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**The politics of local government and development in Sri Lanka:
An analysis of the contribution of non-governmental organisations
(NGOs)**

A thesis
submitted in fulfilment
of the requirements for the degree
of
Doctor of Philosophy in Political Science and Public Policy
at
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by
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Abstract

Sri Lanka has inherited a unitary state structure and a highly centralised approach to government administration. Since independence in 1948, various proposals to restructure government, including decentralising powers to provincial and local levels, have been proposed, but none have been fully implemented. The Sinhala nationalist parties and groups which have supported successive governments have generally rejected all decentralisation proposals. Moreover, the political elite has long been oriented towards and accepting of strong leadership from the centre, which has largely ignored local government and local development, with serious implications for much of the population.

The tsunami of 2004 and the end of the war in 2009 saw NGO support and large amounts of foreign funding flow into Sri Lanka to assist in the recovery. Central government and its leadership have controlled the whole aid management and distribution process, by directing foreign funds towards conducting large scale construction projects at the local level without considering local needs. Despite restrictions imposed by central government, a number of NGOs have begun to play an important role in promoting local development through interacting with local government bodies and local communities. NGOs can, thus, be found to be at the forefront of endeavours to address social and economic needs at the local level.

This study, examines how and why local communities have been neglected in development initiatives in Sri Lanka, and assesses the significance of support from NGOs in increasing the capacity of local government and in promoting local development. Hypotheses derived from the literature related to post-colonial criticisms, government-NGO relations, and NGO interactions in the policy process are examined and assessed. Based on research in the southern and eastern provinces of Sri Lanka, this study analyses the views of national, provincial and local level political representatives and administrative officials, NGO officials and CBO representatives.

The research revealed that while local level respondents aspired to play an active role in decisions about the use of foreign support for local development, they tended to lack the knowledge and capacity to do so. Local level respondents highlighted the importance of NGO guidance in these processes, particularly in

terms of promoting local people's participation in local government decision making. This thesis concludes that NGOs can play a positive role in supporting local government in addressing development needs at the local level. Local government-NGO relations were found to have made an effective and significant contribution to fulfilling local level needs. NGOs can thus be seen to play a positive role in empowering local government and local communities and their involvement has potential to lead to a move away from highly centralised power structures.

Dedication

To my dearest Amma, Thaththa and Chan

for

your endless love, care and affection

the great courage and strength you have given;

your sacrifice to fulfil my dreams

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Abbreviations

| | |
|----------------|--|
| ACLG | Assistant Commissioner of Local Government |
| ACTC | All Ceylon Tamil Congress |
| ACTED | Agency for Technical Cooperation and Development |
| ADB | Asian Development Bank |
| ADG | Aide au Développement |
| ADPC | Asian Disaster Preparedness Centre |
| AGA | Assistant Government Agent |
| AGSL | ART GOLD Sri Lanka |
| ANSA | Affiliated Network for Social Accountability |
| ARD | Association for Rural Development |
| AusAID | Australian Agency for International Development |
| BoI | Board of Investment |
| BRAC | Building Resources Across Communities |
| CADREP | Capacity Development for Recovery Programme |
| CAP | Community Approach Programme |
| CARE | Cooperative for Assistance and Relief Everywhere |
| CBO | Community-Based Organisation |
| CBG | Canadian Brigade Group |
| CCF | Christian Children's Fund |
| CEB | Ceylon Electricity Board |
| CIC | Ceylon Indian Congress |
| CIDA | Canadian International Development Agency |
| CIFAL | Centre International de Formation des Acteurs Locaux (International Training Centre for Local Actors) |
| CIVICUS | World Alliance for Citizen Participation |
| CLG | Commissioner of Local Government |
| CNC | Ceylon National Congress |
| CNGS | Centre for Non-Governmental Sector |

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|-----------------------------------|--|
| CORDAID | Catholic Organisation for Relief and Development Aid |
| COWAM | Construction Waste Management |
| CPA | Centre for Policy Alternatives |
| CPSL | Communist Party of Sri Lanka |
| CRC | Citizen Report Card |
| CSF | Community Support Fund |
| CSO | Civil Society Organisation |
| CWC | Ceylon Workers Congress |
| DNA | Democratic National Alliance |
| EHED | Eastern Human Economic Development |
| EML | Environmental Management Lanka |
| EPDP | Eelam People's Democratic Party |
| EPRLF | Eelam People's Revolutionary Liberation Front |
| ERD | External Resources Department |
| EROS | Eelam Revolutionary Organisation of Students |
| ERP | Environmental Remediation Programme |
| EU | European Union |
| FAO | Food and Agriculture Organisation |
| FCM | Federation of Canadian Municipalities |
| FORUT | Solidaritetsaksjon for utvikling (Campaign for Development and Solidarity) |
| FSLGA | Federation of Sri Lankan Local Government Authorities |
| GA | Government Agent |
| GIZ (earlier known as GTZ) | Deutsche Gesellschaft für Internationale Zusammenarbeit (German Technical Cooperation) |
| GN | <i>Grama Niladhari</i> |
| HELP-O | Human and Environment Links Progressive Organisation |
| IBP | International Budget Participation |
| ICJ | International Commission of Jurists |
| ICMA | International City/County Management Association |

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| ICRC | International Committee of the Red Cross |
| IDP | Internally Displaced Person |
| IFAD | International Fund for Agricultural Development |
| IMF | International Monetary Fund |
| INFORM | Information Monitor on Human Rights |
| IO | International Organisation |
| IOM | International Organisation for Migration |
| IPKF | Indian Peace Keeping Force |
| IRED | Innovations et Réseaux pour le Développement |
| ISGA | Interim Self-Governing Authority |
| ITAK | Ilankai Tamil Arasu Kachchi (Federal Party) |
| IUCN | International Union for Conservation of Nature |
| JFPR | Japan Fund for Poverty Reduction |
| JHU | Jathika Hela Urumaya |
| JICA | Japan International Cooperation Agency |
| JTF | <i>Janasaviya</i> Trust Fund |
| JVP | Janatha Vimukthi Peramuna (People's Liberation Front) |
| LEG | Local Economic Governance |
| LGIP | Local Government Infrastructure Improvement Project |
| LL&DF | Local Loans and Development Fund |
| LLRC | Lessons Learnt and Reconciliation Commission |
| LoGoPro | Local Governance Project |
| LSSP | Lanka Sama Samaja Party (Ceylon Equal Society Party) |
| LTTE | Liberation Tigers of Tamil Eelam |
| MC | Municipal Council |
| MCP | Municipal Cooperation Programme |
| MDDR | Movement for the Defence of Democratic Rights |
| MEP | Mahajana Eksath Peramuna |
| MIRJE | Movement for Inter-Racial Justice and Equality |

| | |
|-----------------|---|
| MP | Member of Parliament |
| NAAL | Netherlands Alumni Association Lanka |
| NECCDEP | North East Coastal Community Development Project |
| NECORD | North East Community Restoration and Development |
| NED | National Endowment for Democracy |
| NELSIP | North East Local Services Improvement Project |
| NFF | National Freedom Front |
| NGO | Non-Governmental Organisation |
| NIC | Newly Industrialised Country |
| NIPU | National Integration and Planning Unit |
| OXFAM | Oxford Committee for Famine Relief |
| OXFAM GB | Oxford Committee for Famine Relief Great Britain |
| PA | People's Alliance |
| PHI | Public Health Inspector |
| PIDT | Public Information Dissemination Tactics |
| PIN | People In Need |
| PIP | Performance Improvement Project |
| PMGG | People's Movement for Good Governance |
| POP | Poorest Of the Poor |
| PRA | Participatory Rural Appraisal |
| PS | <i>Pradeshiya Sabha</i> |
| PTCRRMP | Post Tsunami Coastal Rehabilitation and Resource Management Programme |
| PTF | Partnership for Transparency Fund |
| RC | Regional Council |
| RDA | Road Development Authority |
| SAP | Structural Adjustment Programme |
| SED | Social and Economic Development |
| SLAS | Sri Lanka Administrative Service |

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| SLFP | Sri Lanka Freedom Party |
| SLILG | Sri Lanka Institute of Local Governance |
| SLMC | Sri Lanka Muslim Congress |
| SPREAP | Southern Province Rural Economic Advancement Project |
| SSA | Social Scientists' Association |
| SuRG | Supporting Regional Governance |
| TAARP | Tsunami-Affected Areas Rebuilding Project |
| TAFREN | Task Force to Rebuild the Nation |
| TALG | Transparent Accountable Local Governance |
| TELO | Tamil Eelam Liberation Organisation |
| TMVP | Tamil Makkal Viduthalai Pulikal (Tamil People's Liberation Tigers) |
| TNA | Tamil National Alliance |
| TULF | Tamil United Liberation Front |
| UC | Urban Council |
| UDA | Urban Development Authority |
| UMCOR | United Methodist Committee On Relief |
| UN | United Nations |
| UNDP | United Nations Development Programme |
| UNF | United National Front |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children's Fund |
| UNOPS | United Nations Office for Project Services |
| UNP | United National Party |
| UPFA | United People's Freedom Alliance |
| USAID | United States Agency for International Development |
| VDP | Village Development Plan |
| VNG | Vereniging van Nederlandse Gemeenten (Association of Dutch Municipalities) |
| VOU | Village Operating Unit |

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| VSSO Act | Voluntary Social Service Organisations (Registration and Supervision) Act |
| WACAP | World Alliance of Cities Against Poverty |
| WASH | Water, Sanitation and Hygiene |
| WB | World Bank |
| YMCA | Young Men’s Christian Association |
| YWCA | Young Women’s Christian Association |
| ZOA | Zionist Organization of America |

Chapter 1

Introduction

1.1. Introduction

Since obtaining independence in 1948, there have been several attempts by post-independence rulers to alter the forms of government, particularly through decentralisation policies, to better align with Sri Lankan social structures. Most of these attempts, however, have not been successful. Instead, Sri Lankan government has a long history of failing to implement the proposals and recommendations of commissions and committees regarding decentralisation and local government reform. The political power structures have remained highly centralised, and the current tendency is to make the system even more centralised. Governments, political parties and national leaders have tended to reinforce such power structures with provincial and local levels of government playing a marginal role. In this context, the needs of local communities are not being addressed and there is very little support or encouragement for local government to do so. The non-implementation of recommendations for decentralisation leads to the question of whether proposing more of the same to a highly centralised government would bring positive results. This study, therefore, is concerned with exploring the more practical and alternative ways to empower local government and local communities towards local development.

The study draws attention to two recent events which have shaped and strengthened the centralising tendencies, and which shows trends that can be used positively to prevent the negative implications of centralisation at the local level. The first is the tsunami disaster on 26th December 2004 which affected the entire northern, eastern and southern coastline and a part of the western coast in Sri Lanka. It is estimated that more than 30,000 lives were lost and almost 500,000 people made homeless.¹ During the post-tsunami period, international donors contributed significant funds to aid recovery and reconstruction. Donor

¹ *LOGO South Country Programme for Sri Lanka/Solid Waste Management of Local Government Bodies in Sri Lanka* (2006) VNG International, The Hague, p. 5 (http://www.cities-localgovernments.org/committees/cib/Upload/compendium/EN_38_LOGO_South_Country_Programme_Sri_Lanka.pdf, accessed 21-06-2013).

commitments for the post-tsunami aid were estimated at US\$2 billion.² Large amounts of foreign aid and the involvement of large numbers of non-governmental organisations (NGOs)³ were new issues in Sri Lanka at that time. There were no adequate government mechanisms at national, provincial or local levels to manage and distribute foreign aid and NGO support. This provided impetus for central government to take control of the entire foreign aid management and distribution,⁴ and saw central government increasingly impose limitations and restrictions on foreign aid and NGOs.⁵

The second major event is the end of war between the Sri Lankan government forces and the Liberation Tigers of Tamil Eelam (LTTE). The war had been fought for nearly 30 years and ended in May 2009 with a government victory. Significant foreign aid and NGO involvement in Sri Lanka were recorded from the post-war period.⁶ Central government has controlled and used foreign aid, and directed NGOs towards reconstruction and infrastructure development projects with little or no regard for local government preferences and existing social and economic needs, especially within local communities.⁷

During the post-tsunami and post-war period, despite facing restrictions and constraints by central government, some NGOs began to be involved directly with local communities. This involvement and their contributions revealed the potential for NGOs to address the multiple needs at the local level. The long background of failure by central government to introduce genuine decentralisation and local government reforms, centralised power structures, and the centralised management of foreign aid processes, and the recent contributions of NGOs at the local level suggest that if NGOs were involved directly in local government and

² 'Sri Lanka's Tsunami Aid: Over \$1 Billion Missing or Misappropriated' (2009) <http://srilankastaterrorism.blogspot.com/2009/12/sri-lankas-tsunami-aid-over-1-billion.html>, accessed 26-05-2012.

³ In this research, the term 'NGO' is used as an umbrella term to cover local NGOs that receive foreign aid, international NGOs, international financial institutions, and foreign government institutions that provide aid to Sri Lanka. Definitional issues concerning NGOs in the Sri Lankan context are discussed fully in chapter 6.

⁴ See *Performance-2005 & Future Plans-2006*, Ministry of Provincial Councils and Local Government, Colombo-02.

⁵ See Brochard, P. (2005) 'New Regulations and Procedures Affecting the NGOs in Sri Lanka', CIDA Programme Support Unit.

⁶ Kadrigamar, A. (2013) 'Second Wave of Neoliberalism: Financialisation and Crisis in Post-War Sri Lanka', *Economic and Political Weekly*, Vol. 48, No. 35, <http://www.epw.in/web-exclusives/second-wave-neoliberalism-financialisation-and-crisis-post-war-sri-lanka.html>, accessed 16-11-2013.

⁷ 'Sri Lanka's Tsunami Aid: Over \$1 Billion Missing or Misappropriated' (2009).

local development, even within current constraints, there would be more progress than could be achieved by simply relying on central government. This study, therefore, pays particular attention to the involvement of NGOs at the local level by investigating their contributions to local government and local development.

The central research question is:

How are NGOs working in the Sri Lankan context able to contribute to building the capabilities and capacities of local government as they support local development and as they seek to respond to the needs of local communities?

Given their ability and potential to address the needs at the local level, this study argues that NGOs are able to make a significant contribution to local government and to local development. The study identifies the possibilities of NGO involvement and their contribution to local government and local development in Sri Lanka. The study, therefore, covers two major areas: Sri Lankan local government, and NGO involvement in and contribution to, Sri Lanka. The study explores the ways in which local government and local development in Sri Lanka can be promoted with support from NGOs.

1.2. Rationale

There is very little literature on Sri Lankan local government. Other than the reports of local government reform commissions and committees, the literature on Sri Lankan local government is limited. The same can be said for literature on NGOs and their role and effectiveness in Sri Lanka. Part of the difficulty in studying NGOs in the Sri Lankan context arises from the inconsistent use of the term, and this has led to unclear data about the growth of NGOs and their activity. Although a number of Sri Lankan authors have attempted to discuss this field⁸ in their enquiries, those studies are limited. The gap in the literature is a major reason for this topic. The thesis, therefore, contributes by filling these gaps in the scholarship on Sri Lankan local government and NGO involvement, and in clarifying the activities of NGOs in the Sri Lankan context.

⁸ See Fernando, L. (2003) 'Local Governance in the Uva Province: Monaragala *Pradeshiya Sabha*' and Thangarajah, Y. (2003) 'Local Governance in the Eastern Province: Kaluvanchikudy *Pradeshiya Sabha* & Kattankudy Urban Council', *Local Governance and Conflict Management in Sri Lanka-Final Report*, Sri Lanka Institute of Local Governance and Berghof Foundation for Conflict Studies and Leitan, G.R.T. (2001) 'Sri Lanka's Institutions of Local Governance: Their Present Status and Possibilities for the Future', *Governance*, No. 1, Vol. 1, Sri Lanka Institute of Local Governance, Colombo-07.

The thesis is also motivated by a concern to examine the accuracy of criticisms by anti-colonial nationalist critics of NGO activity, especially foreign-originated and foreign-funded NGOs that work in Sri Lanka. These critics have portrayed NGOs as imperial agents who continue Western colonial influences in Sri Lanka.⁹ The interesting point here is that the same nationalist groups which have supported ruling governments, protested and are still protesting against the decentralisation of power. This thesis examines the roots of these anti-colonial criticisms and examines whether they represent a genuine refutation of foreign aid, NGO involvement and decentralisation, or whether they voice the hidden agendas of political actors. The thesis, therefore, reveals insights around the Sri Lankan policy debate on decentralisation, local government reform and NGO involvement.

A further reason for this study originates from the background and interests of this researcher. Being raised in a rural community in Sri Lanka led the writer to experience first-hand and observe the many difficulties facing communities. While years have passed, and governments changed, the situation in rural communities and the lives of the people have not improved. People have voted during elections but they do not seem to have looked back to determine whether their political representatives have addressed their needs. The links between the government, especially local government, and the people have remained weak.

The opportunities to study and teach in the University of Colombo in the capital city of Sri Lanka, and then to teach in the University of Ruhuna in the southern province provided a means of experiencing the differences between the people who live in cities and those who live in villages. Despite where they live, large parts of the Sri Lankan population have been neglected and their needs have gone unaddressed by successive governments.

Working as a researcher in a tsunami housing support project conducted by the well-known German organisation (GTZ) provided this writer with the opportunity to identify the capacities, abilities and potential of foreign aid, and foreign-originated and foreign-funded NGOs to make a positive change for the many Sri Lankan people. At the local level the attitudes of people have been very positive to the foreign aid and toward the personnel in the field. Opportunities to visit

⁹ See Uyangoda, J. (1995) 'NGOs, Hate Politics and Questions of Democracy' and Jayawardena, K. (1995) 'The NGO Bogy', *Pravada*, Vol. 4, No. 5 & 6 (December/January) Social Scientists' Association, Colombo.

many tsunami and war-affected areas in Sri Lanka and to talk with people who experienced the consequences of the tsunami and the war have proved advantageous to this study. Many large scale construction projects were taking place in these areas, and people voiced complaints about the way they had been neglected by central, provincial and local governments while these projects were being pursued. This raised questions in the writer's mind about the outcomes of central government's large scale projects which were conducted under the name of 'development'. It was evident to the writer that the actual needs of the people in these areas were not being addressed and that many were made much worse off as a result of the big 'development' being pursued by central government.

This background maps the reasons behind this study which seeks to understand the ways in which the local communities have been neglected in the development initiatives in Sri Lanka and why this has happened. The study seeks to identify how to address the needs of the people who have been disadvantaged, underprivileged and neglected, and to assess the contribution NGOs make to improving local development and providing support for local government in building its capacity to act effectively and contribute.

1.3. Objectives

Prior to 1980, as will be discussed in detail in chapter 5, local government bodies in Sri Lanka were comprised of municipal councils, urban councils, town councils and village councils. When the town councils and village councils were abolished in 1980 to establish district-based development councils, 85 per cent of the Sri Lankan population lost their local level political representation.¹⁰ Although *Pradeshiya Sabhas* were later established as representative bodies, 85 per cent of the Sri Lankan population lives in rural areas and only 15 per cent in urban areas. There is no doubt that this major rural population has the potential to play a decisive role in the election of governments, but they have been politically neglected. This population is more likely to suffer from poverty¹¹ and a lack of facilities in health, sanitation, education, water, electricity, transport, access to free media, means of income generation and many others. The first objective of

¹⁰ *Report of the Commission of Inquiry on Local Government Reforms 1999* (Sessional Paper No. I – 1999) pp. 19-20.

¹¹ Bandara, W.M.A. (1997) 'Rural Poverty in Sri Lanka', http://www.unescap.org/rural/doc/beijing_march97/sri_lanka.PDF, accessed 15-11-2013.

this study, therefore, is to establish how and why the rural population has been neglected.

Throughout its history, several proposals and commissioned reports have aimed to introduce decentralisation and local government reforms to Sri Lanka but they have not been fully implemented. This has resulted in the weakening of local government bodies' capabilities and capacities and the strengthening of centralisation. The second objective of this study is to determine why these proposed reforms have not been implemented.

The third objective of this study is to determine the views of the respondents – national, provincial and local political representatives and administrative officials, officials attached to NGOs, and the representatives of community-based organisations (CBOs). In this way the practical reality of local development and the potential for NGOs to provide solutions will be assessed.

This study maps the current local government in Sri Lanka in terms of its powers and functions, funding and staffing, and its politico-administrative relations through assessing the views and proposals of the respondents. Here the aim is to investigate and compare the legal procedures and their practical implementation in the field of local government. This is the fourth objective of this study.

This study mainly focuses on the NGO contribution at the local level towards supporting local development and responding to the needs of local communities. The study's fifth objective is to assess the views of officials attached to NGOs regarding their involvement and contributions, given the views of political representatives and administrative officials on completed and on-going NGO projects, examine the local level effects of such projects.

Where NGOs can directly connect with the local level, especially with local government and local communities, there will be a positive contribution to local development. The sixth objective is to outline the ways in which local government has been, and can be, connected to NGOs and people in ways which promote local government and local development.

1.4. Chapter organisation

In examining how and why local communities have been neglected in the Sri Lankan development initiatives, and in assessing the actual and potential

contribution of NGOs to local government in Sri Lanka, this thesis consists of the following substantive chapters.

Chapter 2 reviews the literature on post-colonialism with particular reference to Sri Lanka, government-NGO relations, and the interactions of NGOs in policy processes. The chapter presents a multiple theoretical framework related to post-colonial situations and the impact of NGOs on local government and local development, and outlines a series of hypotheses and issues derived from the literature. With its long history of colonialism many of the remnants of colonial structures are to be found in the Sri Lankan political and administrative system. Despite the more than six decades which have passed since decolonisation, the Sinhala nationalist parties and groups in particular remain critical of foreign aid and NGOs as colonial influences. Whether post-colonial criticisms are able, in the 21st century, to continue to identify and explain the complexities of former colonies requires a review of the literature in order to understand the complexities of post-colonial Sri Lankan society, and in terms of investigating to what extent the post-colonial criticisms can explain Sri Lanka's contemporary problems and issues.

The literature on government-NGO relations is reviewed to investigate the ways in which there has been collaboration and conflict between governments and NGOs. Chapter 2 also reviews NGO interactions in policy processes and identifies these interactions as a significant part of collaborative government-NGO relations. This review of the literature contributes to an investigation of the abilities of NGOs to encourage people's participation in local government policy processes and the networking of all parties at the local level.

Chapter 3 provides an outline of the research methodology which includes four main components: the strategy; the conceptual framework; who or what will be studied; and the tools and procedures to be used for collecting and analysing data. Due to a number of structural complexities, drawing boundaries and limitations around one study area on Sri Lankan government is difficult. This study as a single case study selects Sri Lankan local government, with its many interconnecting and interdepending phenomena, and examines its nature, powers, functions, capacities, trends, problems and potentials. It analyses and reviews the relevant literature and conducts interviews with a range of respondents at the

national, provincial and local levels of government. The study selects a range of foreign-funded projects at the local level to investigate the capacity, ability and potential of NGOs to promote local government and local development in Sri Lanka.

The methodology uses the mixed method approach and draws mainly on qualitative methods. Within the single case study of local government there are two embedded units, the southern and the eastern provincial councils. Interviews, observations, documents and archives are data sources for this study. To examine the central research question, and investigate the applicability of theories, both deductive and inductive reasoning are used in the research data analysis and for testing the hypotheses.

Chapter 4 discusses the history and political development in Sri Lanka outlining the constitutional evolution, development of political parties and the emergence of political leaders. This chapter closely scrutinises the extent to which such developments have been linked with ethnic divisions and conflicts in the country. The chapter also outlines the politics of decentralisation and the link between those processes and ethnic conflict. This chapter investigates the roots of the present socio-cultural and politico-economic issues in Sri Lanka and considers whether such problems are the results of colonialism or whether they have arisen more recently through the policies of post-independence governments and political leaders.

Chapter 5 extends the discussion in chapter 4, and examines the particular history and development of local government in Sri Lanka. The chapter analyses the decentralisation process highlighting its connection with proposed local government reforms. This chapter investigates the reasons for the non-implementation of proposals on decentralisation and local government reform, and highlights the centralising tendencies of governments and political leaders. The complications of the overlapping legal procedures related to political and administrative bodies at the local level are also analysed in this chapter. The chapter provides a background to understand the present situation affecting local government and seeks to establish whether inherent complexities have led to the strengthening of centralised power structures.

Chapter 6 sets out to review the history of NGO involvement in the country. It discusses the ambiguities related to the term 'NGOs' in the Sri Lankan context, and identifies reasons for the lack of clarity about NGO data and assesses the implications of the different forms of relations between NGOs and the Sri Lankan government. This chapter explores the criticisms of Sinhala nationalist parties and groups that have portrayed NGOs as imperial agents. The views of the respondent officials attached to NGOs regarding government-NGO relations are included providing a base for the analysis presented in subsequent chapters.

Chapters 7, 8 and 9 present the research data and analyse the views of the respondents. Chapter 7 presents the perspectives of respondents on local development and people's participation, and investigates the ways in which local government is affected by national and provincial politics. This chapter investigates differences in the ways in which central government and local government identify development, and looks at how the results of central government-controlled large scale construction projects affect the local people. People's participation in local policy processes is identified and the methods local government uses in promoting such participation are examined.

Chapter 8 outlines a number of problems in Sri Lankan local government and assesses the proposals put forward by respondents for solutions. It explores the differences between the proposals of national and local level respondents. Finally the chapter investigates ways to address local level problems and the potential of NGOs to provide solutions.

