minds of politicians and the public alike. The fact that the election was conducted on the same day in all electorates – barring one where an election petition is pending – and parts of the island, instead of in staggered fashion to the convenience and advantage of the ruling party at the centre, gave the contest a national flavour too.

Among the Sinhala majority electorate, there is general disillusionment in the performance of the government in relation to its management of the economy, including cost-of-living; decent job creation; and marketisation of state subsidies; to outrage over the Central Bank bond scam and ‘persecution’ of the Rajapaksa clan and its associates in relation to corruption and abuse of power; frustration over the instability of the ruling coalition and public dissension between its main constituents; and the perception that “the minorities” are politically flexing themselves under a government, which they helped make, and is therefore beholden to them.

The stalling of the constitutional reform process towards greater power-sharing with regions and ethno-religious minorities, and lethargic progress on post-war reconciliation and accountability, are a matter of unhappiness only to those of insignificance. This legacy from the decades of war and ethnic conflict appears destined for cold storage in the months if not years ahead.

The consequences of the outcome of the poll are dismal; and not only for the constituents of the current government. There is little doubt that it emboldened the perpetrators of the violence against the businesses and other property, mosques and homes of the Muslim minority in the Central Province, shortly after the election. Indeed, a few newly minted local councillors of the *Sri Lanka Podujana Peramuna* were taken into custody, after some delay, for visibly leading the mobs; and it may be assumed that those who partook in the arson and assaults are the vote-bank of that party. The countdown has begun for the restoration of the previous regime or some mutation thereof over the course of 2019-2020.

The first part of this editorial has briefly sketched the election result and its signposting of the future; now it turns to the event of the local government election itself; before in its third section introducing the articles that follow; and in its final part concluding with a critique of local governance as the reinvention of local government and its erasure of local democracy.

The Election as Event

Irrespective of the political fallout, the 2018 local government election was already of consequence

for several reasons. Firstly, this poll was held almost seven years after the previous one in 2011. Most local government bodies (pradeshiya sabhas, urban councils and municipal councils) completed their four-year term as of May 2015; while the remainder were extended for some months by executive order.

Residents continued to be taxed, through local rates, without representation on the use of revenues in local government bodies. However, did the public really mind or notice any difference in their absence? An unelected provincial official, the Commissioner for Local Government, managed the affairs of the local authorities in the interim. Those most exercised over this situation appeared to be politicians, and in some cases the staff of the councils: both of whose indifference or downright callousness towards those unfortunate enough to need their services is renowned.

Meanwhile, the stock of local politicians has never been lower than in the past decade. The newspapers have been filled with reports of thuggish behaviour, embezzlement of public funds, appalling sexual violence and killings perpetrated by councillors including Chairmen. It is widely perceived that people enter politics to enrich themselves through access to development contracts and in the procurement of goods and services. The need to secure approvals from local authorities for residential and commercial purposes becomes another source of income for councillors and public officials.

In these circumstances, it is doubtful that the public would mourn the abolition of elected bodies or their diminution in scope. Those who are not politically networked would favour having to deal with one institution instead, preferably the District or Divisional Secretariats; staffed by state officials and regarded as more competent and professional than local authorities, their members and their staff.

A second feature of this election was the introduction of a mixed or hybrid electoral system, in place of the pure proportional representation one that was in use since 1991. This reform has been canvassed on a number of occasions and was introduced in 2012 and amended in 2017. Under the previous system, voters cast their ballot for the party of their choice and could mark up to three preferences for the candidate/s of their choice. The battle for 'preferences', seen as indicative of the popularity of the candidate and the basis for claim to leadership of the council, created ructions within the same party culminating in many instances in intra-party violence between candidates and their supporters. Further, as candidates were elected on the basis of the parliamentary electorate, they had to cover a large area when canvassing for votes spiking their expenses.

The new system allocates 40% of seats on a proportional representation system where candidates on the party-list, known as 'additional persons', are selected on the basis of the percentage of votes received by that party; while 60% of the seats are assigned on the basis of direct election and representation of single or multi-member wards within the electorate. The former element is of particular concern to small parties and parties of local (ethnic and religious) minorities, who may not win a ward but hope for representation on the basis of the total number of votes polled across the electorate. The latter element is an attempt to restore the connection between councillors and a defined part of the electorate demarcated in a ward. Residents now have an identified individual to take up their issues; while this individual has an identified geographical constituency to serve. In the past, voters often complained that councillors refused to take up their cases unless they were known supporters of the individual. "Did you vote for me?" was often the first question asked, they complain. The increase in the number of seats under the new electoral system to around 8,691 (with Elpitiya *Pradeshiya Sabha* yet to be elected) has understandably not been greeted with enthusiasm by the general public. There is no inherent correlation between the number of councillors and the quality of representation of local residents.