Chapter 9 analyses a number of NGO projects at the local level, examining the features of NGO involvement and their contribution to local government and to local development in Sri Lanka. These projects are assessed in terms of the ways in which the NGOs are involved at the local level, whether their project aims match local needs, and to what extent such aims have been fulfilled. This chapter identifies as a special issue the large amounts of foreign aid and significant support from NGOs which flowed into Sri Lanka to assist in recovery in the post-tsunami and post-war situations. The chapter explores how the effects of this support have shaped the Sri Lankan government's behaviour toward foreign aid and NGOs. The chapter investigates NGO involvement at the local level, and

highlights collaborative local government-NGO relations which support and promote local development.

Chapter 10 concludes by drawing together the literature and research data providing an overall analysis centred on exploring the hypotheses in light of the conclusions derived from the data. It also assesses the contribution being made, and which is still to be made, of NGOs in serving to strengthen and enhance local government's role in addressing the needs of communities and promoting effective local development.

As will be discussed in the following chapters, it is clear that certain legal powers have been allocated to local government in Sri Lanka by several legislative documents. But it is also clear that such powers are not exercised for various reasons. First, the extensive centralised powers of the central government prevents local government from acting as a self-governing body. Second, most local government representatives do not have sufficient knowledge about their powers. Third, local government lacks the capabilities, capacities and resources to enhance local development towards responding to the needs of local communities. This research finds that NGOs have the knowledge and resources to build the capabilities and capacities of local government to support local development.

Chapter 2

Literature review and hypotheses

2.1. Introduction

Sri Lankan politics occur within the context of a unitary state structure where power is concentrated at the centre. Local and provincial government bodies have long been dominated by central government controls. Decentralisation proposals and local government reforms have not been supported or implemented due to the influence on successive government of the nationalists.¹² As will be discussed in chapter 6, NGOs within Sri Lanka have tended to be viewed by nationalists as imperial agents and threats to the sovereignty of the country. Therefore, in the contemporary Sri Lankan setting, the role played by NGOs in promoting social and economic development is both political and controversial.

After the tsunami disaster of December 2004, and with the end of war¹³ in May 2009, large amounts of foreign aid flowed into Sri Lanka for relief, reconstruction and rehabilitation. With central government overseeing the administration of this aid, its role in controlling the direction of social and economic development has increased significantly, while provincial and local government have had less influence. The aid, resources and technologies of the NGOs have typically been used for the government's large scale construction projects¹⁴ under the name of

¹² Some authors such as Uyangoda, Kloos and Jayawardena use the term 'chauvinists' for these nationalists (see Uyangoda, J. (1995) 'NGOs, Hate Politics and Questions of Democracy', *Pravada*, Vol. 4, No. 5 & 6 (December/January) Social Scientists' Association, Colombo; Kloos, P. (1999) *The Sri Lankan Government and the NGO's: An Ambivalent Relationship*, Vrije Universiteit, Amsterdam; and Jayawardena, K. (1995) 'The NGO Bogey', *Pravada*, Vol. 4, No. 5 & 6 (December/January) Social Scientists' Association, Colombo). Other authors such as Walton call them hard line nationalists (see Walton, O. (2008) 'Conflict, Peacebuilding and NGO Legitimacy: National NGOs in Sri Lanka', *Conflict, Security & Development*, Vol. 8, No. 1, <http://dx.doi.org/10.1080/14678800801977146>, accessed 27-05-2011). In some of his writings Uyangoda also calls them hard line nationalists (see Uyangoda, J. (2010) 'Sri Lanka Post the LTTE', http://www.india-seminar.com/2010/605/605_jayadeva_uyangoda.htm, accessed 27-03-2012). In this research, such nationalists are referred to as anti-colonial, Sinhala, or Tamil nationalists.

¹³ The war between the government forces and the Liberation Tigers of Tamil Eelam (LTTE) lasted nearly 30 years in Sri Lanka and ended in 2009 with victory to the government.

¹⁴ Large scale construction projects include the reconstruction and infrastructure development projects such as roads, highways, bridges, airports, harbours, government buildings, tourist hotels, factories, and sports complexes. These projects are mostly foreign-funded and controlled fully or partly by the central government.

‘reconstruction and infrastructure development projects’. As this has happened the aspirations and needs of the local communities have been neglected.¹⁵

As will be outlined later, despite these centralising tendencies, NGOs have played an important role in supporting local government and local development¹⁶ and have influenced central government decisions on local policy, supporting the implementation of local policy effectively, and encouraging people’s participation in the local policy process. Although the role of NGOs has not been highlighted as a major issue in the literature, their involvement in local government and their contribution in local development indicate their potential role working as intermediaries to promote effective local governance.

Given the limitations imposed on local government and NGOs by central government in Sri Lanka, questions arise about the actual and potential contribution of NGOs to local government and to local development. This concerns questions about whether local communities have been neglected in development initiatives in Sri Lanka, and if so, why. In the post-colonial context in Sri Lanka, where NGOs play an important role in supporting development initiatives, questions arise about the role of NGOs and their potential to act as facilitators of local development. This includes questions about whether such actors can strengthen local policy processes by encouraging people’s participation, and the extent to which they can collaborate with local government bodies in designing local policies and programmes. Additionally, within the context of a country where central government has been the dominant level of administration in the post-independence era, there are questions about whether NGOs can act effectively as intermediaries in networking between national, provincial and local levels of government, and communities. In exploring these questions, this study contributes to understanding the roles of NGOs in local government and local development in Sri Lanka. This chapter reviews theories¹⁷ related to local

¹⁵ See ‘Tsunami Reconstruction and Rehabilitation Programme’ (n.d.) <http://www.acdi-cida.gc.ca/acdi-cida/ACDI-CIDA.nsf/eng/NAT-215111822-M5J>, accessed 21-06-2013.

¹⁶ In this research, the term ‘local development’ refers to locally-led, community-oriented development. This development strategy addresses the needs of local communities and stresses the development of human resources over physical infrastructure (Kleymeyer, C.D. (ed) (1994) *Cultural Expression and Grassroots Development: Cases from Latin America and the Caribbean*, Lynne Rienner Publishers, London, pp. 4-6). Issues related to local development in the Sri Lankan context are discussed in chapter 7.

¹⁷ Waltz defines theory as a picture, mentally formed, of a bounded realm or domain of activity. A theory depicts the organisation of a realm and the connections among its parts. The infinite

government and the role of NGOs with the potential to inform the approach to answering these questions.

No single theory explains all of the issues related to local government and the role of NGOs. This chapter, therefore, reviews a group of theories related to post-colonial situations and assesses the impact of NGOs on local government and local development. In so doing, it draws on a multiple theoretical base. According to Sabatier, using multiple theories provides advantages,¹⁸ particularly in terms of enhancing knowledge of theories and their application in empirical research.¹⁹ The chapter, first, examines the literature on post-colonialism, neo-colonialism and NGOs, government-NGO relations, and the policy process and the interactions of NGOs. It, therefore, starts with an historical colonial background and moves to contemporary issues related to government, NGOs and the policy process. The chapter concludes by outlining a series of hypotheses from this relevant literature.

2.2. Post-colonialism, neo-colonialism and NGOs

The history of colonialism changed the economic, political, social and cultural structures of many colonised countries, leaving them with no chance of returning to their pre-colonial states. However this has not meant that former colonies have lost their old social structures or have fully adopted new colonial structures. Instead, many former colonised countries are left with complex arrangements, a hybrid of new colonial settings and old societal structures.

materials of any realm can be organised endlessly in different ways. Reality is complex; theory is simple. Waltz further suggests that theory isolates one realm from all others in order to deal with it intellectually (Waltz, K.N. (1997) 'Evaluating Theories', *American Political Science Review*, Vol. 91, No. 4, American Political Science Association, p. 913). Theories are needed in answering questions however theories always are simplifications of reality, and there is no reason to suggest that there are domains or disciplines that a priori demand a specific theory. The boundaries of theory depend on the assumptions the theorist makes. Theories which deal with more or less the same issues can be considered to form a discipline – yet there will always be borderline cases, questions that can only be answered by integrating theories pertaining to different disciplines (Weenink, A. (2001) 'The Relevance of Being Important or the Importance of Being Relevant? State and Non-State Actors in International Relations Theory', in B. Arts; M. Noortmann and B. Reinalda (eds) *Non-State Actors in International Relations*, Ashgate Publishing Limited, England, pp. 83, 90). These ideas indicate the problematic of applying such theories.

¹⁸ The advantages of using multiple theories are, first, that this provides some guarantee against assuming that a particular theory is the valid one. Second, it leads to an appreciation that different theories may have comparative advantages in different settings. Third, knowing other theories makes one more sensitive to some of the implicit assumptions in one's favoured theory. (Sabatier, P.A. (1999) 'Fostering the Development of Policy Theory', in P.A. Sabatier (ed) *Theories of the Policy Process*, Westview Press, UK, p. 270).

¹⁹ *Ibid.*

Sri Lanka has been under Portuguese, Dutch and British colonial rule for more than four centuries. As will be outlined in later chapters, Sri Lankan pre-colonial society was characterised by much complexity, arising from the many different ethnic, religious and caste systems and the existence of many related cultures. When colonial social and political structures were introduced into this environment, the complexities associated with governing only increased. For example, when the colonial rulers promoted Western religions, a considerable number of Buddhist and Hindu adherents converted to Christianity, while those who remained as Buddhists imitated the new Protestant system of education and started Buddhist schools aimed at competing with Catholic schools. It was within the context of such complexities that colonial administrative and governing structures were established and the traditional society transformed.

Following independence in 1948, the ruling power shifted from colonial masters to post-colonial rulers who have since been faced with the need to address the enduring complexities resulting from the history of colonialism. The multiple layers of colonial and pre-colonial social, political and economic structures have left post-independence rulers facing many difficulties. For example, with the British education system and the temple-based, ancient Buddhist education system (*Piriven*), both have remained and co-exist. Alongside the British-based system of administration and government, ethnic, religious, caste and social class hierarchies have remained. Additionally, alongside an export-oriented economy designed to meet the needs of former colonial powers, the pre-colonial, traditional agricultural system remains. And while the indigenous cultures have been combined with and influenced by Western culture, those cultures have not been demonstrably altered.

There is a significant connection between the complexities of post-colonial Sri Lanka and the growing role of NGOs. As will be discussed in subsequent chapters, most post-independence rulers have been unable to address the complexities of government effectively. The inability of post-independence rulers in Sri Lanka to govern effectively and promote positive development has been interpreted by anti-colonial nationalists as a consequence of the earlier period of colonialism. A complicating factor is that post-independence rulers have had to continue to depend on former colonial masters, especially in the area of the economy. This dependency has provided a path for NGOs to become involved in the development problems facing Sri Lanka.

The growing involvement of NGOs, however, has also been criticised by anti-colonial nationalists in Sri Lanka. Some of their arguments can be found in post-colonial theory. Moreover, post-colonial theory offers a set of ideas that help identify and explain the difficulties of governing in a post-independence environment. Due to its relevance to this study, this section reviews post-colonial theory and the concepts of post-colonialism and neo-colonialism. The section provides an outline of the contending approaches to understanding such concepts.

2.2.1. Addressing post-colonial complexities

The term ‘post-colonial’ refers to a period after the end of colonialism and the experiences of countries formerly under the control of the Western/European colonial powers. It focuses on the impact of colonial acquisition and control²⁰ over resources, territories and cultures. For Moore-Gilbert, post-colonial societies, cultural formations and movements emerge at different times, in different forms and in different places around the globe. Therefore, to refer to the post-colonial is to recognise heterogeneity. As colonialism has taken many forms and has many histories, decolonisation has been similarly multiform and complex.²¹

In another way, post-colonial is a dialectical concept that marks the broad historical facts of decolonisation and the determined achievement of sovereignty, but also highlights the realities of nations and peoples entering into a new imperialistic context of economic, and sometimes, political domination.²² Young further notes that the experience of that new sovereignty typically encouraged the development of a post-colonial culture which radically revised the ethos and ideologies of the colonial state and, at the same time, re-oriented the goals of the independence movement towards the very different conditions of national autonomy. Post-colonial also specifies a transformed historical situation, and the cultural formations that have arisen in response to changed political circumstances, in the former colonial power.²³ Therefore, it identifies that there is a continuation of colonialism, albeit through different or new politico-economic, socio-cultural

²⁰ Childs, P. and Williams, P.R.J. (1997) *An Introduction to Post-Colonial Theory*, Prentice Hall, London, pp. 1, 10.

²¹ Moore-Gilbert, B. (1997) *Postcolonial Theory: Contexts, Practices, Politics*, Verso, New York, p. 203.

²² Young, R.J.C. (2001) *Postcolonialism: An Historical Introduction*, Blackwell Publishers, UK, p. 57.

²³ *Ibid.*

relationships of the former colonies. The key points that emerge from the post-colonial literature reveal it is used to explain both past and present consequences of colonialism and the complex societal needs and structures of former colonies.

Post-colonial theory seeks to understand and explain these post-colonial situations. For Ashcroft, post-colonial theory was never conceived of as a grand theory but as a methodology: first, for analysing the many strategies by which colonised societies have engaged imperial discourse; and second, for studying the ways in which many of those strategies are shared by colonised societies, re-emerging in very different political and cultural circumstances.²⁴ For Prasad, post-colonial theory and criticism represents an attempt to investigate the complex and deeply fraught dynamics of modern Western colonialism and anti-colonial resistance, and the on-going significance of the colonial encounter for people's lives both in the West and elsewhere.²⁵ According to Rukundwa and Aarde, post-colonial theory formulates its critique around the social histories, cultural differences and the political discrimination practised and normalised by colonial and imperial machineries.²⁶

Young notes that post-colonial theory constitutes a body of knowledge that can be deployed against the political and cultural hegemony of the West. It offers a way to explain, and challenge, the ideological heritage of colonialism not only in the decolonised countries, but also in the West itself.²⁷ Post-colonial theory provides a framework which encourages former colonies to utilise, strengthen and develop the resources of their own histories and political and intellectual traditions.²⁸ As Young argues, post-colonial theory involves a conceptual re-orientation towards the perspectives of knowledge, as well as needs, developed outside the West.²⁹ He observes that when national sovereignty or independence was finally achieved, countries moved from colonial to apparently autonomous, post-colonial status. In many ways, however, this represented only a beginning, a relatively minor move

²⁴ Ashcroft, B. (2001) *Post-Colonial Transformation*, Routledge, London, p. 7.

²⁵ Prasad, A. (2003) 'The Gaze of the Other: Postcolonial Theory and Organizational Analysis', in A. Prasad (ed) *Postcolonial Theory and Organizational Analysis: A Critical Engagement*, Palgrave Macmillan, New York, p. 5.

²⁶ Rukundwa, L.S. and Aarde, A.G. (n.d.) 'The Formation of Postcolonial Theory', <http://www.ajol.info/index.php/hts/article/viewfile/41235/8623>, accessed 16-04-2012.

²⁷ Young, (2001), p. 65.

²⁸ *Ibid.*, p. 66.

²⁹ Young, R.J.C. (2003) *Postcolonialism: A Very Short Introduction*, Oxford University Press, New York, p. 6.

from direct to indirect rule, a shift from colonial rule and domination to a position, not so much of independence, as in-dependence.³⁰ Post-colonial theory recognises, therefore, that although formerly colonised territories gained their political sovereignty, they remained subject to the effective control of the major world powers, which constituted the same group as the former imperial powers.³¹

Sharp observes that this dependency is evident in the way former colonial masters homogenised former colonies under an umbrella label such as the ‘Third World’.³² Post-colonialism, therefore, tends to be associated with third world countries³³ which gained independence after the 2nd World War.³⁴ The majority of the world’s population live in the third world countries, with their relatively low per-capita incomes, high rates of illiteracy, limited development of industry, agriculture-based economies, short life expectancies, low degrees of social mobility, and unstable political structures. Due to these characteristics, third world countries have also been called developing, underdeveloped or less developed countries. Many third world countries have subsequently come to depend more on foreign aid, with such aid being regarded as necessary to help kick start industrialisation and economic growth in these countries.³⁵ Such economic dependency on international organisations (IOs) and on former colonial powers has been identified by neo-colonial critics as a new form of colonialism. Some, such as Slemon, argue that nothing has really changed through decolonisation. Slemon describes this political condition in which the old regulatory practices of direct colonialism are continued by new forms of foreign domination and manifested by the manipulation of national economies through the production and

³⁰ *Ibid.*, p. 3.

³¹ Young, (2001), p. 45.

³² Sharp, J.P. (2009) *Geographies of Postcolonialism*, Sage Publications, London, pp. 109-132.

³³ Third world countries always had many more divergences than similarities in their historical, cultural, demographic and geographic issues. Equally they had great variations in their capacities, attitudes, customs, living standards, and levels of modernisation. This was the key reason for the heterogeneity and unevenness of post-colonialism. During the cold war these countries were seen as potential allies by both the first and second worlds. They received economic and military support offered by the capitalist United States and the socialist Soviet Union. By the end of the cold war, many third world countries had adopted capitalist or communist economic models and continued to receive support from the side they had chosen (‘Third World – Origins, Theories of “Third World” Development, the Future of the Third World, Bibliography’ (n.d.) <http://science.jrank.org/pages/8117/Third-World.html>, accessed 05-04-2012).

³⁴ Shohat, E. (1992) ‘Notes on the “Post-Colonial”’, *Social Text*, No. 31/32 (Third World and Post-Colonial Issues) Duke University Press, p. 102 (<http://www.jstor.org/stable/466220>, accessed 23-09-2012).

³⁵ Mehmet, O. (1999) *Westernizing the Third World: the Eurocentricity of Economic Development Theories*, Routledge, New York, pp. 1-3.

administration of ‘Third World debt’. Kwame Nkrumah, the first President of independent Ghana, coined the term “neo-colonialism”³⁶ to capture this process.³⁷ Young argues that neo-colonialism denotes a continuing economic hegemony that means that the post-colonial state remains in a situation of dependence on its former masters, and that the former masters continue to act in a colonialist manner towards formerly colonised states.³⁸

The critique of neo-colonialism which focuses on aid programmes, argues that the economic object of neo-colonialism has been to keep the living standards of the less developed countries depressed in the interests of the colonial masters. Moreover, the critique sees international aid and NGOs in the third world countries as forms of colonialism. For Nkrumah, neo-colonialism is the use of foreign capital to sustain the economic exploitation of former colonies rather than for the development of the less developed parts of the world.³⁹ In this way, ‘aid’ to a former colony is merely a form of revolving credit, paid by the neo-colonial master, passing through the neo-colonial state and returning to the neo-colonial master in the form of increased profits.⁴⁰ Nkrumah also draws attention to the way such processes of exploitation are evident in the control of technology; the increasing number of often unsupervised NGOs, frequently funded by US foundations; pressures for population control; the relocation of production so as to escape Western environmental controls; the targeting of third world countries for the export not of surplus Western consumer production, but of products regarded as unhealthy or more risky than the natural alternative – such as cigarettes and

³⁶ The colonial powers were still intent on maintaining maximum indirect control over erstwhile colonies, via political, cultural and above all economic channels, a phenomenon which became known as neo-colonialism (Childs and Williams, (1997), p. 5). Neo-colonialism is a term that came into use after the period of decolonisation – a period that began during the middle of the last century and, within a few decades, led to the formal political independence of almost all of the erstwhile colonies of Europe. The achievement of political independence marked an important victory for the various anti-colonial movements waged in the non-West. However, these newly independent countries found that, despite political independence, they continued to be economically dependent on their ex-colonial masters because of the far-reaching restructuring of their economies during the colonial era. Such continued economic dependence of the ex-colonies implied that their formal independence was often of only somewhat limited political value. Neo-colonialism is a term that refers to the continuation of Western colonialism by non-traditional means. Frequently, neo-colonialism is seen as having not only economic and political dimensions, but a dimension of Western cultural control as well (Prasad, (2003), p. 6).

³⁷ Slemon, S. (2001) ‘Post-Colonial Critical Theories’, in G. Castle (ed) *Postcolonial Discourses: An Anthology*, Blackwell Publishers, UK, p. 102.

³⁸ Young, (2001), p. 45.

³⁹ Nkrumah, K. (1965) *Neo-Colonialism, the Last Stage of Imperialism*, <http://www.marxists.org/subject/africa/nkrumah/neo-colonialism/introduction.htm>, accessed 25-10-2012.

⁴⁰ *Ibid.*

powdered baby milk – and the gross imbalance of the consumption of global resources between the West and the rest.⁴¹ These criticisms of international involvement in former colonies, and in particular that of NGOs, raises a number of significant questions, such as whether injections of foreign capital leads to processes which result in the on-going exploitation of the former colonies and, in turn, how the difficulties of government in post-independence contexts are related to the legacy of colonialism. Questions also arise as to how these relate to the inadequacies of post-independence political leadership and to corruption, nepotism, and the over-centralisation of authoritative power,⁴² and what role the provision of foreign aid plays in explaining problems in development and on-going impoverishment in former colonies. Ensuring foreign aid is delivered so that it does not hinder development is another issue.

In addressing the balance of payment problems experienced by third world countries, the development of IOs such as the International Monetary Fund (IMF) and World Bank (WB) have sought to promote the survival of vulnerable economies.⁴³ The IMF and WB policies under the structural adjustment programmes (SAPs) of the 1980s and 1990s involved providing loans to the third world countries to ‘help them adjust’. However these loans were tied to strict conditions and only granted when the countries agreed to the adoption of a comprehensive programme of macro-economic ‘stabilisation’ and structural economic reform.⁴⁴ Critics of the SAPs have emphasised the severe economic and social consequences of these conditions, and have suggested these interventions by IOs further exemplifies a new form of colonialism.⁴⁵ This leads to questions about the nature of the impact of such interventions by NGOs and the extent to which they represent new forms of colonialism, and about how post-independence rulers have responded to these types of conditions. The interest is in whether they

⁴¹ Cited in Young, (2001), p. 48.

⁴² See Korten, D.C. (1990) *Getting to the 21st Century: Voluntary Action and the Global Agenda*, Kumarian Press, USA, pp. 50-52.

⁴³ In the midst of the 2nd World War, the Bretton Woods system of monetary management established the rules for commercial and financial relations among the world’s major industrial states. This system was the first example of a fully negotiated monetary order intended to govern monetary relations among newly independent nation-states.

⁴⁴ Sarkar, A.K. (ed) (2008) *NGOs and Globalization: Developmental and Organizational Facets*, Rawat Publications, India, p. 9.

⁴⁵ See Lugalla, J.L.P. (2005) ‘Globalization and Structural Adjustments in Sub-Saharan Africa (A New Dimension of Neo-Colonialism)’, <http://www.unh.edu/discovery/sites/unh.edu.discovery/files/dialogue/2005/pdf/lugalla.pdf>, accessed 23-08-2013.

have led to improved forms of governance, greater protection of human rights, the decentralising of powers and the strengthening of democracy, or whether they have resulted in sustaining dysfunctional systems of government.

It is not only IOs which are considered as the vehicles for neo-colonial processes by anti-colonial nationalists. NGOs which constitute the 'Third Sector'⁴⁶ have begun to play an increasing role in third world countries, mainly through various aid programmes. NGOs who provide aid are, however, seen by Nkrumah as a means by which former colonial style relationships are sustained, and this raises the question of whether it is possible for NGOs to serve less developed countries in a way that does not reinforce their dependence on former colonial powers, and whether NGOs are an appropriate means to reach vulnerable sections of former colonial societies in contexts where there is dysfunctional government.

Neo-colonialist critics, such as Nkrumah, argue that former colonial powers are still responsible for the underdevelopment of former colonies. But this picture of third world countries has changed over the years. A significant number of Asian, African and South American countries, which were former colonies, have been able to achieve remarkable economic growth and are being referred to as part of a category of newly industrialised countries (NICs).⁴⁷ The category of NIC is a socio-economic classification applied to several countries around the world by political scientists and economists. NICs usually share some other common features such as, increased social freedoms and civil rights, a switch from agricultural to industrial economies, especially in the manufacturing sector, an increasingly open-market economy, allowing free trade with other nations in the world, large national corporations operating in several continents, strong capital investment from foreign countries, political leadership in their area of influence, and rapid growth of urban centres and population.⁴⁸ For NICs, colonialism is not the barrier it was earlier as former colonies pursue development. The experience of these countries raises the question of whether the historical experience of colonialism is a barrier to development as implied by post-colonial theory.

⁴⁶ Sarkar, (2008), p. 8.

⁴⁷ For examples, from Asia, Hong Kong, Singapore, South Korea, Taiwan, China, India, Malaysia, Philippines and Thailand; from Africa, South Africa; and from South America, Brazil have been identified as NICs.

⁴⁸ See Bozyk, P. (2006) *Globalization and the Transformation of Foreign Economic Policy*, Ashgate Publishing Limited, England.

Post-colonial theory points to the more pressing and difficult issues involved in the West's current dealings with formerly colonised regions.⁴⁹ It tends not, therefore, to identify productive and positive aspects of the relationships between former colonies and colonising powers. It is clear that post-colonial theory provides a background to identify and explain complexities of the post-colonial third world societies. But it also draws a negative picture of Western influences on former colonies which leads to the question of whether post-colonial and neo-colonial criticisms are able to capture the positive influence of former colonial powers in addressing the complexities of the former colonies through NGOs.

Within the context of addressing these questions that emerge from this brief review of post-colonial literature, and in recognition of the complexities of governing in post-colonial Sri Lankan society, this research seeks to understand the potential for NGOs to contribute to positive development. The next section reviews literature that has examined government-NGO relations.

2.3. Government-NGO relations

The capacities of NGOs to contribute towards effective governance in post-colonial third world societies has been widely discussed with critical scholars arguing that they do represent a new form of imperial agency and constitute a new form of colonialism,⁵⁰ with a tendency to undermine the sovereignty of the state.

Many of these critiques are based on the relations between governments and NGOs. While some governments are found to collaborate effectively with NGOs in the pursuit of socio-economic development, others are more wary of the implication that NGO involvement suggests governments are neglecting their responsibilities. Still others are found to try to control the way NGOs administer foreign aid, and seek to direct that in a way that reflects favourably on the government. Against this background, government-NGO relations can be seen to take various forms, both within countries over time, and across countries.⁵¹

⁴⁹ Moore-Gilbert, (1997), p. 156.

⁵⁰ Lewis, D. and Opoku-Mensah, P. (2006) 'Policy Arena: Moving Forward Research Agendas on International NGOs: Theory, Agency and Context', *Journal of International Development*, Vol. 18, pp. 668, 670 (www.interscience.wiley.com, accessed 01-10-2012).

⁵¹ See Appadurai, A. (2003) 'Grassroots Globalization and the Research Imagination', in A. Appadurai (ed) *Globalization*, Duke University Press, London.

NGO involvement and government responses have taken many forms over time⁵² in different situations and different policy areas in Sri Lanka. Sri Lankan society is complex, and after more than six decades of independence it has continued to have many problems leading to and resulting in internal conflict and political disorder. Over this period, ethnic conflict has been an important driver of state policy. During and in the immediate aftermath of the recently-ended war, which had consumed the full attention of the central government, the needs of local communities were basically neglected.⁵³ In this context, attempts by NGOs to support the war-affected people and local communities, including encouraging their participation in local policy processes, has been significant.⁵⁴ The post-tsunami and post-war environments, therefore, have opened new and additional opportunities for NGO involvement in the country. As will be outlined later, some of these attempts have been criticised by anti-colonial nationalists as continuing imperial-like influences on Sri Lanka.

The central research question concerns the contribution of NGOs to local government and to local development in Sri Lanka. In the context that central government plays a dominant role, NGOs have not been encouraged to become involved in local government and local development. The following section reviews research on government-NGO relations and the significance of NGO involvement in post-colonial third world societies.

2.3.1. Governments and NGOs: conflicts and collaborations

The relations between governments and NGOs are sometimes conflictual and sometimes collaborative. Appadurai notes:

NGOs concerned with mobilising highly specific local, national, and regional groups on matters of equity, access, justice, and redistribution ... have complex relations with the state, with the official public sphere, with international civil society initiatives, and with local communities. Sometimes they are uncomfortably complicit with the policies of the nation-state and sometimes they are violently opposed to these policies. Sometimes they have grown wealthy and powerful enough to constitute major political forces in their own right and

⁵² Wickramasinghe, N. (2001) *Civil Society in Sri Lanka: New Circles of Power*, Sage Publications, New Delhi, p. 84.

⁵³ 'Economic Impacts of Sri Lanka's Civil War' (n.d.) http://www.asiaecon.org/special_articles/read_sp/12556, accessed 23-10-2013.

⁵⁴ See *Performance-2005 & Future Plans-2006*, Ministry of Provincial Councils and Local Government, Colombo-02 and *Progress Report 2009, Future Plans 2010*, Ministry of Local Government and Provincial Councils, Colombo-02.

sometimes they are weak in everything except their transparency and local legitimacy.⁵⁵

The above statement reflects many of the dimensions and complexities of NGOs and their national and international relations. The main point highlighted here is that the relations between government and NGOs depend on the strengths and weaknesses of both parties, but does not indicate why government-NGO relations are at times conflictual and collaborative at other times.

According to Fitzduff and Church the fear held by some governments of losing control of their own agendas is one reason to exclude NGO involvement in policy matters.⁵⁶ Furthermore, such governments tend to be concerned that NGOs introduce values or working practices, such as greater consultative democracy, that can erode the often narrower practices of the state. Such governments fear that NGOs question existing rules and suggest alternatives to the habitual traditions of governments, and worry that they will slowly force change on the political system, and this often causes resistance to cooperation with NGOs.⁵⁷ Moreover, such governments fear that politically sensitive issues can be transmitted to the wider public through NGOs and that this can lead to political pressure.⁵⁸ This leads some governments to put in place restrictions over NGOs.

Bratton notes:

Because NGO activities can involve a wide range of sensitive political actors – donors in the international arena, neighbouring countries in the region, and social groups within its own territory – a government may even come to view NGOs through the lens of state security. Where leaders are confident of their grip on power, they will not fear a populace mobilised in autonomous organisations. The more fragile a government's sense of political legitimacy, the less permissive it is likely to be toward the institutionalisation of a strong voluntary sector. Therefore, the amount of space allowed to NGOs in any given country is determined first and foremost by political considerations rather than by any calculation of the contribution of NGOs to economic and social development.⁵⁹

While many government leaders express hostile attitudes to NGOs, even in broadly democratic societies, Willetts comments that virtually all government

⁵⁵ Appadurai, (2003), pp. 16-17.

⁵⁶ Fitzduff, M. and Church, C. (2004) 'Stepping up to the Table: NGO Strategies for Influencing Policy on Conflict Issues', in M. Fitzduff and C. Church (eds) *NGOs at the Table: Strategies for Influencing Policies in Areas of Conflict*, Rowman and Littlefield Publishers, pp. 9-10.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*, p. 10.

⁵⁹ Bratton, M. (1989) 'The Politics of Government-NGO Relations in Africa', *World Development*, Vol. 17, No. 4, Pergamon Press, Great Britain, p. 576.

leaders, including those who have expressed hostility, will work with NGOs when they see them as allies in support of their current political goals.⁶⁰ NGOs have to determine whether they can work within restrictions put on them by government, and work in accordance with government agendas, or whether to do so would undermine the NGO role in addressing actual needs at the local level.

Pentland observes that it is the capacities NGOs bring to situations that is the basis of their significance to governments. A wide range of economic, social, and technical problems outstrip the capacities of most national governments,⁶¹ and in this context the capacities of NGOs to solve such problems has become significant. These capacities are based on resources such as expert information, finances, decision making capacity, popular support or legitimacy, enforcement capabilities, and diplomatic skills.⁶² According to Bratton, governments see the strength of NGOs as a great weakness of government, but tend to value the NGOs largely because of the additional flows of development capital they attract.⁶³ While reporting the issues raised in the symposium on 'Development Alternatives: The Challenge for NGOs' held in London in March 1987, Drabek points that the governments sometimes try to maintain control over NGOs precisely because of the NGOs' access to funds.⁶⁴ Fisher reports that acceptance of NGOs grew during the 1980s because of their capacity to deliver support and services.⁶⁵ According to Ripinsky and Bossche, governments often lack the resources and specific expertise necessary and NGOs are frequently of help, increasing the resources and expertise available.⁶⁶

Fisher pays attention to Asia, Africa and Latin America⁶⁷ claiming that narrow political coalitions in many countries continue to exclude the public from decision making. The failure of governments to even begin to meet the escalating

⁶⁰ Willetts, P. (2002) 'What is a Non-Governmental Organization', *UNESCO Encyclopaedia of Life Support Systems*, Oxford, UK, <http://www.staff.city.ac.uk/p.willetts/CS-NTWKS/NGO-ART.HTM#Part7>, accessed 24-02-2012).

⁶¹ Pentland, C. (1991) 'International Organizations and Their Roles', in R. Little and M. Smith (eds) *Perspectives on World Politics* (2nd edition) Routledge, London and New York, p. 244.

⁶² *Ibid.*

⁶³ Bratton, (1989), p. 584.

⁶⁴ Drabek, A.G. (1987) 'Development Alternatives: The Challenge for NGOs – An Overview of the Issues', *World Development*, Vol. 15 (Supplement) Pergamon Journals Ltd., UK, p. xiv.

⁶⁵ Fisher, J. (2003) *Nongovernments: NGOs and the Political Development of the Third World*, Rawat Publications, Jaipur, p. 48.

⁶⁶ Ripinsky, S. and Bossche, P.V.D. (2007) *NGO Involvement in International Organizations: A Legal Analysis*, British Institute of International and Comparative Law, London, p. 11.

⁶⁷ Latin America refers to South America.

challenges of sustainable development⁶⁸ has opened up unprecedented opportunities for NGOs to radically alter the way that people in most of the world are governed.⁶⁹ According to Meyer, Sollis and Vivian, NGOs are viewed by many official agencies and members of the public as more efficient and cost-effective service providers than governments.⁷⁰ Drabek reports that NGOs are perceived to be able to do something that national governments cannot or will not do.⁷¹ For Willis, NGOs are often regarded as the answer to the perceived limitations of the state. NGOs have been able to provide services for local communities when government assistance is not forthcoming or appropriate.⁷² Willis further notes that without NGO involvement the living conditions and quality of life for many people would not be improved.⁷³ NGOs act as facilitators or catalysts of local development efforts.⁷⁴ There is a growing interest in the rural development field in the role of NGOs as innovators of new technologies and approaches to working with the poor.⁷⁵ One of the earliest examples of the pro-NGO case is Michael Cernea's report, written in 1988 for the WB, which cites the NGOs' main contributions as strengthening local organisational capacity. He notes that the NGO priority on first organising the people embodies a philosophy that recognises the centrality of people in development policies and action programmes and the importance of self-organisation.⁷⁶

The role of NGOs is recognised as including the organisation of people to make better use of local productive resources, create new resources and services, promote equity, alleviate poverty and influence government actions towards these same objectives while establishing new institutional frameworks to sustain

⁶⁸ Sustainable development refers to a mode of human development in which resource use aims to meet human needs while preserving the environment so that these needs can be met not only in the present, but also for generations to come. It is development that meets the needs of the present without compromising the ability of future generations to meet their own needs (*United Nations General Assembly Resolution 42/187*, 11th December 1987).

⁶⁹ Fisher, (2003), p. 30.

⁷⁰ Cited in Edwards, M. and Hulme, D. (1996) 'Too Close for Comfort? The Impact of Official Aid on Nongovernmental Organizations', *World Development*, Vol. 24, No. 6 (June), Elsevier Ltd., Amsterdam, p. 961.

⁷¹ Drabek, (1987), p. xiii.

⁷² Willis, K. (2005) *Theories and Practices of Development*, Routledge, London, pp. 98-100.

⁷³ *Ibid.*, p. 100.

⁷⁴ Drabek, (1987), p. x.

⁷⁵ Lewis, D. (2005) 'Individuals, Organisations and Public Action: Trajectories of the 'Non-governmental' in Development Studies', in U. Kothari (ed) *A Radical History of Development Studies*, Zed Books Ltd., London, p. 202.

⁷⁶ Cited in Lewis, D. (2001) *The Management of Non-Governmental Development Organizations: An Introduction*, Routledge, New York, p. 77.

people-centred development. According to Cernea, many NGOs have been found to possess a comparative advantage over government agencies in four main areas:

- 1) NGOs reach the poor in remote areas where government assistance does not exist or is ineffective;
- 2) NGOs operate at a lower cost due to the voluntary nature of their activities and lower technological overheads;
- 3) NGOs promote local participation by working with community groups as partners emphasising self-help initiatives and local control of programmes;
- 4) NGOs innovate and adapt to local conditions and needs.⁷⁷

For Lewis, Cernea's analysis of NGOs serves as a useful benchmark.⁷⁸ Kloos points out four reasons for government's collaboration with NGOs:

- 1) NGOs can carry out activities such as local level development and services with greater efficiency and more know-how than government;
- 2) NGOs can carry out tasks that cannot be carried out by government for political reasons (for example, carrying out medical tasks in militarily uncleared areas);
- 3) NGOs can tap foreign financial and other resources that for them are more easily accessible than for government;
- 4) The existence of NGOs is a legitimization of government's democratic intentions.⁷⁹

This literature identifies NGOs as potentially significant partners with the capacities to fill gaps created by government limitations and failures. Bratton reports from his study on Africa, that governments were organisationally ill-equipped to deliver services and respond to needs at the rural community level. Centralised agencies also lacked information about, and the flexibility to adapt to, local conditions. As a consequence, a phalanx of NGOs with programmes in relief and rural development arose to fill the gaps left by governments.⁸⁰ According to Seffrin, by focusing on specific missions and drawing on the support of local communities, NGOs are able to address issues that organisations in other sectors cannot or will not address. Despite massive investment in social programmes,

⁷⁷ *Ibid.*

⁷⁸ Lewis, (2001), p. 77.

⁷⁹ Kloos, (1999), pp. 25-26.

⁸⁰ Bratton, M. (1990) 'Non-Governmental Organizations in Africa: Can They Influence Public Policy?', *Development and Change*, Vol. 21, SAGE, London, p. 88.

governments have never been able to address fully the multiple needs of their citizens. NGOs, in other words, have emerged in large part to bridge the gap between what governments can do and what society needs or expects.⁸¹

Fitzduff and Church note that the policies and programmes set up at the official level may have little chance of successful implementation if they are not adequately tailored to people's needs at the local community level. Policy makers often find it difficult to access and address local needs and conditions unless these are established within an identifiable framework. NGOs can bring contextually relevant, locally sourced knowledge to the policy table which is a necessary dimension for successful policy making. Such interaction expands the democratic scope of the decision making process by making it more representative and inclusive, thus increasing chances of success.⁸² For Lewis and Opoku-Mensah, NGOs are believed to work effectively with local communities through organising and service delivery and to develop innovative solutions to local problems.⁸³ This literature suggests that NGOs are the most appropriate actors to address actual needs at the local level.

For DeMars, NGO activism may become, on some issues, an alternative to governmental responsibility rather than a hindrance to policy. International NGOs can relieve governments of political responsibilities while appearing to hold them responsible.⁸⁴ A government may ignore their responsibilities by handing such responsibilities to NGOs. On the other hand, Fitzduff and Church argue that NGOs need to consider the potential loss of independence that may result from cooperating too closely with government.⁸⁵ Furthermore, NGOs may not want to be limited or constrained by state or other official concerns, but the very process of joint decision making, and the relationships developed therein, may mean that NGOs find it increasingly difficult to criticise governments and others. NGOs can lose their credibility as independent and neutral actors in the eyes of those they are seeking to work with on the ground, resulting in a significant loss, as trust and

⁸¹ Seffrin, J.R. (n.d.) 'United States Nongovernmental Organizations', *Gale Encyclopaedia of Public Health*, <http://www.answers.com/topic/non-governmental-organization>, accessed 24-02-2012.

⁸² Fitzduff and Church (2004), pp. 13-14.

⁸³ Lewis and Opoku-Mensah, (2006), pp. 666-667.

⁸⁴ DeMars, W.E. (2005) *NGOs and Transnational Networks: Wild Cards in World Politics*, Pluto Press, London, p. 60.

⁸⁵ Fitzduff and Church, (2004), pp. 12-13.

goodwill are the crucial features of an NGO's attractiveness to local people.⁸⁶ For Badu and Parker, although it is necessary for the NGOs to cooperate with and complement the efforts of the government, they must not subject their operations, finances, and activities to governmental control and manipulation.⁸⁷ Whether governments are able to share their responsibilities with NGOs, or collaborate with NGOs in addressing local needs without undermining each other are further issues to examine in later chapters.

Bratton's work based on Africa, suggests that government-NGO relations are likely to be most constructive where a confident and capable government with populist policies meets an NGO that works to pursue mainstream development programmes. These relations are more controversial where a weak and defensive government with a limited power base meets an NGO that seeks to promote community mobilisation,⁸⁸ giving rise to questions as to the consequences when an authoritative government seeks to control the operations, finances and activities of NGOs.

The literature highlights the great potential for NGOs to contribute to and address the local level in a way that meets the actual needs of local communities. Such communities have been and are neglected mostly by post-colonial third world governments.⁸⁹ The literature also opens up ways to examine different relations between government and NGOs in Sri Lanka. In addressing such questions, this research seeks to understand how to positively utilise the contribution of NGOs in local government and local development. The next section reviews the theories and literature related to the policy process and the interactions of NGOs.

2.4. Policy process and the interactions of NGOs

Government policy can be thought of as emerging from a 'policy process' that consists of various stages⁹⁰ and includes several actors.⁹¹ Although there is

⁸⁶ *Ibid.*

⁸⁷ Badu, Y.A. and Parker, A. (1994) 'The Role of Non-governmental Organisations in Rural Development: The Case of the Voluntary Workcamps Association of Ghana', *Journal of Social Development in Africa*, Vol. 9, No. 1, p. 38.

⁸⁸ Bratton, (1989), p. 585.

⁸⁹ DeMars, (2005), p. 51.

⁹⁰ Hogwood and Gunn identify nine stages of policy process: 1) issue search or agenda-setting; 2) issue filtration; 3) issue definition; 4) forecasting; 5) setting objectives and priorities; 6) options analysis; 7) policy implementation, monitoring, and control; 8) evaluation and review; and 9)

potential for multiple actors to be involved, the government is generally seen as a prominent and dominant actor in all stages of the policy process.⁹²

As discussed above, in the Sri Lankan government context, authoritative power is strongly centralised⁹³ and the local level is neglected. Local communities remain voiceless even in the local government policy processes, leaving many needs at the local level remain neglected and unaddressed.

The potential contribution of NGOs in addressing the needs at the local level is significant. NGOs are seen as appropriate actors to encourage people's participation and to build networks among various policy actors at the local level.⁹⁴ This opens a way to address post-colonial complexities and to strengthen government-NGO relations. This section draws special attention to people's participation in the local policy processes and reviews the literature related to NGOs and their interactions in the policy process and the relevance of policy network theory in addressing such issues related to the local policy processes.

2.4.1. NGOs as policy actors: promotion of people's participation

A government-centric view of the policy process is a significant matter. According to Sabatier, the policy process seeks to take account of the manner in which problems get conceptualised and brought to the government for solution; the governmental institutions and processes by which alternatives are formulated and policy solutions selected; and the implementation, evaluation, and revision of those solutions.⁹⁵ For Colebatch, policy is of major concern at the highest levels

policy maintenance, policy succession and policy termination (Hogwood, B.W. and Gunn, L.A. (1984) *Policy Analysis for the Real World*, Oxford University Press, Oxford, pp. 7-10).

⁹¹ For Howlett, Ramesh and Perl, these policy actors can be divided into two major parts as domestic policy actors and international policy actors (Howlett, M.; Ramesh, M. and Perl, A. (2009) *Studying Public Policy: Policy Cycles and Policy Subsystems* (3rd edition) Oxford University Press, New York, pp. 61-75). For Anderson, there are two major categories of actors – the official policy makers and the non-governmental participants. The official policy makers are legislatures, the executive, administrative agencies and the courts. The non-governmental participants are interest groups, political parties, research organisations, communications media, and individual citizens, who join with the official policy makers in the policy process (Anderson, J.E. (2003) *Public Policymaking: An Introduction* (5th edition) Houghton Mifflin Company, New York, pp. 46-57).

⁹² See Birkland, T.A. (2005) *An Introduction to the Policy Process: Theories, Concepts, and Models of Public Policy Making* (2nd edition) M.E. Sharpe, New York, Sabatier, (1999) and Colebatch, H.K. (2002) *Policy* (2nd edition) Open University Press, UK.

⁹³ Uyangoda, (2010).

⁹⁴ See Fernandez, A.P. (1987) 'NGOs in South Asia: People's Participation and Partnership', *World Development*, Vol. 15 (Supplement) Pergamon Journals Ltd., UK.

⁹⁵ Sabatier, (1999), p. 3.

of government, and the work of the executive – the prime minister, or president, and cabinet – is dominated by policy decisions.⁹⁶ There are many voices within government, each viewing the issue from its own perspective and each seeking to turn policy making to its advantage.⁹⁷

Howlett, Ramesh and Perl emphasise that in most democratic states, policy decisions are taken by representative institutions that empower specialised actors to determine the scope and content of public policies, but these institutions do not, as a matter of course, provide mechanisms through which the public can directly determine policy.⁹⁸ It follows that the public's role in policy making cannot be taken for granted as either straightforward or decisive. But neither should it be ignored. Elections rarely provide focused public input on specific policy options.⁹⁹ But for Howlett et al., political parties can connect people and their government in ways that affect policy.¹⁰⁰ However Anderson concludes that most people do not take the opportunities to engage directly in shaping public policy. Many people do not vote, engage in political party activities, join pressure groups, or otherwise display much interest in politics.¹⁰¹ This raises the issue of whether determining policy without the direct involvement of the public leads to inappropriate policies which do not address the actual needs of communities at the local level, and raises the issue of whether the policy process would be more successful if it took into account the ideas and needs of the people subjected to such policies. Moreover, a question arises about whether different political parties and their representatives represent people's needs at all.

Dunleavy and O'Leary say that building public participation into the decision making process can mean a broader range of policy considerations can be met. Participation procedures are special modes for representing citizens' views, supplementary to normal representative government mechanisms. They focus on a single, discrete issue area, unlike representative politics, which bundles up disparate issues into unconnected bundles, such as election manifestos or

⁹⁶ Colebatch, (2002), p. 40.

⁹⁷ *Ibid.*, p. 125.

⁹⁸ Howlett, Ramesh and Perl, (2009), pp. 63-64.

⁹⁹ *Ibid.*, p. 65.

¹⁰⁰ *Ibid.*, p. 67.

¹⁰¹ Anderson, (2003), pp. 65-67.

legislative programmes.¹⁰² Consequently, Colebatch argues that it is easier for some people, and more difficult for others, to take part in the policy process. A critical question is how people with little standing can challenge the existing order and participate in the policy process.¹⁰³ Schattschneider argues that it is not necessarily true that people with the greatest needs participate in politics most actively.¹⁰⁴ Bachrach and Baratz conclude that those with power can exclude issues and problems from the policy making agenda.¹⁰⁵ This non-decision making suggests that policy makers with power have the capacity to keep issues off the agenda which they control.¹⁰⁶ This gives rise to the questions of how the people's actual needs can be represented in the policy process and who can organise the people towards participating in the policy process.

In policy making processes, expertise becomes an important way of organising policy activity.¹⁰⁷ The different levels of expertise and finance that IOs can deploy often turn out to be crucial determinants of the impact that international actors can have on domestic policies.¹⁰⁸ Osman pays special attention to developing countries and refers to IOs and NGOs as donor agencies and voluntary agencies and notes how the scarcity of financial resources in developing countries has made donor agencies another dominant policy actor.¹⁰⁹ According to Bratton, NGOs have useful ideas to offer to rural development planners. By demonstrating alternative methods of getting things done at the village level, they can offer policy suggestions on questions of local resource mobilisation, recurrent cost recovery and programme sustainability.¹¹⁰ Furthermore, NGOs have an important role to play in political development to the extent that they can offer ordinary

¹⁰² Dunleavy, P. and O'Leary, B. (1987) *Theories of the State: The Politics of Liberal Democracy*, Macmillan, London, pp. 312-313.

¹⁰³ Colebatch, (2002), p. 27.

¹⁰⁴ Schattschneider, E.E. (1960) *The Semisovereign People*, Holt, Rinehart & Winston, New York, p. 105.

¹⁰⁵ Bachrach, P.S. and Baratz, M.S. (1963) 'Decisions and Non-Decisions: An Analytical Framework', *American Political Science Review*, Issue 57, pp. 641-651.

¹⁰⁶ Non-decision making is a means by which demands for change in the existing allocation of benefits and privileges in the community can be suffocated before they are even voiced, kept covert, killed before they gain access to the relevant decision making arena, or failing all these things, are high jacked by powerful interests in the decision implementing stage of the policy process. Problems may be kept off a systemic or institutional agenda in various ways (Anderson, (2003), pp. 94-95).

¹⁰⁷ Colebatch, (2002), pp. 28-29.

¹⁰⁸ Howlett, Ramesh and Perl, (2009), p. 76.

¹⁰⁹ Osman, F.A. (2002) 'Public Policy Making: Theories and Their Implications in Developing Countries', *Asian Affairs*, p. 47 (<http://www.cdrb.org/journal/2002/3/3.pdf>, accessed 23-09-2012).

¹¹⁰ Bratton, (1989), pp. 582-583.

people an opportunity to participate in decisions and represent local interests.¹¹¹ Therefore, other than their primary contribution to improve the delivery of economic and social services to poor populations, NGOs have an important contribution to make to the policy process where the content of rural development policies is shaped and decided.¹¹² This leads to questions as to whether NGOs can provide expertise in assisting people and government towards policy negotiations and how NGOs might contribute to mechanisms to organise people at the local level to participate in the policy process.

We might think of NGOs as being a part of the policy networks in which public and private actors interact. Policy networks are recognised as consisting of a bounded set of actors and one or more sets of relations that connect these actors.¹¹³ They may be informal or rule-governed.¹¹⁴ Policy network theory, to a greater or lesser degree, recognises that ideas as well as interests bind together the groups and individuals in a policy sector.¹¹⁵ In seeking to address a policy issue related to a specific community, a policy network will bring together government representatives, community-based organisations (CBOs), intellectuals, NGOs and others. In sharing ideas in policy networks people gain an understanding of various problems and how to encourage participation in policy networks. For example, participatory rural appraisal (PRA) can be identified as a networking approach used by NGOs to incorporate the knowledge and opinions of rural people in the planning and management of development projects and programmes.¹¹⁶

This leads to the question of how the policy networks continue functioning. Moreover, this raises issues of whether there is a need for intermediate actors to organise and continue the smooth functioning of networks, and if so, whether there are possibilities for NGOs to work as intermediate actors. According to Knoke, NGO and IO involvement in creating policy networks helps in mobilising

¹¹¹ *Ibid.*, p. 585.