A third feature of this election was the novelty of a 25% quota for women's representation in all local bodies, when no such temporary special measure is in force in the other tiers of government, where women are near absent too. Despite universal franchise since 1931 and the active participation of women in local and national politics thereafter – including the distinction of election of the world's first woman head of government in 1960 – the representation of women in elected assemblies in Sri Lanka has been shameful. It has hovered around 2% in local government; 4% in provincial councils; and under 6% in Parliament. [4] Political parties of all ideologies have restricted nominations to women on their ticket to under 7%; and many of these women are selected on the basis of familial relationships with established male politicians or notable families in that area.

The experience and outcome of the quota have been mixed for women candidates. On the one hand, as expected there has been an exponential increase in the number of women now elected to local authorities. This would never have happened without this step of positive action. On the other hand, women continue to be marginalised by male-dominated political parties, such that they were corralled onto the party-list (50% of which has to be filled by women) where they have to campaign across the entire electoral district to pull in votes but are not guaranteed a seat in return. There would have been greater advantage to women in nomination to wards but the mandatory requirement for their nomination is only 10%. It is the party that wields power in the selection of women for wards and in determining selection of members from among the party-list. [5]

In fact, to placate male politicians who feel threatened by the quota, it was pegged at only 25% (lower than the 33% that women's organisations have demanded and the 52% proportion of women in the population); the total number of seats has been increased by 33%. In other words, the entry of women in greater numbers has not been offset by any reduction in the number of men in local government authorities. Further, while there has been no official disaggregation of the results by the Election Commission or the Ministry of Provincial Councils and Local Government, it is estimated that the representation of women has not reached the minimum of 25% but rather averages 22% island-wide: ranging from 16% in Mullaithivu to 24% in Colombo and Matara. [6]

The second section above has discussed three features of the 2018 Local Government election, aside from its result which was analysed in the opening section. Section three below briefly introduces the articles that follow on the general theme of '*Local Government, Local Governance and Local Democracy*'.

Content of this issue

The opening contribution by *Vidura Munasinghe* is an ethnographic account of voter behaviour in four flashpoints during the previous government's tenure. His analysis of the results is sobering to say the least. Excepting ethnic and religious minorities, many among the Sinhalese majority who have been directly harmed by actions and omissions of the previous regime, have consciously supported the *Sri Lanka Podujana Peramuna* in this poll. Why this is so, is one of his questions within a larger critique of the representative democracy system valorised by liberal civil society inside and outside Sri Lanka.

'Waiting for Mahinda mahaththaya': Local Government Elections 2018
http://www.europe-solidaire.org/ecrire/?exec=article&id_article=45552

One of those sites, and the focus of much solidarity by land rights groups elsewhere, is Paanama in the Eastern province. In their paper, *Buddhima Padmasiri* and *Samanthi Gunawardana* explain through interviews with local activists struggling for the right to return to their confiscated land, how and why they chose to shift from associational politics to electoral politics. They argue that the 'Citizen's Forum' promoted by external non-governmental organisations played a useful albeit

limited intermediary role between the activists and the previous local council; and was also a platform for women's leadership.

From Associational to Electoral Politics: A continuation of the land rights struggle in Paanama
http://www.europe-solidaire.org/ecrire/?exec=article&id_article=45621

Pradeep Peiris argues that there is apathy by most to the Citizen's Forum and other participatory governance initiatives, as they choose or are compelled to utilise party-based and/or network-based loyalty systems instead; and equal disinterest among local politicians and bureaucrats in the participation of people in local government. Drawing on field research in three districts where non-governmental organisations have been engaged in sustained participatory governance initiatives, he concludes that these are undermined by the reality that there is nothing particularly 'local' about local politics in Sri Lanka.