¹¹² Bratton, (1990), p. 116.

¹¹³ Knoke, D. (2011) 'Policy Networks', in J. Scott and P.J. Carrington (eds) *The SAGE Handbook of Social Network Analysis*, SAGE, London, pp. 210-211.

¹¹⁴ Scharpf, F.W. (1998) *Games Real Actors Play, Actor Centred Institutionalism in Policy Research*, Westview Press, Boulder, pp. 116-151.

¹¹⁵ Fischer, F. (2003) *Reframing Public Policy: Discursive Politics and Deliberative Practices*, Oxford University Press, New York, p. 32.

¹¹⁶ Chambers, R. (1997) *Whose Reality Counts? Putting the First Last*, Intermediate Technology Publications, London, p. 106.

local activists, social movements, and other civil society organisations which can pressure governments to change their policies and practices.¹¹⁷ For DeMars, most third world countries are unable to raise the living standards of their populations and this was the reason to build NGO-mediated networks between societies and governments.¹¹⁸ According to DeMars, NGOs are the constitutive actors of networks: no NGOs, no network. DeMars further claims that without NGOs, other actors with the potential to participate in a network may be present, but the leadership of NGOs is required to activate the network. NGOs are, in his view, the most influential actors in networking in these contexts.¹¹⁹ This raises the issue of whether there are possibilities for NGOs to be involved in the policy process especially at the local level through networking with the people, especially local organisations and local government.

This literature opens up ways to investigate the potential of NGOs to be involved in the policy process in Sri Lanka. The literature also highlights the possibilities of NGOs in obtaining peoples participation in the local policy processes and local development. In addressing the issues that emerge from this literature, this research seeks to ascertain the contribution of NGOs in the local policy processes in Sri Lanka.

2.5. Summary

Guided by the central research themes, this chapter reviewed the literature under three major sections and raised several questions which lead to a number of hypotheses. First, the chapter has reviewed the key insights from post-colonial theory, particularly in the way this literature focuses on foreign aid and NGOs as contemporary forms of colonialism. This literature also recognises the potential for NGOs to act as agents in addressing the complexities of the post-colonial governance. Two contrasting hypotheses emerge from this literature: first, that the involvement of NGOs in governance and development maintains the exploitative relations of colonialism; second, that the involvement of NGOs leads to improved forms of governance and development.

¹¹⁷ Knoke, (2011), p. 215.

¹¹⁸ DeMars, (2005), p. 51.

¹¹⁹ *Ibid.*, p. 52.

These hypotheses lead to the related issues such as whether the historical experience of colonialism is a barrier to development as proposed by post-colonial theory; whether the provision of foreign aid hinders local development in former colonies; whether, and to what extent, post-independence rulers respond to and work with NGOs; how effectively NGOs work with vulnerable sections of former colonial societies in contexts where there is dysfunctional government; and how foreign aid might be delivered in a way that does not reinforce dependence and hinder development.

Second, the chapter also focused on the government-NGO relations and the ways in which they are in conflict or collaborate. The literature suggests that government's response to NGOs is the decisive factor in determining whether there is benefit from such relations. Furthermore, the literature suggests that the government-NGO relations diverge according to the differences in governments and NGO agendas. The literature identifies the fear government may hold about NGOs, suspecting they might undermine the government's decisive power. The literature also suggests two hypotheses: first, that the need to maintain strong leadership in Sri Lanka leads to authoritative government responses and undermines the capacity to build collaborative relations with NGOs which enhance local government and local development. Second, that central government can maintain strong leadership without undermining the development of collaborative relations with NGOs which enhance local government and local development.

The issues related to these hypotheses include the capacities of NGOs to contribute towards effective governance in post-colonial third world societies; the sources of both conflict and collaboration in government-NGO relations; the extent and influence of government restrictions on the work of NGOs; the extent to which working according to government agendas undermines NGOs in addressing actual needs at the local level; whether governments ignore responsibilities by leaving development work to NGOs; how governments and NGOs collaborate in addressing local needs without undermining each other; and the consequences of authoritarian government control over the operations, finances and activities of the NGOs.

Third, the literature reviewed in this chapter emphasised the potential to neglect the actual needs of the people in government-centric policy processes, along with an observation that NGOs can promote people's participation in the policy processes at the local level by facilitating networks of policy actors. This literature leads to two hypotheses: first, that NGOs do not encourage people's participation in the local policy processes or promote local development; and second, that NGOs play a positive role in encouraging people's participation in the local policy processes and local development.

Further, these hypotheses lead to questions such as whether NGOs encourage people's participation in the local policy processes and promote local development; how NGOs contribute to mechanisms to organise people at the local level to participate in the policy process; and what the possibilities are for NGOs to be involved in the policy process especially at the local level through networking with the people, especially CBOs and local government.

In summary, this research examines the way local communities have been neglected in development initiatives in Sri Lanka, why that has occurred and how best to respond. It explores the role of NGOs in promoting local development and in strengthening people's participation in local governance. Given the limitations imposed on local government and NGOs by central government in Sri Lanka, it seeks to understand the actual and potential contribution of NGOs in local government and local development. The literature is, therefore, selected to highlight the understanding of each related part of this research, particularly the influences of colonialism and NGO involvement in policy processes. The literature is used in this research to derive hypotheses and to examine them in light of the research data.

The next chapter sets out the methodology to examine these questions within the Sri Lankan context.

Chapter 3

Research design

3.1. Introduction

Following the key points and questions outlined and discussed in the previous chapter, this chapter outlines the research design¹²⁰ and how the research questions will be answered. It does so by referring to specific sites, persons, groups, institutions, and bodies of relevant interpretive material, including documents and archives.¹²¹

The design of this research includes four main components. First, the strategy;¹²² second, the conceptual framework; third, who or what will be studied; and fourth, the tools and procedures to be used for collecting and analysing data.¹²³

3.2. Research strategy

This section compares and contrasts the quantitative and qualitative research strategies, and establishes the relevance of both strategies for this particular study.

3.2.1. Quantitative and qualitative research

Quantitative and qualitative research strategies are employed in this study. Quantitative researchers typically deal with numerical data,¹²⁴ whereas qualitative

¹²⁰ Three uses of the term ‘research design’ can be distinguished in the literature, roughly ordered from the general to the specific. At the most general level, it means all the issues involved in planning and executing a research project – from identifying the problem through to reporting and publishing the results. By contrast, at its most specific level, the design of a study refers to the way a researcher guards against, and tries to rule out, alternative interpretations of results (Punch, K.F. (1998) *Introduction to Social Research: Quantitative and Qualitative Approaches*, SAGE Publications, London, p. 66). Between these two designs, there is the general idea of design as situating the researcher in the empirical world, and connecting research questions to data (Denzin, N.K. and Lincoln, Y.S. (1998) ‘Entering the Field of Qualitative Research’, in N.K. Denzin and Y.S. Lincoln (eds) *The Landscape of Qualitative Research: Theories and Issues*, SAGE Publications, Thousand Oaks, California, pp. 28-29).

¹²¹ *Ibid.*

¹²² Strategy and methodology are similar terms. Researchers follow these in gaining knowledge. Quantitative and qualitative research strategies are examples. The strategy or methodology includes method or methods, which refers to the ways data is collected. Method refers to the research tactics that are used in the conduct of a research effort. Examples include drawing samples, conducting questionnaire surveys, engaging in participant observation, and the like (McNabb, D.E. (2004) *Research Methods for Political Science: Quantitative and Qualitative Methods*, M.E. Sharpe, New York, p. 341). Moreover, a method refers to the steps taken by the researcher to carry out the research. Methodology is the study of method.

¹²³ Punch, (1998), p. 66.

researchers typically document lived events, recording what people say (with words, gestures, and tone), observing specific behaviours, studying written documents, or examining visual images.¹²⁵ At times, qualitative researchers use quantification in their data.¹²⁶ Neuman argues that any numerical evidence is supplementary to the textual evidence.¹²⁷ In this way both quantitative and qualitative research strategies work together.

In quantitative research, the researcher can be distant and uninvolved with the subject whereas the qualitative researcher seeks close involvement with the people being investigated.¹²⁸ Neuman emphasises that qualitative research is about looking at the depth of the information involved, as seen by the research participants themselves.¹²⁹ When the research is people-centred and people-related, it is necessary to obtain their in-depth views through qualitative strategies. The suggestion that quantitative research is solely concerned with the testing of ideas that have previously been formulated is not always correct. Equally, qualitative research can be used in relation to the testing of theories.¹³⁰

Quantitative research is frequently portrayed as presenting a static image of social reality with its emphasis on relationships between variables,¹³¹ while qualitative research is portrayed as being attuned to the unfolding of events over time and to the interconnections between the actions of participants in social settings,¹³² which makes qualitative research such a valuable approach. Quantitative research is typically highly structured so that the investigator is able to examine the precise concepts and issues that are the focus of the study: in qualitative research the approach is invariably unstructured, so that the possibility of getting at actors' meanings and of concepts emerging out of data collection is enhanced.¹³³ Smith and Bowers-Brown argue that qualitative research can be useful for evaluating

¹²⁴ Bryman, A. (2001) *Social Research Methods*, Oxford University Press, New York, p. 284.

¹²⁵ Neuman, W. L. (2000) *Social Research Methods: Qualitative and Quantitative Approaches* (4th edition) Allyn and Bacon, USA, p. 145.

¹²⁶ Bryman, A. (2012) *Social Research Methods* (4th edition) Oxford University Press, Oxford, p. 621.

¹²⁷ Neuman, (2000), p. 148.

¹²⁸ Bryman, (2001), p. 284.

¹²⁹ Neuman, (2000), p. 148.

¹³⁰ Bryman, (2012), p. 621.

¹³¹ A variable is a characteristic, number, or quantity that increases or decreases over time, or takes different values in different situations. The independent variable can take different values and can cause corresponding changes in other variables: the dependent variable that can take different values only in response to an independent variable.

¹³² Bryman, (2001), p. 285.

¹³³ *Ibid.*

projects through investigating people's experiences of that project, for consultations on proposed policy implementations as well as in the development of new strategies or policies.¹³⁴

Given these observations, qualitative and quantitative research strategies have been identified as most appropriate for this study. The research draws heavily on qualitative data, and also numerical evidence, and can thus be identified as a mixed methods approach.¹³⁵

3.2.1.1. Case study approach

The case study is commonly used in qualitative research,¹³⁶ but defining the case study approach is complex given it has various forms. The writings of Robert K. Yin are widely considered to be an authoritative contribution in the development and use of the social and political science case study. Yin defines the case study as an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident.¹³⁷ The case study approach works best when the researcher wants to investigate an issue in-depth and provide an explanation that can cope

¹³⁴ Smith, M. and Bowers-Brown, T. (2010) 'Different Kinds of Qualitative Data Collection Methods', in L. Dahlberg and C. McCaig (eds) *Practical Research and Evaluation: A Start-to-Finish Guide for Practitioners*, SAGE, London, p. 115.

¹³⁵ The term 'mixed methods research' is used as a simple shorthand to stand for research that integrates quantitative and qualitative research within a single project. Mixed methods research has increasingly become the preferred term and in many ways better expresses the fact that, in many cases, using both quantitative and qualitative research should involve a mixing of the research methods involved and not just using them in tandem. In other words, the quantitative and the qualitative data deriving from mixed methods research should be mutually illuminating (Bryman, (2012), p. 628). Moreover, finding a pure, ideal quantitative or qualitative research might be difficult. The dividing point of these two strategies lies on the proportion of characteristics of each strategy in a research. According to Neuman, most researchers mix the two logics, but the proportion of each varies (Neuman, (2000), p. 122).

¹³⁶ McNabb points out that, although the case study is dominant in qualitative research, it is also prevalent in quantitative research (McNabb, (2004), p. 358). For Bryman, although there is a tendency to associate case studies with qualitative research, such an identification is not appropriate. Case studies are frequently sites for the employment of both quantitative and qualitative research (Bryman, (2012), pp. 67-68). Therefore the case study strategy should not be confused with qualitative research. For Yin, case studies can be based on any mix of quantitative and qualitative evidence (Yin, R.K. (2003a) *Case Study Research: Design and Methods* (3rd edition) Applied Social Research Methods Series, Vol. 5, Sage Publications, Thousand Oaks, California, p. 15). In practice, the use of the case study approach (or method) has been aligned with qualitative research far more than it has with quantitative research (Denscombe, M. (2010) *The Good Research Guide: For Small-Scale Social Research Projects* (4th edition) Open University Press, England, p. 55). However, it is significant that the attributes of the case study method are much related to qualitative research.

¹³⁷ Yin, R.K. (1994) *Case Study Research: Design and Methods* (2nd edition) Applied Social Research Methods Series, Vol. 5, SAGE Publications, Thousand Oaks, California, p. 13.

with the complexity. In particular, it lends itself to the study of processes and relationships within a setting.¹³⁸ The real value of a case study is that it offers the opportunity to explain why certain outcomes might happen – more than just finding out what those outcomes are.¹³⁹

Case studies can be approached in a number of ways.¹⁴⁰ Yin states that there are four possible designs: 1) single-case (holistic) designs; 2) single-case (embedded) designs; 3) multiple-case (holistic) designs; and 4) multiple case (embedded) designs.¹⁴¹ This study employs the single-case (embedded) design. Here, the same case study may involve more than one unit of analysis.¹⁴² This occurs when, within a single case, attention is also given to a sub-unit or sub-units. When these sub-units are selected, the resulting design is an embedded case study design.¹⁴³

In this research, Sri Lankan local government has been selected as the single case study and the main unit of analysis, with two sub-units or embedded units – the southern provincial council and the eastern provincial council. For Yin, such sub-units can serve as an important device for focusing a case study inquiry.¹⁴⁴ When a single case incorporates sub-units of analysis, a more complex – or embedded – design is developed. Yin further adds that the sub-units can often add significant opportunities for extensive analysis, enhancing the insights into the single case.¹⁴⁵

A frequently heard criticism on the case study method is that it does not provide a basis for generalising. According to Yin, however, case studies are generalisable to theoretical propositions, but not to whole populations. A case study does not represent a ‘sample,’ and in using a case study, a researcher’s goal will be to

¹³⁸ Denscombe, (2010), p. 55.

¹³⁹ *Ibid.*, p. 53.

¹⁴⁰ *Ibid.*, p. 20.

¹⁴¹ Yin, (1994), p. 38.

¹⁴² The main unit of analysis is likely to be at the level being addressed by the main study questions (Yin, (2003a), pp. 24-25). An embedded unit is a lesser unit than the case itself, for which numerous data points have been collected (Yin, (1994), p. 119). This unit would not necessarily be a single organisation or initiative (Yin, R.K. (2003b) *Applications of Case Study Research* (2nd edition) Applied Social Research Methods Series, Vol. 34, Sage Publications, Thousand Oaks, California, p. 11). Some authors call the main unit and sub-units as the primary unit and within-units respectively. Within-unit cases consist of all cases that lie at a lower level of analysis relative to the inference under investigation. For example, if the primary unit of analysis is the nation-state, then within-unit cases might be constructed from provinces, localities, groups, or individuals. Although the primary unit of analysis is usually clear, within-unit cases are often multiple and ambiguous (Gerring, J. (2004) ‘What is a Case Study and What is it Good for?’, *American Political Science Review*, Vol. 98, No. 2, p. 344).

¹⁴³ Yin, (1994), pp. 41-42.

¹⁴⁴ *Ibid.*, p. 42.

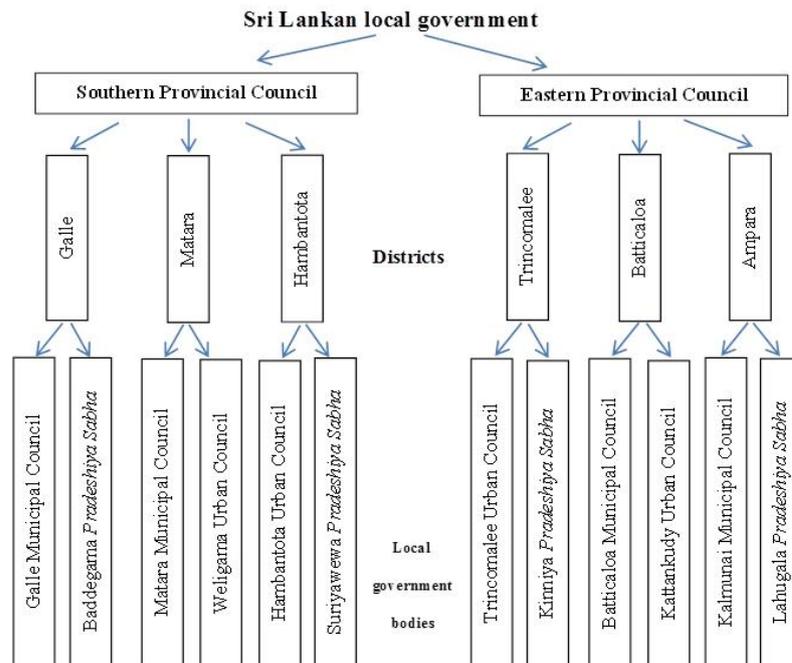
¹⁴⁵ *Ibid.*, p. 44.

expand and generalise theories (analytic generalisation),¹⁴⁶ where the investigator is striving to generalise a particular set of results to some broader theory.¹⁴⁷ According to McNabb, for both the single case and multiple case approaches, the purpose of the study is not to be a representative picture of ‘the world’, but rather simply to represent the specific case or cases.¹⁴⁸ So a case study does not represent a sample or a generalisable reality, but it may represent a particular reality which can be generalised to a theory or theories.

Typically, cases are not randomly selected. Rather, they are selected on the basis of known attributes, and on the basis of their distinctive features. For Denscombe, the criteria used for the selection of cases needs to be made explicit and needs to be justified as an essential part of the methodology.¹⁴⁹

Based on these propositions, the case study and the embedded units selected in this particular research are as set out in Figure 3.1.

Figure 3.1: The case study and the embedded units



Of the nine provincial councils in Sri Lanka,¹⁵⁰ the southern provincial council and the eastern provincial council have been selected as the embedded units. The three districts in the southern province included in this research are Galle, Matara

¹⁴⁶ Yin, (2003a), p. 10.

¹⁴⁷ Yin, (1994), p. 36.

¹⁴⁸ McNabb, (2004), p. 358.

¹⁴⁹ Denscombe, (2010), pp. 56-57.

¹⁵⁰ A provincial map of Sri Lanka is included in Appendix II.

and Hambantota.¹⁵¹ The southern province is an area with a Sinhala majority, which is the ethnic majority of the country (see Table 3.1).

The eastern province also consists of three districts: Trincomalee, Batticaloa and Ampara. The eastern province is a post-war area with many ethnic, religious and cultural differences. It is the most diverse province in Sri Lanka. Tamils comprise the majority of the population, with Muslims¹⁵² the second main population group (see Table 3.1). The country majority of Sinhala is a provincial minority in the eastern province. Between 1988 and 2006 the province was temporarily merged with the northern province to form the north-east province.

The embedded units in this research – southern and eastern provincial councils – were selected according to the clear ethnic differences between the southern and eastern provinces. The northern province has a clear ethnic majority of Tamils but at the time of this research the northern provincial council had still to be established and activated after the war and so was not included in this research.¹⁵³

Table 3.1: Population: southern and eastern provinces

| Ethnic group | Population Sri Lanka (%) | Population Southern province (%) | Population Eastern province (%) |
|---------------------|---------------------------------|---|--|
| Sinhala | 74.9 | 95.25 | 23.15 |
| Tamil | 15.4 | 1.63 | 39.79 |
| Muslim | 9.2 | 2.6 | 36.72 |
| Other | 0.5 | 0.5 | 0.34 |

Source: Census – 2012, Department of Census and Statistics, Sri Lanka.

The southern and eastern provinces are connected along the coastal areas and were severely affected by the tsunami disaster in December 2004. Several NGOs came to support the post-tsunami rehabilitation bringing large amounts of foreign aid into these provinces. The significant foreign aid which came to Sri Lanka has been used for large scale construction projects in the north and the east.

Although the southern province was not directly affected by the war, large scale construction projects are taking place in the south as well. These projects are conducted through the direct involvement of the central government. Huge amounts of foreign aid flowed to the southern province for such projects, and have

¹⁵¹ A district map of Sri Lanka is included in Appendix III.

¹⁵² Muslim is considered an ethnic group in Sri Lanka.

¹⁵³ The northern provincial council was established and activated in September 2013.

been seen as a special treatment which other provinces with a Sinhala majority do not have.

The selection of southern and eastern provincial councils as embedded units will allow the investigation of the limitations of local government and local development in contexts where there are clear majority and minority ethnic groups and, on-going large scale construction projects. Moreover, the contribution of NGOs to overcome such limitations has been investigated within these different contexts.

After contacting¹⁵⁴ the provincial commissioners of local government (CLGs)¹⁵⁵ in the south and the east, 12 local government bodies¹⁵⁶ were selected for this research. Two municipal councils (MCs), two urban councils (UCs) and two *Pradeshiya Sabhas* (PSs) were selected from each province and altogether a total of six local government bodies from each province (see Figure 3.1). Two local government bodies were selected at each level from each province, based on ethnic differences, foreign aid and support, and large scale construction projects which affect local government and local development in each local government area.

3.3. The conceptual framework

The conceptual framework or paradigm that informs this research recognises the value of both qualitative and quantitative strategies, although it draws more heavily on qualitative methods. For Janesick, qualitative research design is an act of interpretation from beginning to end.¹⁵⁷ Most qualitative research emerges from the interpretivist paradigm¹⁵⁸ due to its appropriateness to social inquiry related to

¹⁵⁴ The provincial commissioners of local government were contacted by letters and phone to arrange appointments. The commissioners subsequently sent letters to the local government bodies requesting the officials to help the researcher in obtaining relevant information.

¹⁵⁵ The provincial commissioner of local government is the main administrative official responsible for the local government issues in each province.

¹⁵⁶ Local government bodies in Sri Lanka are found at three levels – municipal councils, urban councils and *Pradeshiya Sabhas*.

¹⁵⁷ Janesick, V.J. (2000) 'The Choreography of Qualitative Research Design: Minuets, Improvisations, and Crystallization', in N.K. Denzin and Y.S. Lincoln (eds) *Handbook of Qualitative Research* (2nd edition) Sage Publications, Thousand Oaks, California, p. 395.

¹⁵⁸ Interpretivism is a term that usually denotes an alternative to positivism which is an epistemological position that advocates the application of the methods of the natural sciences to the study of social reality and beyond. Interpretivism shares a view that the subject matter of the social sciences – people and their institutions – is fundamentally different from that of the natural sciences. The study of the social world therefore requires a different logic of research procedure,

people.¹⁵⁹ The meanings that people assign to social phenomena are in constant flux and very much context-laden.¹⁶⁰ McNabb suggests that interpretive research is particularly important for the study of government organisations and agencies¹⁶¹ as it allows for informal and often unstated meanings and practices to be captured.

Capturing the meanings people assign to phenomena relies heavily on methods such as interviewing, observation and analysis of existing texts. These methods are mostly derived from qualitative research and require an in-depth dialogue between the researchers and those with whom they interact.¹⁶²

In this approach, meanings emerge from the research process and generate theoretical propositions.¹⁶³ On the basis of the literature reviewed in chapter 2, this research draws on a multiple theoretical framework which aims to generate and examine the research questions.

3.4. Respondents

To examine local government and local development and to determine the contribution of NGOs, this study sought the views of key people in several government and non-government sectors. Respondents in this research can be divided into four groups: the national, provincial and local political representatives and administrative officials, the officials attached to NGOs, and the representatives of the community-based organisations (CBOs) (Figure 3.2). To obtain the views of the local government and local development and the views of the contribution of NGOs, political representatives were drawn from the selected local government bodies. In Sri Lanka, local government operates under provincial councils and the views concerning local government, local development and the contribution of NGOs were sought from provincial political representatives from both the south and the east. There is a central government ministry of local government and provincial councils in Sri Lanka and this

one that reflects the distinctiveness of humans as against the natural order (Bryman, (2012) *op.cit.*, p. 28 and p. 30).

¹⁵⁹ 'Common Paradigms' (n.d.) <http://www.qualres.org/HomePhil-3514.html>, accessed 08-02-2013.

¹⁶⁰ Moon, J.D. (1975) 'The Logic of Inquiry: A Synthesis of Opposed Perspectives', *Political Science: Scope and Theory*, Vol. 1, Addison-Wesley, Melon Park, California, pp. 131-228.

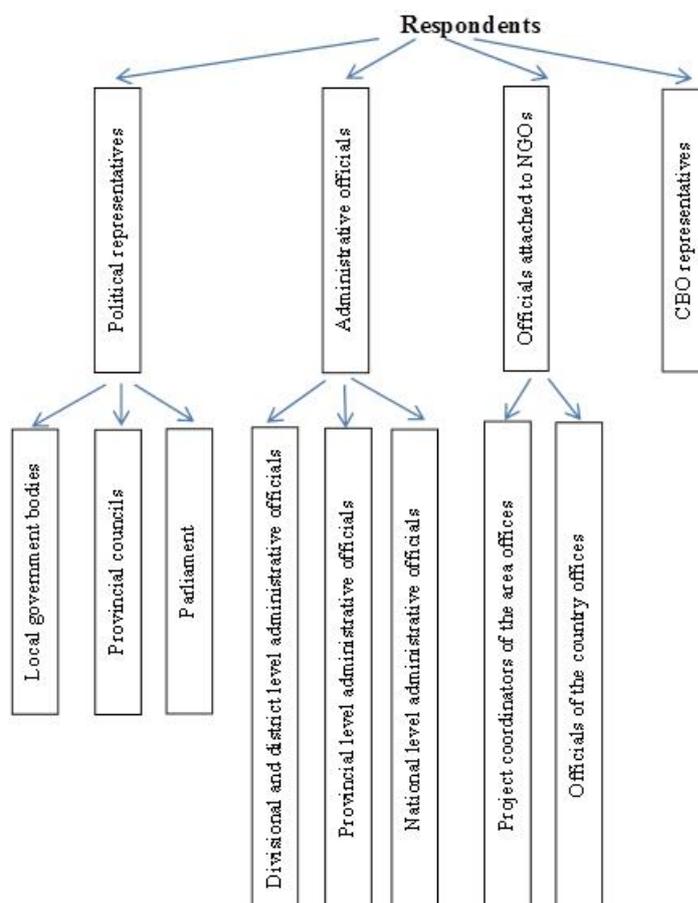
¹⁶¹ McNabb, (2004), p. 345.

¹⁶² 'Common Paradigms' (n.d.).

¹⁶³ *Ibid.*

research sought to obtain the views of the responsible minister, and also the views of the parliamentary opposition, regarding local government, local development and the contribution of NGOs.

Figure 3.2: Selection of respondents



In Sri Lanka, district and divisional administration operates under central government which handles projects, aid and funds. To investigate limitations in the relationships between the local political and administrative bodies, and to obtain information about the flow of funds, the views of the national, provincial, district and divisional level administrative officials was sought. The administrative officials were selected from district and divisional secretariats situated in the selected local government areas as case studies. Provincial and national level administrative officials were selected through snowball sampling.¹⁶⁴

¹⁶⁴ Snowball sampling is a sampling technique in which the researcher samples initially a small group of people relevant to the research questions, and these sampled participants propose other participants who have had the experience or characteristics relevant to the research. These participants will then suggest others and so on (Bryman, (2012), p. 424). For Swanborn, in selecting key persons in case studies, we do not proceed randomly, but generally focus – for

When selecting the NGOs, the main concern was to determine the different types of NGO contributions in local government and local development. Lists of NGOs and their contributions at the local level were obtained from the Ministry of Local Government and Provincial Councils. From these lists, NGOs that had been involved in on-going projects in the south and east areas were selected. Some of the officials responsible for such projects had worked in country offices and some of them had been attached to area offices.¹⁶⁵ Some of these officials were selected through snowball sampling as well. All of the selected NGOs were foreign-funded, mainly from American (United States of America), Australian, Canadian and European sources.

Representatives of CBOs were also selected using snowball sampling. Selection of respondents and the further research processes followed closely the established principles of human research ethics approved by the Faculty of Arts and Social Sciences. Consent of the respondents was carefully taken into account and the researcher did not follow any forceful attempt to obtain data. In preparation for this research a pilot survey was devised and implemented.

3.4.1. Pilot survey

A pilot survey was carried out in May 2011, in the Galle district from the southern province and Trincomalee district from the eastern province. The Galle MC, Galle district secretariat, Baddegama PS and Baddegama divisional secretariat from Galle district and the Trincomalee MC, Trincomalee district secretariat, Kinniya PS and Kinniya divisional secretariat from Trincomalee district were visited.

From these local government offices, contact information of the political representatives of each local government area was obtained. The selection of these representatives for the pilot survey was carried out according to a form of purposive sampling.¹⁶⁶

instance by means of a snowball procedure and an accidental initial contact – on well-informed individuals (Swanborn, P.G. (2010) *Case Study Research: What, Why and How?*, SAGE Publications, London, p. 74).

¹⁶⁵ Most of the time, higher officials attached to country offices or area offices directed the researcher to project coordinators of the specific projects.

¹⁶⁶ Sometimes it is appropriate for the researcher to select a sample on the basis of his or her own knowledge of the population, its elements, and the nature of the research aims: in short, based on the researcher's judgement and the purpose of the study. This is called purposive or judgemental sampling (Babbie, E. (1998) *The Practice of Social Research* (8th edition) Wadsworth Publishing Company, Belmont, p. 195).

The pilot survey revealed that most local political representatives were not aware of the existing local government laws and regulations. Furthermore, accessing some of the local political representatives was difficult because many lived in remote areas without proper road access. It became clear that most of the time the political representatives from the same area talked of their common experiences and there was much unnecessary repetition. Therefore it was decided to aim to contact only two political representatives from each local government body,¹⁶⁷ those representing the governing party and the opposition party. Where there was a second opposition party, this representative was also interviewed.

Discussions with administrative officials revealed that in district and divisional secretariats, there were specific officers with responsibility for local development planning and maintaining NGO contacts. Therefore, only one administrative officer from each district or divisional secretariat was interviewed, usually this officer was either the NGO coordinating officer of the district secretariat or the assistant director-planning of the divisional secretariat.

The pilot survey provided the opportunity to talk with some of the people in selected local government areas and learn that they were not aware of, or not concerned about, their local government other than voting in the local government elections. Also, they had little or no idea of any NGO contribution or its support in their areas.¹⁶⁸ The lack of awareness of local government representatives and people on issues such as legal procedures, local government mechanism and donor aid, were noted as issues to be investigated further.

After contacting the officials attached to NGOs it was found that most of the NGO projects at the local level had their offices in Colombo, the country capital. A very few of these projects had area offices in southern and eastern provinces.

The pilot survey, therefore, helped in guiding the field research. Overall, it was found that, the respondents were very interested in sharing their ideas and experiences with the researcher.

¹⁶⁷ In this research local political representatives are the local government representatives.

¹⁶⁸ Many researchers emphasise positive data and ignore what is not explicitly in the data, but for Neuman, being alert to absences is also important. He quotes Lewis and Lewis, who provided seven kinds of negative evidence to consider: 1) events that do not occur; 2) events about which the population is unaware; 3) events the population wants to hide; 4) over-looked commonplace events; 5) effects of a researcher's pre-conceived notions; 6) unconscious non-reporting; and 7) conscious non-reporting (Neuman, (2000), pp. 436-437).

3.4.2. Field research

The field research was conducted in two phases. The first was carried out from May to September 2011 in the selected local government areas by interviewing local government representatives, local administrative officials, CBO representatives and officials of the area offices of NGOs. The second phase was carried out from June to September 2012 when national and provincial political representatives and administrative officials were interviewed, together with officials of the country offices of NGOs.

This research included 47 respondents, including 22 national, provincial and local political representatives. There were 17 national, provincial and local administrative officials, seven officials attached to NGOs, and one CBO representative. Of the 47 respondents, six were women and two were Buddhist priests.¹⁶⁹

The local government representatives and administrative officials responded promptly to the request letters and the phone calls of the researcher. They spent considerable time responding to the researcher during interviews. But when trying to contact some of the local government representatives and administrative officials in the eastern province through phone calls, the researcher was unable to communicate with them because they only spoke and understood Tamil.¹⁷⁰ While officials attached to NGOs, and CBO representatives were very interested in responding, national and provincial political representatives, especially those who represented the central governing party, were less likely to respond positively to the request letters and the phone calls of the researcher. Most of the time they were not in their offices and their secretaries informed the researcher that these political representatives were very busy. Such secretaries also attempted to direct the researcher to certain administrative officials who could talk on behalf of these political representatives. However, the researcher rejected such attempts. Despite this, national and provincial administrative officials were interested in responding.

During the field research, in the aftermath of the war, the eastern provincial council and a few selected local government bodies of the eastern province were dissolved by the central government and fresh elections called. The dissolution of

¹⁶⁹ A detailed list of respondents is included in Appendix IV.

¹⁷⁰ The researcher does not speak or understand Tamil language.

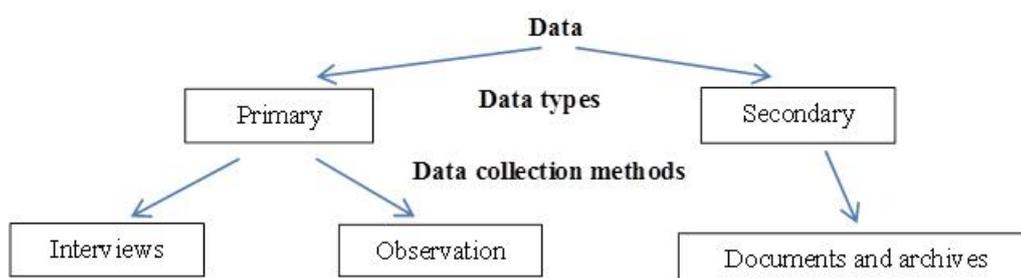
those elected bodies outside of the normal cycle of elections, meant there were no opportunities to interview these representatives.

3.5. Methods of data collection and analysis

This section outlines the tools and procedures used in this research to collect and analyse data.

3.5.1. Sources of data

Figure 3.3: Sources of data



The case studies drew on a variety of sources and a variety of types of data.¹⁷¹ This research obtained its data through interviewing, observing, and document analysis.¹⁷²

3.5.1.1. Interviews

Primary data was collected using unstructured interviews¹⁷³ and semi-structured interviews.¹⁷⁴ Unstructured interviews allowed the interviewees to tell their story in their own way and order, in response to the researcher. The interviews were

¹⁷¹ The case study method allows the use of a variety of methods depending on the circumstances and the specific needs of the situation. For example, observations of events within the case study setting can be combined with other sources such as documents from official meetings and informal interviews with people involved (Denscombe, (2010), p. 54).

¹⁷² Denzin and Lincoln, (1998), p. 29.

¹⁷³ In unstructured interviews, the researcher uses a brief set of prompts to deal with a range of topics. There may be just a single question that the interviewer asks, and the interviewee is then allowed to respond freely, with the interviewer simply responding to points that seem worthy of being followed up. Unstructured interviewing tends to be very similar in character to a conversation (Bryman, (2012), p. 471). Unstructured interviewing is recognised as useful for studying sensitive issues like racial or ethnic prejudice, or hot political topics (Bernard, H.R. (2006) *Research Methods in Anthropology: Qualitative and Quantitative Approaches* (4th edition) Rawat Publications, Jaipur, p. 213).

¹⁷⁴ In semi-structured interviews, the researcher has a list of questions or fairly specific topics to be covered, often referred to as an interview guide, but the interviewee has a great deal of leeway in how to reply. Questions may not follow on exactly in the way outlined on the schedule. Questions that are not included in the guide may be asked as the interviewer picks up on things said by interviewees. By and large, all the questions were asked and in similar wording used with all interviewees (Bryman, (2012), p. 471).

guided by a schedule of issues to be covered, but there was a good deal of freedom to include topics considered important to the interviewee.¹⁷⁵ According to Bernard, unstructured interviewing is excellent for building initial rapport with people, particularly informants who would not tolerate a more formal interview.¹⁷⁶ Semi-structured interviews allowed the researcher to change the order and wording of the questions in order to achieve a more natural style of conversation.¹⁷⁷ In situations where the researcher got only one chance to interview someone, and where the researcher dealt with high-level bureaucrats, semi-structured interviews worked well.¹⁷⁸

In this research, most of the political representatives, administrative officials, officials attached to NGOs, and CBO representatives showed much interest in responding to the researcher without strictly following the scheduled questions. Therefore, most of the time, the interviews flowed flexibly in a middle path between unstructured and semi-structured methods. However the question areas were different from respondent to respondent according to their specific areas of expertise.¹⁷⁹

When interviewing some of the local government representatives in the eastern province, the support of translators was obtained. However some respondents did not like to have a translator, saying that they could speak Sinhala. But their Sinhala knowledge was limited and therefore they were unable to explain some of their ideas. Therefore some of the interviews conducted in the eastern province were fewer and shorter than the interviews conducted in the southern province.

During the interviews, some respondents, especially the political representatives had shown an interest in wanting to know the political views of the researcher, which was avoided. Also some respondents tried to avoid talking about contemporary debatable topics such as the decentralisation of power. Further, a lack of a widely accepted definition of NGOs in Sri Lanka was a setback which resulted in vague and unclear responses by some respondents.

¹⁷⁵ Smith and Bowers-Brown, (2010), p. 121.

¹⁷⁶ Bernard, (2006), p. 213.

¹⁷⁷ Smith and Bowers-Brown, (2010), p. 119.

¹⁷⁸ Bernard, (2006), p. 212.

¹⁷⁹ Interview schedules have been included in Appendix V.

3.5.1.2. Observation

Observation¹⁸⁰ was another method followed in this research, carried out during field research and during interviewing.¹⁸¹ Smith and Bowers-Brown note that direct observation as a research method is most appropriate in open, public settings where anyone has a right to be or congregate.¹⁸² During this research, construction projects and other areas were observed in the southern and eastern provinces, together with the routines of government offices.

3.5.1.3. Documents and archival data

An effective way to get to grips with a case study subject is to study any relevant documentation,¹⁸³ and in this research, the study of documents and archival data was undertaken to supplement the information acquired by interviews and observations. Secondary data for this research includes governmental¹⁸⁴ and non-governmental¹⁸⁵ documents such as constitutions, acts, gazettes, circulars, commission reports, sessional papers, annual reports, project reports and progress reports. Books, journals, newspapers and certain web sites were also used as secondary sources of data. Archives are also a good source of information¹⁸⁶ to establish an understanding of the circumstances that characterised an event or period.¹⁸⁷ Although some published commission reports were obtained from the Sri Lanka National Archives, they did not release unpublished commission reports saying that those were closed and restricted archives.

¹⁸⁰ Observations can be quantitative (observing the number of times something occur), as well as qualitative (looking at the detail such as temporal and spatial influences in what is happening) (Smith and Bowers-Brown, (2010), pp. 122-123).

¹⁸¹ Swanborn, (2010), pp. 73-74.

¹⁸² Smith and Bowers-Brown, (2010), pp. 122-123.

¹⁸³ Swanborn, (2010), p. 73.

¹⁸⁴ The state is the source of a great deal of information of potential significance for social researchers. It produces a great deal of statistical information. In addition to such quantitative data, the state is the source of a great deal of textual material of potential interest, such as Acts of Parliament and official reports (Bryman, (2012), p. 549).

¹⁸⁵ Official documents deriving from private sources are a very heterogeneous group of sources, but one type that has been used a great deal is the company document. Companies (and indeed organisations generally) produce many documents. Some of these are in the public domain, such as annual reports, mission statements, press releases, advertisements, and public relations material in printed form and on the World Wide Web. Other documents are not (or may not be) in the public domain, such as company newsletters, organisational charts, minutes of the meetings, memos, internal correspondence, manuals for new recruits, and so on (*ibid.*, p. 549-550).

¹⁸⁶ Swanborn, (2010), p. 73.

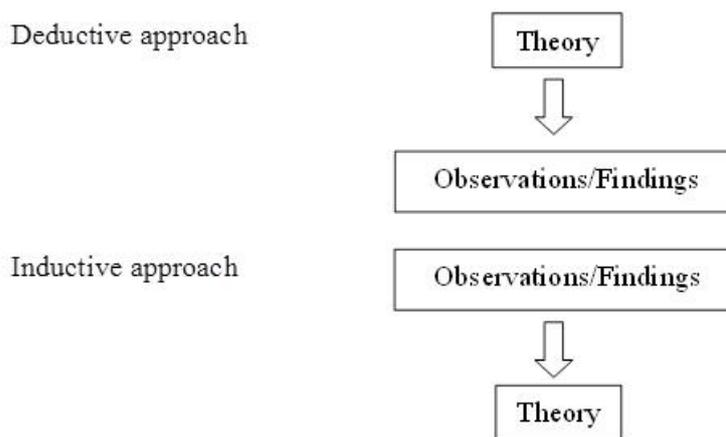
¹⁸⁷ McNabb, (2004), p. 109.

Care was taken to ensure that such documents and texts were studied in their social context. As Punch notes, an understanding of the social production¹⁸⁸ and context of the document affects its interpretation.¹⁸⁹

3.6. Methods of data analysis

Data analysis involved examining, sorting, categorising, evaluating, comparing, synthesising, and contemplating the coded data as well as reviewing the raw and recorded data.¹⁹⁰ In general, it involved searching for patterns in the data – recurrent behaviours, objects, or a body of knowledge. Analysis went beyond description to interpreting what had been said in terms of the research questions and existing literature.¹⁹¹

Figure 3.4: Deductive and inductive approaches to the relationship between theory and research



Source: Bryman, (2012), p. 26.

As noted above, this research is based on an embedded case study design and qualitative data, these being approaches that are very closely related. Cases are not given pre-established empirical units or theoretical categories apart from the data, and they are defined by data and theory. By analysing a situation, the researcher organises data into categories on the basis of themes, concepts, or similar features, and applies theories simultaneously to create or specify a case. Creating a case, or

¹⁸⁸ The social production of an archive means: what is kept, where and for how long, and what is thrown away.

¹⁸⁹ Punch, (1998), p. 231.

¹⁹⁰ Neuman, (2000), p. 426.

¹⁹¹ Smith, K. and Davies, J. (2010) 'Qualitative Data Analysis', in L. Dahlberg and C. McCaig (eds) (2010) *Practical Research and Evaluation: A Start-to-Finish Guide for Practitioners*, SAGE, London, p. 155.

casing, brings the data and theory together.¹⁹² As discussed earlier, generalisation in case study approach is oriented towards theory.

There are no hard and fast rules about how qualitative data should be analysed. The researcher has the freedom to choose the approach which suits the purposes of the study and the readership.¹⁹³ In the inductive approaches,¹⁹⁴ theories are developed from the analysis of research data. And in the deductive approaches,¹⁹⁵ research is used to test theories¹⁹⁶ (see Figure 3.4). Dahlberg and McCaig suggest that the chosen (inductive or deductive) approach does not determine which strategy should be used in a research. Neither does it determine whether the strategy should be qualitative or quantitative.¹⁹⁷ Relying totally on either inductive or deductive analysis is not practical for this study and the methods used cannot be simply seen as qualitative or quantitative, this research has sought qualitative data to examine the research questions derived from the literature. This research sees the significance of using deduction to analyse data and the applicability of certain theories in interpreting conclusions derived from the data. Thus, this research draws on both induction and deduction.

It is important to note that, when analysing a single case study with embedded units, the method of analysis differs. According to Yin, any analysis of the embedded units is done within each case and this analysis cannot be the sole analysis but must be augmented by some other analytic technique at the level of

¹⁹² Neuman, (2000), p. 420.

¹⁹³ Bernard, (2006), p.158.

¹⁹⁴ Induction also called analytic induction, an approach to the analysis of data in which the researcher seeks universal explanations of phenomena by pursuing the collection of data until no cases that are inconsistent with a hypothetical explanation (deviant or negative cases) of a phenomenon are found (Bryman, (2001), p. 389). Moreover, induction is usually described as moving from the specific to the general. Induction is generally future-oriented, and informally called a 'bottom-up' approach ('Deduction and Induction' (n.d.) <http://www.socialresearchmethods.net/kb/dedind.php>, accessed 07-01-2013).

¹⁹⁵ In a deductive conception of theory development the theorists begin with a set of fundamental axioms and definitions and logically derive from them a more elaborate set of propositions, some of which are falsifiable (Sabatier, P.A. (1999) 'Fostering the Development of Policy Theory', in P.A. Sabatier (ed) *Theories of the Policy Process*, Westview Press, UK, p. 265). Deduction begins with the general and ends with the specific. Deduction is generally past or present-oriented. It draws from general information then extracts a specific conclusion which proves the past or present truth. Deduction is informally called a 'top-down' approach ('Deduction and Induction' (n.d.)).

¹⁹⁶ Babbie, (1998), p. 64.

¹⁹⁷ Dahlberg, L. and McCaig, C. (2010) 'Introduction to Research and Evaluation Basics', in L. Dahlberg and C. McCaig (eds) *Practical Research and Evaluation: A Start-to-Finish Guide for Practitioners*, SAGE, London, p. 21.

the main case.¹⁹⁸ Therefore in this research, first, the data collected from embedded units using multiple sources has been categorised manually under themes related to the research questions. Second, the data has been incorporated to the main unit of analysis for the purpose of analysis.

3.7. Summary

Under four main components, this chapter outlined the methodology to examine the research questions raised in chapter 2. This research used the mixed method approach relying more heavily on qualitative methods, especially on the case study approach and therefore the single-case (embedded) design. Sri Lankan local government was selected as the single case, and the southern and eastern provincial councils were selected as the embedded units. From the two provinces, 12 local government bodies were selected and there were 47 respondents in this research including national, provincial and local political representatives, administrative officials, officials attached to NGOs, and CBO representatives. Primary and secondary data were collected using a variety of sources such as interviews, observation, and documents and archives. To examine research questions and to investigate the applicability of theories in interpreting conclusions derived from the data, this research relied on both deductive and inductive reasoning respectively as the methods of data analysis.

The following chapters draw the background of this research within the Sri Lankan context.

¹⁹⁸ Yin, (1994), p. 120.

Chapter 4

History and political development in Sri Lanka

4.1. Introduction

Sri Lankan society is a complex mixture of ancient traditional politico-economic and socio-cultural structures and colonial structures. For nearly 450 years Sri Lanka was under Portuguese, Dutch and the British colonial rule with many generations living through changes made by colonial rulers. Sri Lankan society faced contradictions and confrontations between national and colonial elements and was transformed numerous times through those processes. To identify the changes relevant to the current political situation, this chapter outlines the background to contemporary Sri Lankan history and political development. It also sets the context for the following chapter, which presents the particular history and development of local government in Sri Lanka. A wide range of literature has been examined including details from various legal documents such as constitutions, acts and commissioned reports. Included also is material from several online news reports, newspaper articles, and web sites. The authors offer different perspectives about the same historical events, with some seeing colonialism as the main reason for certain failures within the Sri Lankan governing structure,¹⁹⁹ while others point to other reasons for such failures.²⁰⁰

This chapter begins by reviewing ancient Sri Lankan political history, and moves on to discuss colonial and post-colonial political development, especially the constitutional developments, development of political parties and the emergence of political leaders. The politics of decentralisation is outlined alongside the consequences of ethnic conflict. This chapter also addresses the extent to which

¹⁹⁹ See Christopher, A.J. (1988) 'Divide and Rule: The Impress of British Separation Policies', *Area*, Vol. 20, No. 3, Blackwell Publishing on behalf of The Royal Geographical Society (with the Institute of British Geographers), <http://www.jstor.org/stable/20002624>, accessed 15-02-2012 and DeVotta, N. (2003) 'Ethnolinguistic Nationalism and Ethnic Conflict in Sri Lanka', in M.E. Brown and S. Ganguly (eds) *Fighting Words: Language Policy and Ethnic Relations in Asia*, Belfer Centre for Science and International Affairs, Georgetown University, Centre for Peace and Security Studies, Pacific Basin Research Centre, MIT Press, http://books.google.co.nz/books/about/Fighting_words.html?id=fcoDezu1ABoC, accessed 17-02-2012.

²⁰⁰ See Lee, J. (2011) *Sri Lanka*, Department of Political Science, Florida State University and Farmer, B. H. (1963) *Ceylon: A Divided Nation*, Oxford University Press, London.

colonialism is the main reason for the difficulties of political leadership and government in the post-colonial context.

4.2. Sri Lankan origins

Numerous stories surround the ancient history of Sri Lanka and the origins of the Sinhalese people. Most believe that the Sinhalese are the descendants of Indo-Aryans who came to Sri Lanka from northern India during the 6th century BC. Some 300 years later, Buddhism arrived from the Indian sub-continent and spread rapidly throughout the country. Ancient Sinhalese kingdoms had a close relationship with Buddhism in all matters of government. Buddhism and the sophisticated system of irrigation were the pillars of classical Sinhalese civilisation (200 BC-1200 AD) that flourished in the north-central part of the island.²⁰¹ The kings who supported the spread of Buddhism and the development of agriculture have been highlighted in Sri Lankan history. South Indian invasions from 993 AD resulted in internecine strife and pushed Sinhalese kingdoms southward. In addition to these invasions, many outsiders were brought into contact with the island. For example, Roman sailors called the island 'Taprobane', and Arab traders knew it as 'Serendip', the root of the word 'serendipity'.²⁰²

Beginning in 1505, Portuguese traders in search of cinnamon and other spices seized the island's coastal areas and introduced Catholicism. The Dutch supplanted the Portuguese in 1658, but were themselves ejected by the British in 1796. Roman-Dutch law remains an important part of Sri Lankan jurisprudence. In 1815 the British defeated the King of Kandy (the last kingdom of Sri Lanka), the last of the native rulers,²⁰³ and created the Crown Colony of Ceylon.²⁰⁴ They established a plantation economy based on tea, rubber, and coconuts, resulting in the decline of the self-sufficient agricultural economy.

4.3. Political developments: constitutions, political parties and leaders

Constitutional developments in Sri Lanka during the British colonial period drove the country towards a new political structure quite apart from the ancient

²⁰¹ 'The World Factbook' (n.d.) <https://www.cia.gov/library/publications/the-world-factbook/geos/ce.html>, accessed 06-01-2012.

²⁰² 'U.S. Relations with Sri Lanka' (n.d.) <http://www.state.gov/r/pa/ei/bgn/5249.htm>, accessed 10-01-2012.

²⁰³ 'The World Factbook' (n.d.).

²⁰⁴ Sri Lanka was called as Ceylon till 1972.

kingdoms. These constitutional developments were continued by post-colonial rulers and resulted in a number of controversial decisions regarding the continuation of colonial structures. However the constitutional developments opened up a path to establish representative institutions, to obtain universal franchise, to the emergence of political parties and to the development of political leadership.