Politics of Citizens (Non-)Participation in Governance
http://www.europe-solidaire.org/ecrire/?exec=article&id_article=46026

In an interview taking-off from the 2018 local government, *Rohini Weerasinghe* connects the experiences of women in politics to the oldest power structure in the world: patriarchy. She argues there is a correlation between the lack of recognition of women's economic contribution and their marginalisation in politics, including by 'good governance' touting civil society organisations. In her view, women's increased representation in local government allows for women qua women to participate in those institutions; and for councils to become more cognisant of women's issues and perspectives.

'Biology is not destiny': Women's Political Participation in Sri Lanka
http://www.europe-solidaire.org/ecrire/?exec=article&id_article=45623

Another section of society excluded from local government, and in this instance not only representation but even in delivery of public services, are Hill-Country Tamils resident within the plantations. *R. Ramesh* and *A. R. Nanthakumar* critically analyse the 2017 amendment *Bill* to the *Pradeshiya Sabhas Act*, advocated as a remedy to this problem, in the context of historical legal and structural discrimination of the people in the estate sector. They argue that the full inclusion of this persistently neglected group in local government is needed for greater realisation of their hard-won right to citizenship of Sri Lanka.

Including the Excluded: Plantation Communities and Local Government Services
http://www.europe-solidaire.org/ecrire/?exec=article&id_article=45624

Meanwhile *MeeNilankco Theiventhran* analyses the shortcomings of the *pradeshiya sabhas* as local democratic institutions in the Northern Province. His paper locates these institutions in the context of decades of conflict and post-war challenges to local residents. He also reminds us of the sidelining of elected bodies by the unelected but far more powerful decentralised institutions of central government at local level, the Divisional Secretariat.

Local Governance: Problems of Democracy
http://www.europe-solidaire.org/ecrire/?exec=article&id_article=45625

Finally, *B. Skanthakumar* delves into the role and functions of local authorities, also arguing that the local administrative system of divisional and district secretariats is disabling of the former. He takes note of the existing opportunities for people's participation in the *pradeshiya sabhas*, unlike in other local bodies, but is doubtful that it can be more meaningful without restructuring the state, its relationship with the regions and with citizens.

Civil Society and the 'Local'

This final section offers some concluding observations on the appropriation of the 'local' by civil society organisations; and in particular, its reception of 'local governance'.

Mohan and Stokke [7] among others have drawn attention to the discursive convergence between the 'new' Right (World Bank, liberals and some non-governmental organisations) and the 'new' Left (post-Marxists and other non-governmental organisations) in the 'local' as the site for 'participation' and 'empowerment' and through the agency of 'civil society'. Of course, civil society is not restricted to NGOs but includes market institutions such as business associations which also 'participate' in, and are 'empowered' by, the decentralisation of service delivery in 'local governance'.

'Governance', as is well known, is a term invented by the World Bank to circumvent the restriction upon it from direct intervention in the form of government or political system of its member states. It is defined by the Bank as "the manner in which power is exercised in the management of a country's economic and social resources for development". [8] In the foreword to that landmark report, the then President of the World Bank informs us that "Good governance is an essential complement to sound economic policies. Efficient and accountable management by the public sector and a predictable and transparent policy framework are critical to the efficiency of markets and governments, and hence to economic development."

'Local governance' has become as ubiquitous as 'governance' or 'good governance' in the discourse of Sri Lankan policymakers, academics, non-governmental organisations and civil society activists; but as Humpty Dumpty insists in the epigraph above: taken to mean only what each chooses it to mean. Among some, there is a romanticisation of the 'local' as a natural space for democratic participation and equitable development; somehow magically free of the social inequalities and power relations so evident everywhere else.

For clarity, I adopt Desai and Imrie's definition of 'local governance' as "an array of ways in which the interplay of state, market and society is ordered". [9] What this means in practice according to them, is "an active agenda to slim down the state, arrest high levels of public expenditure, increase efficiency in the provision of public services and extend the role of the private sector in service provision".

This process - of scaling down the public sector and reducing its role as a producer of goods and services including at local-level such as housing, pre-schools, maternity clinics, traditional medicine clinics and dispensaries, and the delivery of public services such as solid waste management, street cleaning, and water and sanitation - has been underway in Sri Lanka for decades, and with the determined support of successive governments, multilateral donors and international non-governmental organisations, under the rubric of 'public-private partnerships'.