4.3.1. Constitutional developments: colonial era

During the British colonial period, a number of constitutional reforms with far reaching consequences were introduced. This constitutional development process started in 1829 when the British colonial office conducted a Royal Commission of Eastern Inquiry – the Colebrooke-Cameron Commission – to assess the finances, administration and judicial system of the island.²⁰⁵ The commission worked to end the system of *rajakariya*,²⁰⁶ the forced administrative division of the country along ethnic and cultural lines. The commission proposed instead that the country be put under one uniform administrative system, divided into five provinces. The same principle applied to the judicial system which was to be unified into one system and extended to all classes of people, offering everyone equal rights in the eyes of the law.²⁰⁷

The exclusively British character of the administrative services ended in 1833 and the civil service was opened up to include local citizens, which required that a new emphasis be placed on English education, which contributed to the creation of a Westernised elite, whose members would go on to spearhead the drive for independence in the twentieth century. The Colebrooke-Cameron Commission also emphasised the standardisation of the educational curriculum and advocated the substitution of English for local languages from which an English-educated Ceylonese middle class emerged.²⁰⁸

The commissioners also favoured the decentralisation of government executive power. They stripped away many of the autocratic powers vested in the governor,

²⁰⁵ 'A Country Study: Sri Lanka' (n.d.) <http://www.country-studies.com/sri-lanka/>, accessed 12-01-2012.

²⁰⁶ The performance of service to the king, or to his successors the British government, in return for land tenure.

²⁰⁷ 'The British in Sri Lanka' (n.d.) <http://www.lankalibrary.com/geo/British/history4.htm>, accessed 11-01-2012.

²⁰⁸ 'A Country Study: Sri Lanka' (n.d.).

replacing his Advisory Council with an Executive Council which appointed the members of the Legislative Council. The Legislative Council functioned as a forum for the discussion of legislative matters and included membership which represented low-country Sinhalese, Burghers, and Tamils, respectively.²⁰⁹

The Westernised elite and the English-educated Ceylonese middle class drove the constitutional reforms process forward, and demanded more Ceylonese representation in the Legislative Council. The Legislative Council was reformed in 1910, leading to an increase in membership,²¹⁰ following the Crewe-McCallum Reforms.²¹¹ The most notable aspect of the Crewe-McCallum reforms was the introduction of elected members.²¹² A financial committee was also established to control the revenue. There were more Europeans than Ceylonese in the Legislative Council, and due to the strong caste divisions, both Sinhala and Tamil political elites were in competition to obtain more seats in the Legislative Council.²¹³

William Henry Manning, the British Governor in Ceylon during the period 1918-1925, enacted major reforms in 1920 further increasing membership of the Legislative Council.²¹⁴ A notable change was the introduction of territorial constituencies²¹⁵ with Governor Manning actively encouraging the idea of 'communal representation', creating the reformed Legislative Council in 1921 with its first election returning 13 Sinhalese and three Tamils, a significant loss in representation for the Tamils when compared to the previous Council based on direct appointment by the governor.²¹⁶ Following this, the Tamils began to

²⁰⁹ *Ibid.*

²¹⁰ Membership of the Legislative Council was increased from 18 to 21, of which 11 were official and 10 were non-official. Of the non-official members, six were appointed by the governor and the remaining four members were elected.

²¹¹ The Secretary of State for the Colonies, the Earl of Crewe and the British Governor of Ceylon at that time, Henry Edward McCallum, were involved in these reforms.

²¹² Fewer than 3,000 people (4%) could vote, as the right to vote was based on education and assets.

²¹³ Wickramasinghe, N. (2006) *Sri Lanka in the Modern Age: A History of Contested Identities*, University of Hawai'i Press, Honolulu, pp. 141-142.

²¹⁴ Membership of the Legislative Council increased from 21 to 37, of which 14 were official and 23 were non-official. Of the non-official members, four were appointed by the governor and the remaining 19 were elected. Three non-official members were selected to be a part of the Executive Council.

²¹⁵ Of the 11 territorial constituencies, three were from the western province and one each from the other eight provinces.

²¹⁶ De Silva, K.M. (1972) 'The Ceylon National Congress in Disarray, 1920-1921: Sir Ponnambalam Arunachalam Leaves the Congress', *Ceylon Journal of Historical and Social Studies*, Vol. 2, No. 1, p. 114.

develop a communal consciousness and to think of themselves as a minority community. They focused on communal representation in the Council rather than national representation, and decided that their delegates should be leaders from their own community.²¹⁷ Consequently, the previous demands for special status for certain castes began to change along communal lines.

The Second Manning Reforms of 1923 again increased membership of the Legislative Council.²¹⁸ The head of the Legislative Council had been the governor, but the new reforms created the post of president of the Legislative Council, which was held by the governor on a nominal basis. However, the governor still retained most of the authority in the country.²¹⁹ The 1924 Manning Constitution was considered by the later Donoughmore Commission to be ‘an unqualified failure’ because it did not provide a strong, credible executive body of representatives.²²⁰

The Donoughmore Commission gained its name from the Royal Commission under the Earl of Donoughmore in 1927. The commission proposed universal franchise, territorial representation and an experimental system of government to be run by executive committees. The commission’s recommendations led to Ceylon gaining limited self-government and the replacement of the Legislative Council with the State Council of Ceylon in 1931. The State Council functioned in both an executive and legislative capacity. Executive duties were performed by seven committees.²²¹ Commentators have described the Donoughmore Constitution as a unique document that provided Sri Lankans with valuable training for self-government. However, the Donoughmore Constitution reserved the highest level of responsibility for the British governor, whose assent was necessary for all legislation.²²² The system of executive committees did not lead to the development of national political parties. Instead, a number of splinter political groups evolved around influential personalities who usually followed a vision too limited, or an agenda too communally partisan, to have an impact on

²¹⁷ De Silva, K.M. (2005) *A History of Sri Lanka*, Penguin, p. 448.

²¹⁸ Membership increased from 37 to 49, of which 12 were official and 37 were non-official. Four non-official members were selected to be part of the Executive Council.

²¹⁹ De Silva, (2005), p. 448.

²²⁰ ‘A Country Study: Sri Lanka’ (n.d.).

²²¹ Abeyasinghe, W.A. (1995) *Government System in Sri Lanka* (translated from Sinhala), Godage Publishers, Colombo-10, pp. 40-41.

²²² ‘A Country Study: Sri Lanka’ (n.d.).

national politics. The Great Council of the Sinhalese (*Sinhala Maha Sabha*), which was founded by S.W.R.D. Bandaranaike in 1937, was prominent among these groups. The other groups included the Burgher Political Association in 1938, the Ceylon Indian Congress (CIC) in 1939, and the All Ceylon Tamil Congress (ACTC) in 1944.²²³ These groups have shaped Sri Lankan politics and forged its political development resulting in continuing governing difficulties.

The introduction of the universal franchise and territorial representation in 1931 completely changed the character of Ceylonese politics, where Tamil politicians found it very difficult to accept that they would become a minority.²²⁴ A major problem was the emergence of political leaders who strongly backed and widened ethnic nationalism causing divisions between the main ethnic groups.²²⁵ This resulted in the struggle for independence against British rule centred around a struggle amongst ethnic groups within the country.

During the 2nd World War (1939-1945), Sri Lanka committed itself to the allied war effort. Although the island was put under military jurisdiction during the war, the British and the Ceylonese maintained cooperative relations. Ceylonese pressure for political reform continued during the war and increased as the Japanese threat receded and the war neared its end. The British eventually promised full participatory government after the war.²²⁶

Sri Lanka, thus, benefitted from its role in the 2nd World War.²²⁷ In July 1944, Lord Soulbury was appointed head of a commission charged with the task of examining a new constitutional draft that had been proposed by the Sri Lankan board of ministers headed by D.S. Senanayake.²²⁸ It is evident that the struggle for

²²³ *Ibid.*

²²⁴ Russell, J. (1982) *Communal Politics under the Donoughmore Constitution: 1931-1947*, Tisara Publishers, Colombo, p. 308.

²²⁵ 'A Country Study: Sri Lanka' (n.d.).

²²⁶ 'Sri Lanka: World War II and the Transition to Independence' (n.d.) <http://www.country-studies.com/sri-lanka/world-war-ii-and-the-transition-to-independence.html>, accessed 13-01-2012.

²²⁷ When Singapore fell to the Japanese in February 1942, Sri Lanka became a central base for British operations in Southeast Asia, and the port at Trincomalee recaptured its historically strategic importance. As an indispensable strategic bastion for the British royal navy, Sri Lanka was an irresistible military target for the Japanese. The British fought several desperate air battles over Colombo and Trincomalee and lost 36 aircraft and several ships. The Japanese carrier force, however, suffered such high aircraft losses over Sri Lanka – more than 100 warplanes – that it returned to Japan for refitting rather than press the attack. In returning to Japan, the force had lost its opportunity for unchallenged supremacy of the Indian Ocean (*ibid.*).

²²⁸ D.S. Senanayake was the leader of the 'constitutionalist' wing of the Sri Lankan independence movement and began to develop a Ceylonese vision, through the cooperation of all the ethnic and religious groups.

independence in Ceylon had been fought on ‘constitutionalist’ lines rather than on the strongly confrontational approach that had developed in British India.²²⁹ But in widening the scope of the commission to consult with various interests, including the minority communities, the ethnic disparities were again brought into the arena.

The Tamil Congress, led by G.G. Ponnambalam, spearheaded the demand for balanced representation for the minority communities (known as ‘fifty-fifty’); this implied a communally-based legislature with 50 per cent of the seats for all the minorities – Ceylon Tamils, Indian Tamils, Muslims, Malays, Burghers and Europeans – and 50 per cent for the Sinhalese. However, this was not supported beyond a large section of the Ceylon Tamils of the Jaffna peninsula and Colombo. The eastern province Tamil representatives in the State Council were not in favour of it, and the Indian Tamils were definitely not committed. The Muslims under the leadership of T.B. Jayah,²³⁰ expressed qualified approval, but other prominent Muslim leaders did not accept the formula as a solution.²³¹

The 1945 Soulbury Report stated that any attempt by artificial means to convert a majority into a minority is not only inequitable, but doomed to failure. Ponnambalam’s schemes for securing the status of Tamils were completely contrary to the ‘one man-one vote’ concept widely accepted in European liberalism, and met with severe disapprobation by the commissioners. Ponnambalam’s proposals were considered to be a means of conferring a minority supremacy amounting to virtual majority rule, and ‘denial of the democratic principle’.²³² The commission’s responses to these demands were based on the principles that the state would not identify with any ethnic or religious community and that special opportunities to underprivileged minorities would not be accommodated in the constitution.²³³ Lord Soulbury wrote in B.H. Farmer’s book, *Ceylon: A Divided Nation* that,

²²⁹ De Silva, K.M. (1981) *A History of Sri Lanka*, Oxford University Press, p. 560.

²³⁰ T.B. Jayah was a prominent Sri Lankan Muslim leader who entered politics in 1924 and was elected to the Legislative Council to represent the minority communities. He was appointed the Minister of Labour and Social Services. He worked in unison with the members who represented other communities. From 1936 to 1947, he served in the State Council.

²³¹ Wilson, A.J. (1994) *S.J.V. Chelvanayakam and the Crisis of Sri Lankan Tamil Nationalism, 1947-1977: A Political Biography*, C. Hurst & Co. (Publishers) Ltd., UK, p. 12.

²³² Russell, (1982), p. 311.

²³³ Wickramasinghe, (2006), p. 169.

A Commission, of which I had the honour to be the Chairman, was appointed by the British Government in 1944, to examine and discuss proposals for the constitutional reform of Ceylon. It did not take long to discover that the relations of minorities to majorities and particularly of the Tamil minority in the northern and eastern provinces to the Sinhalese majority further south, were in the words of the commission's report 'the most difficult of the many problems involved'.²³⁴

Nonetheless, Ponnambalam's demands were rewarded by the commissioners with the introduction of a provision for multi-member constituencies in suitable areas, allowing for greater representation for ethnic minorities like Tamils, Muslims and other groups. The commissioners also recommended the inclusion of provisions relating to communal discrimination.²³⁵ Other than the demands of the Tamils, the Kandyans proposed a federal scheme where the up-country region, the low-country, and the north would become three federal states.²³⁶ However, their suggestions were rejected by the commissioners who found no merit in the federal proposals. According to commentators, the visit of the Soulbury Commission and the final Soulbury Report did much to reconcile the minority communities²³⁷ with the Sinhala leadership under D.S. Senanayake.

As the end of the 2nd World War approached, the constitution was amended to incorporate a provision giving Sri Lanka dominion status. In 1945 the Free Lanka Bill was passed. The Soulbury Commission's recommendations led to a new constitution. British constitutional principles served as a model for the Soulbury Constitution of an independent Sri Lanka, which combined a parliamentary system with a bicameral legislature. Members of the lower House of Representatives were directly elected by popular vote. Members of the Senate, or upper House, were elected partly by members of the House and partly by the governor, who was primarily a figurehead. The British monarch appointed the governor on the advice of the most powerful person in the Sri Lankan government – the prime minister.²³⁸ Thus Ceylon became independent on 4th February 1948.²³⁹

²³⁴ Farmer, (1963), p. vii.

²³⁵ *The Soulbury Report* (1945), p. 101.

²³⁶ 'Federal Solution to Ethnic Conflict Proposed by the Liberal Party of Sri Lanka' (2007) <http://www.asiantribune.com/node/4370>, accessed 12-08-2013.

²³⁷ Article 29 of the Soulbury Constitution provided protective provisions for the minorities.

²³⁸ 'Sri Lanka: World War II and the Transition to Independence' (n.d.).

²³⁹ The British government made the official announcement on 18th June 1947 that Ceylon would receive 'fully responsible status within the British Commonwealth of Nations'.

The constitutional reforms which had taken place during the colonial era led to significant developments: first, following several constitutional reform commissions appointed by the British colonial government, the constitutions and the representative institutions that eventuated followed the British political and administrative structures; and second, the ruling power was transferred from colonial rulers to post-colonial rulers. The emergence of rivalries among Ceylonese political leaders along caste and ethnic nationalist lines was aimed at gaining more representation for their groups in the legislative bodies and can be identified as a limitation which undermined the unity of national political leaders in their quest to obtain independence. Because the ruling power had been concentrated among the Westernised elite and the English-educated Ceylonese middle class, it had been their interests which had been mostly connected with promoting the Western institutional structures rather than efforts to address the actual needs of the country.

4.3.2. Constitutional developments: post-colonial era

An independent Ceylon governed under the Soulbury Constitution lasted until 1972. After independence, there were long-lasting debates in the legislature about how to address Sri Lankan societal needs through new constitutional provisions and laws. Maintaining colonial institutional structures was identified by post-colonial rulers as a barrier to this because they did not reflect wider Sri Lankan societal values. Post-colonial governments attempted to bring changes to colonial political and administrative structures, but a new constitution was not drafted until 1970.

The 1970 election manifesto of the United Front (coalition) sought a mandate from the people to convert the elected parliament into a Constituent Assembly²⁴⁰ with the drafting of a new constitution. In 1972 Sirimavo Bandaranaike's United Front government introduced a new constitution consisting of 134 articles grouped into 16 chapters and proposed that the country's name be changed from Ceylon to the Republic of Sri Lanka. The constitution contained several new features. It declared Sri Lanka be a free, sovereign and independent Republic

²⁴⁰ Warnapala, W.A.W. (1973) 'The New Constitution of Sri Lanka', *Asian Survey*, Vol. 13, No. 12, University of California Press, p. 1179 (<http://www.jstor.org/stable/2642676>, accessed 13-01-2012).

pledged toward the objectives of a socialist democracy. The constitution derived its authority from the people of Sri Lanka and not from the power and authority assumed and exercised by the British Crown, and thus was based upon the principle of popular sovereignty. The sovereignty of the people, an inalienable right according to the constitution, was to be exercised through a National State Assembly of elected representatives of the people. The National State Assembly was a unicameral legislature set up under the constitution, and was the supreme instrument of state power of the Republic.²⁴¹

Despite such founding principles the new constitution, however, continued to follow long-established and strong policies of the centralisation of power and ill-treatment of ethnic minorities, especially Tamils. The National State Assembly exercised executive power through the President as the head of state and the cabinet of ministers, and the judicial power through courts and other institutions created by law. The functions and powers of the President indicated that there had been no departure from those exercised by the governor under the previous constitution.²⁴² The exponents of the separation of powers criticised the concentration of power in the National State Assembly as a dangerous feature of the constitution. The opposition wanted at least a partial separation of powers, but the framers of the constitution had not agreed on this.²⁴³ Several further criticisms emerged of the constitutional provisions, including the status of language, religion and the unitary structure of the state. Several amendments were proposed which sought to provide 'parity of status' for both Sinhala and Tamil, but the framers opposed those. The constitution stated that the administration of justice shall be in Sinhala throughout Sri Lanka, which prompted an angry response from the English-educated propertied classes and the lawyer class of the Tamil community.²⁴⁴ The Tamils were especially disturbed because the 1972 Constitution contained no elements of decentralisation.²⁴⁵

The constitution declared Sri Lanka to be a unitary state and that Buddhism was to be given the prime religious status. A two-thirds majority was required to amend

²⁴¹ *Ibid.*, p. 1182.

²⁴² *Ibid.*, p. 1191.

²⁴³ *Ibid.*, p. 1184.

²⁴⁴ *Ibid.*, pp. 1190-1191.

²⁴⁵ 'A Country Study: Sri Lanka' (n.d.).

these sections.²⁴⁶ The newly conferred status for Buddhism replaced the provisions for minorities provided by Article 29 in the Soulbury Constitution. The constitution also sanctioned measures that discriminated against Tamil youth in university admissions. Tamil youth were particularly irked by the ‘standardisation’ policy that Bandaranaike’s government introduced in 1973. The policy made university admissions criteria lower for Sinhalese than for Tamils. The distinct lack of protection for the rights of minorities in the 1972 Constitution dismayed many sectors of the population.²⁴⁷ Even the section on fundamental rights in the constitution was not enforceable by any courts.²⁴⁸

Under the 1972 Constitution, the economic policies were highly socialist and included land reform, increased rice subsidies, and nationalisation of large tea and rubber plantations, local and foreign banks, and other private industries.²⁴⁹ In foreign policy, Bandaranaike’s United Front government followed a non-aligned path, opposed imperialism, colonialism, and racism, and supported national liberation movements.²⁵⁰ In these ways the central government’s strong control over the economy and foreign relations was confirmed and continued.

However, the 1972 Constitution existed for only five years. In 1977, the United National Party (UNP) under J.R. Jayewardene was returned to power. Jayewardene opened the economy and directed the re-writing of the constitution based on the French model.²⁵¹ It changed the country’s name to the Democratic Socialist Republic of Sri Lanka, with the new Constitution of 1978 drastically altering the nature of government. It replaced the previous Westminster parliamentary government with a new presidential system with a powerful chief executive. A proportional representation electoral system was introduced. The President was to be elected by direct suffrage for a six-year term and was empowered to appoint, with parliamentary approval, the prime minister and to preside over cabinet meetings.²⁵² The Parliament remained unicameral consisting

²⁴⁶ Warnapala, (1973), p.1192.

²⁴⁷ ‘A Country Study: Sri Lanka’ (n.d.).

²⁴⁸ Warnapala, (1973), p. 1184.

²⁴⁹ ‘U.S. Relations with Sri Lanka’ (n.d.).

²⁵⁰ ‘A Country Study: Sri Lanka’ (n.d.).

²⁵¹ This refers to the French model of semi-presidential system which a popularly elected fixed-term president exists alongside a prime minister and a cabinet of ministers.

²⁵² ‘A Country Study: Sri Lanka’ (n.d.).

of 225 members; 196 elected members²⁵³ and 29 through the national lists allocated to the parties and independent groups in proportion to their share of the total valid votes.²⁵⁴ Parliament members were elected for a six-year term.

A chapter on fundamental rights, enforceable by the Supreme Court, was introduced to the 1978 Constitution which also included substantial concessions to Tamil sensitivities. Jayewardene's UNP²⁵⁵ offered other concessions in a bid to secure peace. Sinhala remained the official language and the language of administration throughout Sri Lanka, but Tamil was given a new 'national language' status. Jayewardene also eliminated a major Tamil grievance by abrogating the 'standardisation' policy of the United Front government, which had made university admission criteria for Tamils more difficult. Moreover, he offered many top-level positions, including that of minister of justice, to Tamil civil servants.²⁵⁶

The 1978 Constitution could be amended by passing a bill with a two-thirds majority of Parliament. By 2012 it had been amended 18 times, with the most recent amendment being passed in 2010. The 18th amendment has been more controversial in its provision to remove the two-term limit on election to the office of the President, and the Constitutional Council under the 17th amendment.²⁵⁷ Commentators argue that the removal of the two-term limit could lead to authoritarianism mainly due to the tendency of the incumbent to be re-elected

²⁵³ According to the 1978 Constitution, 36 of the 196 seats were allocated to the nine provinces with four seats for each province, and 160 seats allocated to the 22 multi-member electoral districts. The constitution limits the number of electoral districts to between 20 and 25. All but two of the electoral districts are coterminous with their namesake administrative district. The two exceptions are Jaffna (which covers the administrative districts of Jaffna and Kilinochchi) and Vanni (which covers the administrative districts of Mannar, Mullaitivu and Vavuniya). The first general election which used these electoral districts was in 1989.

²⁵⁴ Each party and independent group contest Parliamentary elections have to submit a national list including 29 names to the Electoral Commission prior to the election. The aim of the national lists was to get service of the professionals in various fields such as lawyers, university lecturers, and economists who do not prefer contesting elections.

²⁵⁵ Jayewardene became the first President under the new constitution and assumed direct control of the government machinery and party.

²⁵⁶ 'A Country Study: Sri Lanka' (n.d.).

²⁵⁷ The Constitutional Council has been replaced by a new Parliamentary Council. Therefore the President seeks the 'observations' of the Parliamentary Council in making appointments to key government posts. However where the Parliamentary Council fails to communicate its observations to the President within the specified time, the President can proceed to make appointments solely at his discretion. All members of the Parliamentary Council must be the members of the Parliament. According to commentators, the Parliamentary Council is inadequate in representing diverse opinions ('The 18th Amendment to the Constitution: Process and Substance' (2010) <http://groundviews.org/2010/09/02/the-18th-amendment-to-the-constitution-process-and-substance/>, accessed 02-09-2011).

consecutively which would consequentially lead to the loss of democracy in Sri Lanka.²⁵⁸ Moreover, the 18th amendment restricts the role of the Electoral Commission. Commentators argue that reducing the powers of the Electoral Commission will undermine the future of free and fair elections.²⁵⁹

The 1972 Constitution existed for a short period compared with the longer-lasting 1978 Constitution. Both constitutions reflect the policies of Sri Lankan rulers involved in the constitutional developments. The 1972 Constitution was introduced by a left-wing coalition and the 1978 Constitution by a right-wing political party. Despite their leftist or rightist preferences, both constitutions indicate a common feature of power concentration at the centre, the 1972 Constitution at the legislature, the National State Assembly, and the 1978 Constitution at the executive, the President. When closely scrutinised, it is evident that most Sri Lankan rulers involved in those constitutional developments attempted to strengthen and protect their powers and positions²⁶⁰ rather than build mechanisms to address societal needs and empower people. In summary, Sri Lankan rulers have continued with colonial political and administrative structures, but it can be argued they have gone beyond the power centralisation of colonial rulers.

4.3.3. Development of political parties and the emergence of political leaders

Sri Lanka's political party development and the emergence of political leaders highlight several political phenomena that have occurred in the country from time to time. The Donoughmore Commission introduced the universal franchise to Sri Lanka, but there was no developed party system for a long time. Political scientists have criticised the Donoughmore Constitution regarding this matter. But during the Donoughmore period of political experimentation, several leftist parties were formed.²⁶¹ Unlike most other Sri Lankan parties, these leftist parties were

²⁵⁸ *Ibid.*

²⁵⁹ The privately owned media has been obliged to comply with guidelines issued by the Electoral Commission. This undermines the free flow of information during election time and allows the ruling party to manipulate all media during election time (*ibid.*).

²⁶⁰ Abeysinghe, (1995), pp. 29-34.

²⁶¹ The first important leftist party was the Labour Party, founded in 1931 by A.E. Gunasinghe. Three Marxist-oriented parties – the Ceylon Equal Society Party (Lanka Sama Samaja Party, LSSP), the Bolshevik-Leninist Party, and the Communist Party of Sri Lanka (CPSL) – represented the far-left. All three were divided on both ideological and personal grounds (see Alexander, R.J. (1991) *International Trotskyism 1929-1985: A Documented Analysis of the Movement*, Duke

non-communal in membership and largely represented the numerically small urban working class. Partly because these parties operated through the medium of trade unionism, they lacked the wider mass appeal needed at the national level to provide an effective extra-parliamentary challenge to the central government.²⁶²

The UNP, led by D.S. Senanayake, was a partnership of many disparate groups formed during the Donoughmore period including the Ceylon National Congress (CNC), the Sinhala *Maha Sabha*, and the Muslim League. Although the UNP represented the business community and the landed gentry, Senanayake also adopted populist policies that made the party accepted at the local level. The UNP easily won the 1947 general elections, challenged only by a collection of small, primarily leftist parties. Senanayake became the first Prime Minister and he followed a pro-West, anti-Communist foreign policy. In 1952, Prime Minister Senanayake died from a riding accident and his son became Prime Minister.²⁶³ Later the UNP attempted to reduce the rice ration and there was a *Hartal*,²⁶⁴ which caused the younger Senanayake to resign.²⁶⁵

S.W.R.D. Bandaranaike, a Buddhist nationalist leader, who was known for his centre-left views, quit the UNP to found the Sri Lanka Freedom Party (SLFP) in 1951 as a balancing force between the UNP and the far-leftist groups.²⁶⁶ The party was generally considered as having a centre-left economic agenda and has often been associated with Sinhala nationalist parties. There was growing disaffection with the UNP particularly because of its support of minority religious groups, most notably Catholics, to the consternation of the predominantly Buddhist Sinhalese. Bandaranaike was able to take advantage and lead the SLFP to victory

University Press, http://www.marxists.org/history/etol/writers/alex/works/in_trot/ceyl_1.htm, accessed 16-09-2013).

²⁶² 'A Country Study: Sri Lanka' (n.d.).

²⁶³ The UNP also won the general elections held in June 1952, and Dudley Senanayake continued as Prime Minister without a re-appointment.

²⁶⁴ *Hartal* is a term in many Indian languages for strike action, used often during the Indian independence movement. It is mass protest often involving a total shutdown of workplaces, offices, shops, courts of law as a form of civil disobedience. In addition to being a general strike, it involves the voluntary closing of schools and places of business. It is a mode of appealing to the sympathies of a government to change an unpopular or unacceptable decision. *Hartal* 1953 was a country-wide demonstration, held in Sri Lanka on 12th August 1953. It was organised to protest the policies and actions of the incumbent UNP government. It was the first mass political action in Sri Lanka.

²⁶⁵ Dudley Senanayake was replaced by his cousin, Major John Kotalawala ('The United National Party' (n.d.) <http://unitednationalparty.tripod.com/>, accessed 20-01-2012).

²⁶⁶ 'The Sri Lanka Freedom Party' (n.d.) <http://www.mahinda-peoplespresident.com/our-leader/slfp/>, accessed 20-01-2012.

in the 1956 elections in a landslide, at the head of a four-party coalition with a no-contest pact with the LSSP and the CPSL.²⁶⁷ In 1959 Prime Minister Bandaranaike was assassinated.²⁶⁸ Eventually the leadership of the SLFP fell to Bandaranaike's widow, Sirimavo Bandaranaike, who was soon appointed a Senator. She became Prime Minister²⁶⁹ when another coalition led by the SLFP won elections in July 1960.²⁷⁰

The UNP again came to power in 1965 in a coalition led by Dudley Senanayake.²⁷¹ This government lost in a 1970 landslide to the SLFP, which had formed an electoral alliance with leftist parties (LSSP and CPSL) known as the United Front. Sirimavo Bandaranaike again became Prime Minister.²⁷² From 1956 to 1977, coalition governments can be identified as a prominent feature in Sri Lankan politics.

The UNP was returned to power in 1977 under the leadership of J.R. Jayewardene.²⁷³ The UNP won the largest landslide in Sri Lankan history, 140 out of 168 seats in the Parliament²⁷⁴ which marked a five-sixths (5/6) Parliamentary majority for a single party. For the first time, a Tamil party, the Tamil United Liberation Front (TULF) won the second-highest number of seats in Parliament and became the official opposition.²⁷⁵ Jayewardene became the Prime Minister and was elected Executive President by the Parliament in 1978 and by nationwide election in 1982.²⁷⁶ In 1982, a national referendum extended the life of the Parliament for another six years.²⁷⁷

²⁶⁷ Weerakoon, B. (2004) *Rendering unto Caesar: A Fascinating Story of One Man's Tenure under Nine Prime Ministers and Presidents of Sri Lanka*, Vijitha Yapa Publications, Sri Lanka, pp. 17-19.

²⁶⁸ Bandaranaike died due to wounds received after being shot by Talduwe Somarama a Buddhist monk. After his death Wijayananda Dahanayake, Minister of Education and the Leader of the House, took over as care-taker Prime Minister after being appointed by the Ceylonese parliament.
²⁶⁹ She was the world's first female Prime Minister.

²⁷⁰ Weerakoon, (2004), pp. 61-75, 96.

²⁷¹ Leftist Mahajana Eksath Peramuna (MEP), the Sri Lanka Freedom Socialist Party (SLFSP), and the Tamil ethnic Federal Party were in this coalition (*ibid.*, p. 139).

²⁷² *Ibid.*, pp. 162-165.

²⁷³ J.R. Jayewardene was a strong supporter of free market policies and a pro-American foreign policy. There was a UNP leadership battle between the populist Dudley Senanayake and the more conservative J.R. Jayewardene prior to his appointment as the UNP leader (*ibid.*).

²⁷⁴ It should be noted that the legislature was yet called as National State Assembly during this time till the 1978 Constitution came in to being.

²⁷⁵ The TULF gained a majority of the votes in the north and east, won 18 seats. A. Amirthalingam became Leader of the Opposition ('TULF Leader Passes Away' (2002) <http://www.hinduonnet.com/2002/06/06/stories/2002060603761100.htm>, accessed 18-01-2012).

²⁷⁶ Jayewardene remained in power until 1988 when his two terms of presidency ended.

²⁷⁷ 'The United National Party' (n.d.).

In the 1988 Presidential elections, the UNP's Ranasinghe Premadasa, Prime Minister in the Jayewardene government, narrowly defeated Sirimavo Bandaranaike (SLFP). The UNP also won an absolute majority in the 1989 Parliamentary elections. Premadasa was assassinated on 1st May 1993 by the Liberation Tigers of Tamil Eelam (LTTE), and the presidency was replaced by then Prime Minister D.B. Wijetunga. He appointed Ranil Wickremasinghe as the new Prime Minister.²⁷⁸

By this time the SLFP had become part of the People's Alliance (PA) coalition headed by Chandrika Bandaranaike Kumaratunga. Kumaratunga went on to win a landslide victory in Parliamentary elections in August 1994,²⁷⁹ and later won the November 1994 Presidential elections.²⁸⁰ President Kumaratunga won re-election to another six-year term in December 1999. The PA also won the Parliamentary elections in October 2000. But less than a year after being re-elected, the PA lost its majority. The United National Front (UNF) coalition, led by UNP leader Ranil Wickremasinghe, won the 2001 Parliamentary elections with 109 seats while the President's PA came second with 77 seats, which led to an arrangement of political cohabitation between two rival parties, with the PA's leader as President and the UNP's leader as Prime Minister.²⁸¹

In November 2003, President Kumaratunga sacked three key ministers, taking over their portfolios (including defence), and declared a state of emergency on the grounds of national security. No agreement on working arrangements was reached between the President and Prime Minister and, in January 2004, the SLFP signed an alliance with the People's Liberation Front (Janatha Vimukthi Peramuna, JVP) forming the United People's Freedom Alliance (UPFA).²⁸² In February, the President dissolved Parliament and called general elections in April, which produced a new political order with a victory for the UPFA. Support for the

²⁷⁸ 'U.S. Relations with Sri Lanka' (n.d.).

²⁷⁹ 'Straining Consensus: Government Strategies for War and Peace in Sri Lanka 1994-98' (n.d.) <http://www.c-r.org/our-work/accord/sri-lanka/straining-consensus.php>, accessed 12-01-2012.

²⁸⁰ Chandrika Bandaranaike Kumaratunga appointed her mother (former Prime Minister Sirimavo Bandaranaike) to replace her as Prime Minister. But in August 2000, Sirimavo Bandaranaike resigned as Prime Minister for health reasons, and Ratnasiri Wickramanayake was appointed to take her place.

²⁸¹ 'Country Profile: Sri Lanka' (n.d.) <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/asia-oceania/sri-lanka?profile=all>, accessed 11-01-2012.

²⁸² 'New Blow for Sri Lankan Peace Pact' (2004) http://articles.cnn.com/2004-01-20/world/slanka.peace_1_peace-process-prime-minister-ranil-wickremesinghe-government-and-force?_s=PM:WORLD, accessed 13-01-2012.

traditional parties dropped, and smaller parties gained a significant numbers of seats. While it did not win enough seats to command a majority in Parliament, the UPFA formed a government and appointed Mahinda Rajapaksa as Prime Minister.²⁸³

In November 2005, Mahinda Rajapaksa (UPFA) was elected President with 50.3 per cent of the vote. The LTTE enforced a boycott of the poll in key Tamil areas which resulted in extremely low voter participation in the north and east of the country. Ranil Wickremasinghe, UNP Presidential candidate and Leader of the Opposition, won 48.4 per cent. In January 2007 a number of UNP MPs joined the government side giving it a Parliamentary majority.²⁸⁴

President Rajapaksa stood for re-election two years before the end of his term, in January 2010, and was re-elected by a margin of 18 per cent over the opposition candidate, retired Army General Sarath Fonseka who was supported by a number of opposition parties including the UNP, JVP and Tamil National Alliance (TNA). Both candidates' campaigns focussed on their respective roles in the military defeat of the LTTE in May 2009. The Presidential elections were soon followed by a large victory for Rajapaksa's UPFA coalition in April 2010 Parliamentary elections, where it captured 144 out of a possible 225 seats,²⁸⁵ just shy of a two-thirds majority.²⁸⁶ Fonseka contested the 2010 Parliamentary elections under a new political alliance, the DNA formed under his leadership. He won more DNA preferential votes and was elected to the Parliament. But, as a result of the prison sentence,²⁸⁷ he lost his seat as an MP.²⁸⁸

²⁸³ 'Agreements that Betrayed Sri Lanka: Post-Tsunami Operational Management Structure (P-TOMS)' (2013) <http://www.lankaweb.com/news/items/2013/04/08/agreements-that-betrayed-sri-lankapost-tsunami-operational-management-structure-p-toms/>, accessed 16-09-2013.

²⁸⁴ 'Country Profile: Sri Lanka' (n.d.).

²⁸⁵ The remaining Parliamentary seats were secured by the UNP (60), the TNA (14), and the Democratic National Alliance (DNA) (7).

²⁸⁶ 'U.S. Relations with Sri Lanka' (n.d.).

²⁸⁷ Following the Presidential election, Fonseka was arrested on charges of campaigning whilst in uniform and corruption over military procurement contracts. Courts martial found Fonseka guilty on both charges and he was dishonourably discharged and sentenced to 30 months in prison. He contested the 2010 Parliamentary elections from prison. Many observers regarded Fonseka's prosecution and conviction as politically motivated. In May 2012, Fonseka was granted a Presidential Pardon and released from the prison. But despite the presidential pardon granted Fonseka, it is conditional and he cannot vote or contest election for the next seven years (Radhakrishnan, R.K. (2012) 'Fonseka Released with Strings Attached', <http://www.thehindu.com/news/international/article3442726.ece>, accessed 26-05-2012).

²⁸⁸ 'U.S. Relations with Sri Lanka' (n.d.).

Overall, since independence two major political parties, the UNP and the SLFP, have alternated as government. Sometimes these parties, especially the SLFP entered into coalition with other parties. In the beginning there were clear divisions among the policies of the two major parties, but these divisions have become blurred with capitalist, liberal democratic policies being highlighted by both parties. Throughout their history, the far-leftist parties remained as minor political parties. However, from time to time they entered into coalitions with the major political parties and supported newly formed governments. At the present, some of the far-leftist parties and leaders support the UPFA government. They represent Parliament by contesting under the UPFA banner. At a glance, a two-party system exists in Sri Lanka but there are many other political parties which from time to time control the stability of the existing governments, leading some commentators to say that there is a multi-party democracy in Sri Lanka.

4.3.3.1. The role of ethnic-based/nationalist political parties

Other than the main political parties, Tamil and Sinhala nationalist parties and Muslim parties have had a history of transforming the political structure in Sri Lanka. The ACTC under the leadership of G.G. Ponnambalam was popular among Tamils because it promoted the preservation of Tamil identity.²⁸⁹ In 1948 Ponnambalam decided to merge the ACTC with the ruling UNP,²⁹⁰ but this was not supported by the entire congress and ended up splitting the ACTC in half, with one faction merging with D.S. Senanayake's UNP²⁹¹ and the other developing a new Tamil party, called the Federal Party (Ilankai Tamil Arasu Kachchi, ITAK), led by S.J.V. Chelvanayakam. The ITAK gained popularity among the Tamil people because it advocated Tamil rights.²⁹² It decided to demand a separate, autonomous Tamil state²⁹³ and merged with the other Tamil

²⁸⁹ Wilson, A.J. (2000) *Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries*, University of British Columbia Press, pp. 1-12.

²⁹⁰ The ACTC advocated a 'fifty-fifty' policy but, as discussed earlier, this proposal was rejected by the Soulbury Commission, and the ACTC developed a new policy of 'responsive cooperation' with 'progressive-minded Sinhalese' (*ibid.*).

²⁹¹ 'Opinion' (2003) <http://www.island.lk/2003/02/09//opinio02.html>, accessed 14-09-2013.

²⁹² 'Indian Plantation Tamils Disenfranchised; Federal Party Formed' (n.d.) <http://pact.lk/18-december-1948/>, accessed 14-09-2013 and 'Thanthai Chelva Statue in Trinco Beheaded' (2011) <http://www.tamilguardian.com/article.asp?articleid=3809>, accessed 14-09-2013.

²⁹³ 'Tamil Alienation' (n.d.) <http://countrystudies.us/sri-lanka/71.htm>, accessed 18-01-2012.

political parties in 1975 to become the TULF.²⁹⁴ At the 1977 election, the TULF became the first Tamil nationalist party to run on a separatist platform. Later, due to this, TULF members were expelled from Parliament.²⁹⁵ After this expulsion, militants ruled the Tamil political movement. Of the many groups involved, the LTTE has been highlighted as the most solidly nationalistic Tamil resistance organisation.²⁹⁶

While the Tamil nationalist parties were developing in the north, Sinhala nationalist parties simultaneously developed in the south. The JVP was founded in 1965 with the aim of providing a leading force for a socialist revolution in Sri Lanka. Rohana Wijeweera, the founder of JVP, was not satisfied with the remaining leftist parties and decided to launch a revolutionary new party. In the period that followed the cadres engaged themselves in political activities that consisted mainly of trying to increase the political awareness of the working class.²⁹⁷ The party soon took a patriotic nationalistic turn and was involved in two armed uprisings against the ruling governments in 1971 (SLFP-led coalition) and 1987-89 (UNP). After 1989, JVP entered into democratic politics by participating in the 1994 Parliamentary election.²⁹⁸

²⁹⁴ The TULF was formed when the Tamil political parties merged and adopted the Vaddukoddai Resolution, named after the village, Vaddukoddai, where it was developed. This resolution called for the creation of an independent Tamil state of Eelam (Wilson, (2000), pp. 1-12).

²⁹⁵ The 6th amendment to the 1978 Constitution was passed in 1983, requiring Tamils in Parliament and other public officers to take an oath of allegiance to the unified state of Sri Lanka. It forbade anyone advocating for a separate state, resulting in TULF members being expelled from Parliament for refusing to take the oath (Wilson, A. J. (1988) *The Break-up of Sri Lanka: The Sinhalese-Tamil Conflict*, C. Hurst & Co. Publishers, Sydney, p. 228).

²⁹⁶ Wilson, (2000), pp. 131-132.

²⁹⁷ 'A Brief History of the JVP (Peoples Liberation Front) Sri Lanka' (n.d.) http://www.jvpsrilanka.com/en/index.php?option=com_content&view=article&id=119&Itemid=27, accessed 14-09-2013.

²⁹⁸ As mentioned above, following the 2004 Parliamentary election, JVP signed an alliance with the SLFP to form the UPFA. The JVP later broke with the SLFP and left the government, but often supported it from outside. In June 2005, the JVP left the government after the President decided to sign a post-tsunami funding arrangement with the LTTE ('Agreements that Betrayed Sri Lanka: Post-Tsunami Operational Management Structure (P-TOMS)' (2013) *op.cit.*). Again in the 2005 Presidential election, JVP supported the UPFA Presidential candidate Mahinda Rajapaksa, but later broke with him. This caused the JVP to divide into factions, and one faction representing Sinhala nationalism formed a separate political party, the National Freedom Front (NFF) and started supporting the present UPFA government. The rest of the JVP supported the Presidential candidate General Sarath Fonseka in the 2010 Presidential election. This faction represents Parliament under the DNA ('Anoma to UNP: Come Join Us' (2010) <http://www.dailymirror.lk/print/index.php/news/front-image/4446-anoma-to-unp-come-join-us.htm>, accessed 18-01-2012).

The other significant Sinhala nationalist party is Jathika Hela Urumaya²⁹⁹ (JHU) led by Buddhist monks. The JHU was launched in 2004 by the lay-based, secular Sinhala nationalist political party Sihala Urumaya. Some Sri Lankan Buddhists, including the All Island Clergy Organisation, denounced the decision by monks to enter politics. The party drew some support from the middle class conservatives and the Buddhist youth.³⁰⁰ The JHU contested its first Parliamentary election in 2004 with all of its candidates Buddhist monks.³⁰¹ At the election the party won nine out of 225 seats.³⁰²

Other than these political parties, contemporary Tamil and Muslim parties have a significant role in the Sri Lankan political arena. From time to time these minority parties have supported coalition governments and obtained bargaining power with respect to minority demands. The TNA, a powerful Sri Lankan Tamil political alliance, was formed in 2001 as an amalgamation of moderate Tamil parties as well as a number of former rebel groups.³⁰³ It has participated in elections since 2001. The TNA supported negotiations with the LTTE to resolve the war in Sri Lanka, and with the other opposition parties supported General Sarath Fonseka in the 2010 Presidential elections.

In 2006 the Karuna faction of the LTTE³⁰⁴ registered a political party, the Tamil People's Liberation Tigers (Tamil Makkal Viduthalai Pulikal, TMVP) under the leadership of Vinayagamorthy Muralitharan, alias Karuna Amman.

²⁹⁹ The English meaning of this is 'National Sinhala Heritage'.

³⁰⁰ Deegalle, M. (2006) 'JHU Politics for Peace and a Righteous State', in M. Deegalle (ed) *Buddhism, Conflict and Violence in Modern Sri Lanka*, Routledge, London, p. 236.

³⁰¹ *Ibid.*

³⁰² Since the election, the party has been involved in a number of controversial issues. One significant action was introducing a bill to prohibit 'unethical' conversions, a reaction against proselytism systematically carried out by Christian fundamentalist groups operating under many guises, some of whom happened to be foreigners affiliated with NGOs (Owens, A. (2007) 'Using Legislation to Protect against Unethical Conversions in Sri Lanka', <http://law.hamline.edu/files/Owens.pdf>, accessed 14-09-2013).

³⁰³ These included TULF, Eelam People's Revolutionary Liberation Front (EPRLF) (this faction also known as the Suresh wing) and Tamil Eelam Liberation Organisation (TELO). The TULF has since left the TNA. Some members of the TULF who wanted to remain in the TNA have resurrected the ITAK which is now a constituent party of the TNA ('Tamil National Alliance' (n.d.) <http://tnapolitics.org/en/>, accessed 14-09-2013).

³⁰⁴ In 2004, Eastern Tiger commander Vinayagamorthy Muralitharan, alias Karuna Amman, broke with the LTTE and went underground with his supporters. He took around 5,000 cadres with him and formed what was then referred to as the 'Karuna faction'. The LTTE reacted to his defection by launching attacks against Karuna's forces, and heavy clashes ensued. They claimed to have fully evicted his forces from the area he controlled in mid-2004. The Karuna faction then took a lower profile, maintaining a number of small camps in the southern end of the eastern province. Given covert backing by the Sri Lankan military, they carried out regular attacks against the LTTE throughout the east of the island.

Sivanethurai Chandrakanthan, alias Pillaiyan, broke away from the LTTE along with Karuna and became the deputy leader of the TMVP. Internal cohesion within the TMVP has been a problem, particularly disagreements between Karuna and Pillaiyan over finance. This internal rift in the TMVP led to Pillaiyan replacing Karuna as the party leader in 2007.³⁰⁵ In the following year, local government elections were held in the Trincomalee and Batticaloa districts, eastern province. Pillaiyan led the TMVP in the Batticaloa district to wins in all local government bodies which it had contested,³⁰⁶ some of which had not had elections for many years due to the war. Also in the same year, provincial council elections were held to fill the newly created eastern provincial council. After discussions, the TMVP and the ruling UPFA announced that they would jointly contest the polls under the UPFA banner.³⁰⁷ Although opposition parties³⁰⁸ alleged widespread vote-rigging, the government's UPFA-TMVP coalition secured the majority in the new eastern provincial council, and Pillaiyan who won the most number of preferential votes in the Batticaloa district was sworn in by President Rajapaksa as Chief Minister.³⁰⁹ Karuna was appointed as a national list MP for the ruling UPFA and sworn in as Minister of National Integration and Reconciliation in 2009 when he and many of his fighters officially joined the SLFP.³¹⁰ President Rajapaksa appointed Karuna as a vice president of the SLFP. This reflected a new trend of absorbing former LTTE cadre into the leading ruling party.

The Eelam People's Democratic Party (EPDP),³¹¹ another Tamil political party and a pro-government paramilitary organisation in Sri Lanka, is led by its founder Douglas Devananda.³¹² Devananda and the EPDP entered politics when it contested the 1994 Parliamentary election as an independent group in the Jaffna

³⁰⁵ Karuna was arrested in London in 2007 on immigration charges and after his release from a British jail, he returned to Sri Lanka and recommenced political work. Tensions between TMVP leaders Karuna and Pillaiyan intensified after Karuna joined Parliament in 2008. But related clashes broke out between their factions in the east, including killings and disappearances.

³⁰⁶ 'Local Authorities Elections 2006/2008: Official Results – Batticaloa' (2008) <http://www.slections.gov.lk/localAuthorities/batticaloa.html>, accessed 14-09-2013.

³⁰⁷ 'All the Parties in UPFA, Including TMVP to Contest under Betel Symbol – Basil Rajapaksa' (2008) <http://www.asiantribune.com/?q=node/10096>, accessed 14-09-2013.

³⁰⁸ The opposition UNP and Sri Lanka Muslim Congress (SLMC), the largest Muslim party in the country, also formed a coalition to contest the elections, providing the main challenger to the UPFA.

³⁰⁹ 'U.S. Relations with Sri Lanka' (n.d.).

³¹⁰ 'Conflict Histories: Sri Lanka' (n.d.) <http://www.crisisgroup.org/en/key-issues/research-resources/conflict-histories/sri-lanka.aspx>, accessed 11-01-2012.

³¹¹ EPDP is a faction of EPRLF which is a faction of Eelam Revolutionary Organisation of Students (EROS).

³¹² 'EPDP News' (n.d.) <http://www.epdpnews.com/>, accessed 18-01-2012.

district.³¹³ In 2000, President Kumaratunga appointed Devananda as Minister of Development, Rehabilitation and Reconstruction of the North, and Tamil Affairs, North and East. Since the end of the war in May 2009 the EPDP has contested local and national elections under the UPFA banner rather than on its own.³¹⁴

Another minority party, the Ceylon Workers Congress (CWC), which has traditionally represented Indian-origin Tamils working in the plantation sector of the economy, was formed by Saumiamoorthy Thondaman as an Indian Estate Workers Trade Union in 1950.³¹⁵ Thondaman had been the dominant trade union leader of the Indian-origin Tamil workers for nearly four decades. Thondaman's political organisation staged a non-violent *Satyagraha*³¹⁶ campaign against the implementation of citizenship laws and boycotted them for a period of time. Since 1952 the Indian-origin Tamils could not elect any representative to the parliament as their voting strength had been drastically reduced. At times, Thondaman supported the existing governments and explained that he owed his position to the CWC, and the CWC's policy was to get citizenship for the stateless and better working conditions for estate labour. Thondaman did not want to subscribe to the separatist policy of the TULF. Since 1978 Thondaman has served as a cabinet minister under Presidents J.R. Jayewardene, R. Premadasa and since 1995 under President Chandrika Bandaranaike Kumaratunga.³¹⁷ At the present, Thondaman's son Arumugam holds the CWC leadership and supports the ruling UPFA.³¹⁸ It can be identified the affiliation of many Tamil parties with the ruling UPFA at the present.

³¹³ Most of the district was under LTTE control and people did not get a chance to vote, allowing the EPDP to win nine Parliamentary seats with just 10,744 votes (0.14%), of which 9,944 votes came from the Jaffna district ('General Election' (1994) http://www.slections.gov.lk/pdf/Results_1994%20GENERAL%20ELECTION-SM01.PDF, accessed 18-01-2012).

³¹⁴ At the 2010 Parliamentary election three EPDP members were elected on the UPFA ticket, all in the Jaffna district ('Parliamentary General Election' (2010) http://www.slections.gov.lk/parliamentary_elections/province.html, accessed 14-09-2013).

³¹⁵ It was an outgrowth of the CIC, formed in 1939. In 1950 the CIC changed its name to the CWC and became the largest trade union in the country.

³¹⁶ *Satyagraha*, a Sanskrit word, loosely translated as 'insistence on truth' or 'truth force' is a particular philosophy and practice within the broader overall category generally known as non-violent resistance or civil resistance. The term *Satyagraha* was conceived and developed by Mahatma Gandhi. He deployed *Satyagraha* in the Indian independence movement and also during his earlier struggles in South Africa.

³¹⁷ Jeyaraj, D.B.S. (2013) 'Saumiamoorthy Thondaman: Pragmatic Plantation Tamil Patriarch Who Emancipated His Disempowered People', <http://dbsjeyaraj.com/dbsj/archives/25330>, accessed 14-09-2013.