An institutional expression of 'local governance' is the attempt to create metropolitan authorities encompassing and superseding multiple local government bodies, such as in the 'Western Region Megapolis Plan' [10], where policy development and implementation is removed from elected officials and arrogated by unelected technocrats. In effect, 'local governance' displaces local democracy, while co-opting civil society through 'participation' as market-friendly actors, thereby turning citizens into consumers whose relationship with local government is contractualised in 'Citizens Charters' and 'Citizen's Report-Cards'.

In their practice of ‘participatory governance’, non-governmental organisations with their toolkit of dialogue with local councillors, public observation of council meetings, and advocacy around the council budget (not to be confused with participatory budgeting) – wittingly or not – propagate the belief that “the ‘empowerment’ of the powerless could be achieved within the existing social order without any significant negative effects upon the power of the powerful.” [11]

A related issue is that conventional civil society perspectives on local governance presume the existence of a unified community at local level, with common interests in the efficient application of resources for public good; opposition to malpractices; and consensus on priorities for residents. These assumptions are rooted in an imaginary rural society where villagers are more or less alike, live interdependently and without serious social conflict. In an acute deconstruction of ‘participation’, ‘empowerment’ and the ‘village’, Stirrat concludes: ‘Community is more marked in the breach than by its presence.’ [12]

Where ‘civil society’ disappoints, has the parliamentary Left been more consistent on local democracy? In this election, the *Janatha Vimukthi Peramuna* (JVP) campaigned on the platform of ‘Power to the Village’. What did they mean by this slogan? According to one of its national leaders, its plan is to establish a “council” in each ward it wins for the purpose of “developing” the village and coming up with spending plans based on the available resources. How will such a council be composed? It “will include distinguished persons in the village such as school principals, religious leaders, Grama Sevaka and other government employees”. [13] In other words, it is not power to the marginalised, but to the local elite: whom the JVP presumes are representative of the “people of the village” and can govern in the best interests of all. Neither does the JVP, itself an advocate for the unitary state, aim to challenge the stranglehold over budgetary resources exerted by provincial and central governments, which enervates local government.

The ‘no power’ or ‘harmony’ view of democracy and development has yet to yield any evidence of the narrowing of inequalities of income and wealth; leave alone redistributive justice for those whom Subcomandante Marcos described as in the “basement of society”. Instead, the dispossessed are counselled to be patient and look to the future. To borrow from Lewis Carroll again, “the rule is jam tomorrow and jam yesterday – but never jam today”.

In a survey of Latin America, Petras and Veltmeyer claim that the strategic objective of this ‘local approach’ is “to encourage the poor to use the market in their economics and elections in their politics; to seek change and improvements in their lives within the local spaces of the power structure rather than challenging it; and to change themselves (to empower or capacitate themselves to ‘act’) rather than the system.” [14]

Is there any resonance with the experience in Sri Lanka? If so, what does this mean for democratic praxis? These are matters for further debate.

B. Skanthakumar

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P.S.

Footnotes

- [1] The statistics are from Samarasinghe, S. W. R. de A. (2018). "Ups and Downs of Sri Lankan Politics and Looming Political Uncertainty: Local Government Elections", The Island, February 13, 2018, [http:// www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=179798](http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=179798).
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- [3] Spencer, Jonathan (2007). Anthropology, Politics and the State: Democracy and Violence in South Asia. Cambridge University Press: Cambridge, p. 93.
- [4] Kodikara, Chulani (2013). "Local Government Without Women", The Island, June 10, 2013, http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=80934.
- [5] For a primer on the labyrinthine new electoral system, see Kodikara, Chulani and Kumudini Samuel (2018). "The Significance of the 25% Quota for Women in Local Government". groundviews.org, February 07, 2018, <https://groundviews.org/2018/02/07/the-significance-of-the-25-quota-for-women-in-local-government/>.
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- [9] Desai, Vandana and Rob Imrie (1998). "The new managerialism in local governance: North-South dimensions", Third World Quarterly, Vol. 19, No. 4: 635- 650, p. 635.
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- [12] Stirrat, R. L. (1996). 'The New Orthodoxy and Old Truths: Participation, Empowerment and Other Buzz Words'. In Bastian, Sunil and Nicola Bastian (eds.), Assessing Participation: A Debate from South Asia. Konark Publishers: New Delhi, p. 72.
- [13] "Vote for the 'bell' - Power for the village/town", lankatruth.com, February 02, 2018, <http://www.lankatruth.com/en/2018/02/vote-for-the-bell-power-for-the-village-town/>.
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