³¹⁸ Arumugam Thondaman holds the ministership of livestock and rural community development in the current UPFA government.

The SLMC is another significant political party which represents the Muslim minority in Sri Lanka.³¹⁹ In November 1986, the SLMC was formally inaugurated as a political party with M.H.M. Ashraff its leader. The main aim of SLMC has been to safeguard the rights of Muslims in the north and the east. The SLMC has never stood in the way of the Tamil aspirations. The stand of the SLMC was that in a political solution to the ethnic problem the position of the Muslims has to be safeguarded.³²⁰

From time to time, the CWC and the SLMC supported UNP and SLFP-led governments and also contested under the candidate lists of these two major parties. The SLMC contested under their own lists especially in the eastern province where there is a significant Muslim population. CWC and SLMC played the role of influential controlling partners at times.

According to the department of elections, there are 64 registered political parties in Sri Lanka.³²¹ But most of them are minor parties and not significant in the political arena. Other than their leftist or rightist policies, a variety of political parties represent nationalist and revolutionary views and ethnic minorities. Complexities of the development and existence of political parties in Sri Lanka reflect the diversities of the society and the needs and aspirations of different groups of people. Most political parties are full of factions which have led to the development of new parties. Building several alliances aimed at to forming coalition governments is a significant trend in Sri Lankan politics. In coalition politics the policies of the political parties or leaders have not been of great concern. Yet, it can be said that most of the time, Sri Lankan politics have been controlled and shaped by a few political leaders and their families according to their individual desires rather than according to the policies of the political parties they have represented. The absorption of many political parties and leaders including the former LTTE leaders into the ruling UPFA coalition is a major trend. When closely scrutinised the development of political parties, the emergence of political leaders, as well as constitutional developments, and Sri Lankan party politics can be identified as mostly being about the impact of a few

³¹⁹ The party was formed at a meeting held at Kattankudy in 1981 by a small study group of eastern province local political leaders.

³²⁰ 'Sri Lanka Muslim Congress' (n.d.) <http://www.slmc.org.uk/index.html>, accessed 18-01-2012.

³²¹ 'Political Parties' (2013) <http://www.slelections.gov.lk/pp.html>, accessed 18-09-2013.

personalities³²² who have consistently neglected the needs of the majority of people in the country.

4.4. Decentralisation politics

Debates about the decentralisation of power in Sri Lanka are closely linked with ethnic politics. Problems between the ethnic majority and minorities, especially the conflicts between Sinhalese and Tamils, have long historical roots. The *Mahavansa*³²³ discusses the great battle between Dutugemunu (161-137 BC), the Sinhala King and the Tamil King, Elara, in the ancient capital, the sacred city of Buddhism, Anuradhapura. Dutugemunu became the great warrior-hero who protected the unity of the country and Buddhism.³²⁴ The *Mahavansa* emphasises the Sinhala kings who unified the country and protected Buddhism by defeating the South Indian Tamil settlers.

From the first appearance of the British in Ceylon, certain Kandyan chiefs had been covertly working against their King, Sri Wickrama Rajasinghe, who was of Tamil descent.³²⁵ The background reasons behind the Kandyan Convention 1815³²⁶ lay in the unwillingness of Sinhala chiefs to work under a king of Tamil descent. The British colonial rulers divided the country for their administrative convenience, and brought the whole country under one unique law, which gave rise to the criticism that there were no separate laws to protect the minority rights, different cultures and various social structures. The Tamil minority has been uneasy with the country's unitary form of government and apprehensive that the Sinhalese majority would abuse Tamil rights.

³²² See Uyangoda, J. (n.d.) 'Working and Outcomes of Democracy in Sri Lanka', Social Scientists' Association, Colombo, <http://www.democracy-asia.org/qa/srilanka/Jayadeva%20Uyangoda.pdf>, accessed 31-10-2013.

³²³ The *Mahavansa* 'The Great Chronicle' otherwise known as 'The Great Dynasty' is the single most important work of Sri Lankan origin (written in Pali language). It describes the period from 6th century BC to 4th century AD. A companion volume, the *Choolavansa* ('lesser chronicle'), covers the period from the 4th century AD to the British take-over of Sri Lanka in 1815. The *Mahavansa* itself is actually comprised of three parts, all written at different times in Sri Lankan history. It provides a continuous historical record of over two millennia and can be considered as the world's longest unbroken historic record.

³²⁴ Farmer, (1963), pp. 9-11.

³²⁵ *Ibid.*, pp. 34-35.

³²⁶ On 2nd March 1815, a convention was held at Kandy between the British governor and the Kandyan chiefs – the Kandyan convention – under which the rights of the chiefs were guaranteed, and it was declared that the Buddhist religion, so vital part of Sinhalese tradition, was to be maintained. The Kandyan system of administration through principal chiefs was retained and the dynasty of a straight line for nearly 2,300 years was ended.

The story of the decentralisation of power in Sri Lanka has its origins in the long-term clashes between the minority and the majority, as well as in the British-led constitutional reforms. During the colonial and post-colonial eras, the demands of the minorities, especially of the Tamils, changed from demands for higher representation in the legislature to demands for devolving powers, and later to a demand for a separate Tamil state which resulted in driving the country towards a prolonged war. Following independence, ethnic conflict became the major force shaping the decentralisation process. However during the period from mid-1910s to early-1980s, a direct connection between the decentralisation process and local government reforms can be identified in Sri Lanka which is discussed in the following chapter. The following section outlines the major decentralising attempts in Sri Lanka which were not directly aimed at local government reforms. The section examines the significant issues, complexities, background reasons and the consequences of decentralisation politics in Sri Lanka.

4.4.1. Constitutional reforms and decentralisation: demands and resistances

As discussed earlier, the 1833 Colebrooke-Cameron Reforms set a path towards the decentralisation of the executive power of government. The governor's autocratic powers were reduced and distributed to the Executive Council and to the Legislative Council, and the country was put under a uniform administrative system executed through five provinces.³²⁷ The reformed Legislative Council, introduced in 1921 by the British through the Manning Reforms, was based on principles of communal representation. In response to this, there was a growing realisation by Tamils of their status as a minority ethnic group and leading to initiatives to be represented by members of their own community. Through this period, Tamil national awareness developed and led to demands for an increase in the number of representatives in the legislature. In 1927 the Donoughmore Commission brought in the possibility of universal franchise, which gave a vote to everyone, irrespective of caste, creed or ethnicity, and threatened the strong political position of the Tamil community. At first opposition to the Donoughmore Commission, especially from the Colombo Tamils, was based on

³²⁷ 'A Country Study: Sri Lanka' (n.d.).

caste elitism but this was rapidly replaced by ethnic paring between the Tamil and Sinhala leaders.³²⁸

The Soulbury Commission attempted to introduce a unique law to Sri Lanka in the form of constitutional safeguards to protect the rights of the minorities. As discussed earlier, the Soulbury Commission rejected the proposal of Tamils on 'fifty-fifty' representation in parliament and the proposal of Kandyan Sinhalese to establish three federal states to the regions of up-country, low-country and north. According to Lee, while British colonialism helped to solidify ideas of nationality in Sri Lanka it did not overtly favour any of them.³²⁹

Following independence, the fears of the Tamils were reinforced when S.W.R.D. Bandaranaike triumphed in the 1956 elections after appealing to Sinhala nationalism. Through the Sinhala Only Act, Bandaranaike declared Sinhala as the country's official language and downgraded the official status of English.³³⁰ Tamils felt this was a denigration of their own tongue and became the first in a series of steps over the following decades that appeared discriminatory to Tamils resulting in the communal clashes of 1958. Tamils also protested government education policies and agriculture programmes that encouraged Sinhala farmers from the south to move to newly irrigated lands in the east. The decades following 1956 saw intermittent outbreaks of communal violence and growing radicalisation among Tamil groups. Fernando mentions that the communal riots in 1958 did disturb relations between the two major ethnic communities in the country.³³¹

After the general election of 1970, the ITAK proposed a federal form of government with an autonomous Tamil state, an autonomous Muslim state and three autonomous Sinhala states. They also demanded language rights for Tamil. The ITAK withdrew from the legislature in June 1971 after its proposed amendment on parity of status for the Tamil and Sinhala languages was defeated.³³² By the mid-1970s Tamil politicians were moving from support for federalism to a demand for a separate Tamil state in northern and eastern Sri

³²⁸ 'Vavuniya Today' (n.d.) <http://www.vavuniyatoday.com/>, accessed 17-01-2012

³²⁹ Lee, (2011), p. 24.

³³⁰ 'Indictment against Sri Lanka' (n.d.) <http://tamilnation.co/indictment/indict004.htm>, accessed 17-09-2013.

³³¹ Fernando, L. (2010) 'The Insurrection that Turned Sri Lanka's Political Culture Violent', <http://www.asiantribune.com/news/2010/04/04/insurrection-turned-sri-lanka%E2%80%99s-political-culture-violent>, accessed 19-01-2012.

³³² Satyendra, N. (2001) 'A Record of Broken Pacts & Evasive Proposals', <http://tamilnation.co/conflictresolution/tamileelam/index.htm>, accessed 10-01-2012.

Lanka, areas of traditional Tamil settlement. In the 1977 elections, the TULF won all the seats in Tamil areas on a platform of separatism. Other groups, particularly the LTTE, sought an independent state by force.³³³ However these Tamil military groups were marginal until they ambushed and killed 13 soldiers in the northern town of Jaffna in 1983, provoking Sinhala nationalists to unleash pogroms in Colombo and other Sinhalese majority areas.³³⁴ The LTTE initiated a guerrilla war and bombing campaign on central government targets and began to capture territory in the north and east. The government responded with killings and the 'disappearance' of Tamils.³³⁵

4.4.1.1. Indian mediation

When the Sinhala-Tamil communal riots began in 1983, and following the capturing of additional territory in the north and east by the LTTE, the Indian Prime Minister, Indira Gandhi sent her representative to discuss a scheme for decentralisation with both the government and the TULF. New proposals to decentralise power were prepared and the government of Sri Lanka agreed to convene an all party conference to consider these proposals. The proposals were submitted as an annexure to a statement submitted by President Jayewardene to the all party conference and came to be known as the Annexure 'C' proposals.³³⁶ But these proposals were not implemented after the government proposed extending the scheme of decentralisation at the district level to the provincial level with limited coordination.³³⁷ The TULF rejected these proposals and the all party conference collapsed.

³³³ 'U.S. Relations with Sri Lanka' (n.d.).

³³⁴ Over 1,000 Tamils were killed, tens of thousands fled their homes and the state failed to stop the violence. Support for numerous Tamil militant groups flourished and hundreds of thousands of Tamils emigrated in the following few years, creating an international support base for Tamil separatism.

³³⁵ 'Conflict Histories: Sri Lanka' (n.d.).

³³⁶ Satyendra, (2001).

³³⁷ In Annexure 'C' proposals, the unit of devolution was the district, not the province. Further, there was no executive power to district councils and the limited legislative power to enact subsidiary legislation was made subject to the control and approval of the President. The funds to be placed at the disposal of a district council were to be determined at the discretion of a commission appointed by the President.

These proposals were discussed further at the 1985 Thimpu talks,³³⁸ but these talks collapsed due to disagreements.³³⁹ In 1986, after the collapse of the Thimpu talks, India attempted 'indirect negotiations' with Indian officials talking to the Sri Lankan government and the TULF separately. The LTTE and the other militant groups were not involved in these negotiations. Finally the Sri Lankan government presented a working paper which, found agreement with the government of India, to serve as a basis for further negotiations. The working paper envisaged the creation of separate provincial councils for the northern and eastern provinces by amending the Sri Lankan Constitution. In mid-December 1986, Indian Ministers, Natwar Singh and P. Chidambaram, visited Colombo and fresh proposals were developed.³⁴⁰ These were known as the 'December 19 Proposals'. These proposals involved the formation of a new eastern province by excising Sinhalese majority areas from the existing eastern province, and the creation of two Tamil provincial councils in the northern and the reconstituted eastern province. The Sri Lankan government agreed to consider a proposal for a second stage of constitutional development which would provide for the merger of the two provinces. However, soon after the return of the Indian Ministers, the Sri Lankan government expressed reservations and resiled the December 19 Proposals.³⁴¹

Throughout this process, the fighting between the LTTE and the Sri Lankan government forces continued. By mid-1987 India intervened in the conflict by air-dropping supplies to prevent what it felt was harsh treatment and starvation of the Tamil population in the Jaffna peninsula caused by an economic blockade by Colombo. In July 1987 the Indo-Lanka Peace Accord was signed by Indian Prime Minister Rajiv Gandhi and Sri Lankan President Jayewardene. This peace accord was a turning point in the decentralisation process in Sri Lanka. Under this accord, the Sri Lankan government made a number of concessions to Tamil demands, which included the decentralisation of power to the provinces, merger of the

³³⁸ In July and August 1985 the leaders of the Tamil armed resistance, together with the TULF, participated in talks with the government of Sri Lanka. The talks, sponsored by India, were held in Thimpu, the capital of Bhutan with a view to resolving the ethnic conflict.

³³⁹ Satyendra, (2001).

³⁴⁰ *Ibid.*

³⁴¹ *Ibid.*

northern and eastern provinces,³⁴² and official status for the Tamil language. India agreed to establish order in the north and east with an Indian Peace Keeping Force (IPKF) and to cease assisting Tamil insurgents.³⁴³ In August 1987, the 13th Amendment to the Sri Lankan Constitution and the ancillary Provincial Councils Act, No. 42 of 1987 followed by the Indo-Lanka Peace Accord, were passed in the Parliament.

The IPKF soon became embroiled in war with the LTTE. Anti-Indian nationalist sentiment in the south fuelled a JVP youth insurrection³⁴⁴ which was met with brutal government repression. The motivation of the youth for this insurrection was drawn from patriotic feelings against the IPKF stationed in the country³⁴⁵ and against the 13th amendment. The Indo-Lanka Peace Accord was taken by JVP as an Indian intervention in the state policy. The frequently used JVP youth slogan, '*Mavubima Nethnam Maranaya*'³⁴⁶ clearly indicated their Sinhala patriotic position against any decentralisation of power. Although the JVP youth slogans did not exhibit anti-Tamil sentiments directly, their strong opposition to the decentralisation of power indirectly signified an anti-Tamil position.

The decentralisation of power to the provincial councils was promulgated through the 13th amendment to the constitution under three lists: the provincial councils list,

³⁴² This was subjected to a later referendum. But later the northern and eastern provinces were merged without creating the proposed new eastern province.

³⁴³ 'U.S. Relations with Sri Lanka' (n.d.).

³⁴⁴ Out of two, this was the second JVP youth insurrection. The first one happened in April 1971 when the JVP, a primarily rural Sinhala youth movement claiming a membership of more than 10,000, began a 'blitzkrieg' operation to take over the government 'within 24 hours'. The purpose of the insurrection was to capture state power. The JVP threatened to take power by extra-parliamentary means. Fierce fighting erupted in the north-central, south-central, and southern rural districts of the island, causing an official estimate of 1,200 dead. Unofficial tallies of the number of dead were much higher. The JVP came perilously close to overthrowing the government but the military finally suppressed the movement and imprisoned JVP's top leadership, Rohana Wijeweera, and about 16,000 suspected insurgents ('A Country Study: Sri Lanka' (n.d.)). The second JVP youth insurrection lasted for around two years from 1987 to 1989. The second insurrection was different from the first one in several aspects. The second one, more than being an insurrection, was a long-lasting armed struggle over two years. The total killings during the period are reported to have been over 50,000 being mainly the youth of rural origins (Fernando, L. (2002) 'Youth and Politics: Why They Rebel?', in S.T. Hettige and M. Mayer (eds) *Sri Lankan Youth: Challenges and Responses*, Friedrich Ebert Stiftung, Colombo-04, pp. 119-120). The Presidential Commission on Youth 1990, appointed after the second JVP youth insurrection, aimed to find the reasons for such insurrection (see *Report of the Presidential Commission on Youth 1990* [Sessional Paper No. I – 1990]).

³⁴⁵ Fernando, (2002), pp. 119-120.

³⁴⁶ The literal meaning of this slogan is; 'Motherland or Death'. JVP youth threatened the government saying that they never retracted and that they prefer death if they cannot protect Sri Lanka. Protecting Sri Lanka here meant ending the Indian mediation and the decentralisation process.

the reserved list and the concurrent list. Accordingly, local government became a subject under provincial councils.³⁴⁷ Although an administrative reforms committee suggested there be a clear cut demarcation of subjects between the centre and the provinces,³⁴⁸ critics have highlighted the powerlessness of the provincial councils, particularly over the lack of executive power for provincial ministers while a provincial governor, appointed by the executive president of the country, would exercise executive power in respect of provincial matters. Further, as the administrative head of the provincial public service, the provincial governor had control of the provincial fund.³⁴⁹ Tamil critics further point out that the architects of the 13th amendment refused to break away from the path trodden by successive Sinhala governments which had sought to divide the Tamil people into smaller units and so eventually assimilate and integrate them into a homogeneous Sinhala nation.³⁵⁰ The proposal for provincial councils was rejected by both north and south but for different reasons. The north always expected more decentralisation of power but the south never struggled for decentralisation. The JVP-led Sinhala youth in the south worked against Indian mediation on strong nationalist lines to protect the unitary structure of the country.

In 1990 President Premadasa, hoping to pave the way for a negotiated settlement, ordered the IPKF to leave and opened negotiations with the LTTE. India withdrew its forces from Sri Lanka, and fighting between the LTTE and the Sri Lankan government forces resumed. The LTTE soon broke from talks, captured additional territory and stepped up the violence, including increased use of suicide bombs, used to murder Indian Prime Minister Rajiv Gandhi in May 1991 and President Premadasa in May 1993.³⁵¹

4.4.1.2. Conflict and peace negotiations: devolution of power as a solution

The withdrawal of the IPKF and failures of the peace negotiations resulted in a continuation of the war between the LTTE and government forces. From time to time, peace negotiations had taken place under facilitation of some of the

³⁴⁷ *Report of the Commission of Inquiry on Local Government Reforms 1999* (Sessional Paper No. I – 1999) p. 21.

³⁴⁸ *Report No. 6 of the Administrative Reforms Committee, Administrative Changes in Support of Devolution* (Sessional Paper No. III – 1988) p. 1.

³⁴⁹ Satyendra, (2001).

³⁵⁰ *Ibid.*

³⁵¹ 'Conflict Histories: Sri Lanka' (n.d.).

European countries. Although these negotiations collapsed (see Table 4.1), the connection between decentralising attempts and the ethnic conflict continued.

In 1993 President D.B. Wijetunga tried to address the question of the devolution of power through a Parliamentary select committee, which sat for two years, and issued an interim report and then a final report. Its proposals sought to impose a nine province federal structure on the island. But critics called this 'pseudo' federal because, according to the chairman of the select committee, the report envisaged 'devolution of power' without using the term 'federal in any manifest sense'.³⁵² Sinhala-Buddhist groups were concerned about references to federalism because they saw this as indicating possible moves to divide the country and destroy the unitary structure of the state. According to Ghai, the requirements that the state should be 'unitary' have often retarded the acceptance and implementation of meaningful devolution. It is often more accepted to grant autonomy to certain regions under the label of 'decentralisation' or 'devolution' than under the label of federalism, as this might imply splitting sovereignty. The introduction of the provinces and the devolution of power to these units made autonomy more palatable to the Sinhala community in Sri Lanka.³⁵³ Federalism was always perceived as a first step towards 'dividing the country' and therefore the term was avoided in the political debate.³⁵⁴ Although, neither devolution nor decentralisation would 'divide the country', the efforts of devolving and decentralising were also inserted into the same federal account and intentionally ignored.

In 1995 President Chandrika Bandaranaike Kumaratunga brought new proposals under the name of a 'Devolution Package'. According to critics, these new proposals once again, rejected an asymmetric approach, and continued to treat all the provinces in the same way and to insist on a unitary state.³⁵⁵ In 1995 Velupillai Prabhakaran, the leader of LTTE, declared in an interview with the BBC that:

...giving pledges and implementing those pledges are two different things. In the past the Tamil people have been betrayed by previous Sinhala regimes.

³⁵² Satyendra, (2001).

³⁵³ Ghai, Y.P. (2000) *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-Ethnic States*, Cambridge University Press, UK, pp. 1-24.

³⁵⁴ Wilson, (2000), p. 104.

³⁵⁵ Satyendra, (2001).

Agreements were made but not implemented. Pacts were signed and abrogated. This is our history. Chandrika's government is not an exception...³⁵⁶

This reflects the suspicious and questioning perspective of the LTTE and the Tamils towards the decentralising attempts of the Sri Lankan government. The regional councils (RCs) and the union of regions, proposed in the Devolution Package, were questioned as these institutions lacked legislative power. According to critics these institutions of political decentralisation were utterly irrelevant to conflict resolution emptying the devolution terminology of any significant political or constitutional meaning.³⁵⁷ In 1997 the government released some chapters of a new constitution based on the proposals of the Devolution Package but held back on the provisions relating to devolution.³⁵⁸ In both the 1987 13th amendment to the constitution and the 1997 draft constitution, the substance of devolution was missing.

During the peace negotiations in 2002 (see Table 4.1), the LTTE and government agreed to explore a settlement based on extensive autonomy for the north and east under a federal system. According to Bigdon, since the breakthrough in the peace talks between the Sri Lankan government and the LTTE in Oslo towards the end of 2002, where the LTTE for the first time publicly agreed to the option of a federal solution to the ethnic conflict under the condition of far-reaching autonomy for the north-east, the term federalism suddenly re-entered the public discourse in Sri Lanka.³⁵⁹ However in the same year, the LTTE unveiled its own proposals for a transitional arrangement in the form of an interim self-governing authority (ISGA).³⁶⁰ Uyangoda argues that this proposal envisaged an interim framework of regional autonomy which exceeded any known form of federalism anywhere in the world. It was in fact a confederal proposal. If the interim solution was a confederal one, the LTTE's concept of a final settlement would have been

³⁵⁶ *Ibid.*

³⁵⁷ Sathananthan, S. (1997) 'Chandrika's Devolution Proposals: 1997 Draft Constitution in Sri Lanka-Whither Devolution of Power?', <http://tamilnation.co/conflictresolution/tamileelam/cbkproposals/971203satha.htm>, accessed 10-01-2012.

³⁵⁸ Satyendra, (2001).

³⁵⁹ Bigdon, C. (2003) 'The Nexus between Decentralization, Good Local Governance and Conflict Management in Democratic Systems', *Local Governance and Conflict Management in Sri Lanka-Final Report*, Sri Lanka Institute of Local Governance and Berghof Foundation for Conflict Studies, p. 13.

³⁶⁰ The ISGA was a proposal issued by the LTTE for power sharing in the north and east of Sri Lanka. The proposals were made in-lieu of the LTTE renouncing its claim for an independent country called Tamil Eelam for the minority Sri Lankan Tamil people (see 'Full Text: Tamil Tiger Proposals' (2003) http://news.bbc.co.uk/2/hi/south_asia/3232913.stm, accessed 19-09-2013).

independence. In both military and political terms the LTTE continued to show a commitment to maximalist options of a separate state. Therefore a political compromise to accept devolution, which LTTE saw as minimalist regional autonomy, would have diluted the commitment to their maximalist goal.³⁶¹ Table 4.1 presents the direction of conflict and peace negotiations in Sri Lanka under different government leaders during the period from 1995 to 2009.

Table 4.1: Conflict and peace negotiations: significant issues

| Time period | Government leaders involved | Actions and outcomes |
|-------------------------|--|---|
| January 1995 | President Chandrika Bandaranaike Kumaratunga | The Sri Lankan government and the LTTE agreed to a cessation of hostilities. After three months the LTTE unilaterally resumed hostilities. The government then adopted a policy of military engagement with the LTTE. |
| Mid-1996 | President Chandrika Bandaranaike Kumaratunga | Government forces liberated Jaffna from LTTE control and moved against LTTE positions in the northern part of the country called the Vanni. |
| October 1999 – May 2000 | President Chandrika Bandaranaike Kumaratunga | An LTTE counter offensive reversed most government gains and threatened government forces in Jaffna. Heavy fighting continued. |
| February 2002 | Prime Minister Ranil Wickremasinghe | The government negotiated a ceasefire agreement under Norwegian facilitation, temporarily easing tensions. The peace talks were held in Oslo. |
| April 2003 | Prime Minister Ranil Wickremasinghe | The LTTE withdrew from peace negotiations. |
| October 2003 | Prime Minister Ranil Wickremasinghe | The LTTE presented proposals for an ISGA as the basis for new negotiations. |
| March 2004 | Prime Minister Ranil Wickremasinghe | The LTTE's eastern military commander, Karuna, split from the LTTE. Violent clashes between the two factions and Karuna's growing collaboration with the Sri Lankan military further undermined trust between government and the LTTE and contributed to the ceasefire's eventual collapse. |
| June 2005 | President Chandrika Bandaranaike Kumaratunga | The government and LTTE reached an agreement to share US\$3 billion in international tsunami aid. The agreement was challenged in court and was never implemented. Parliament passed a state of emergency regulation that has been renewed every month since then. |
| November 2005 | | During the Presidential election, the LTTE enforced a voting boycott in areas under its control and helped secure victory of Mahinda Rajapaksa. Rajapaksa won by a narrow margin. |
| Late-2005 – early-2006 | President Mahinda Rajapaksa | The LTTE launched waves of attacks on police and army in the north and east. The government quietly began brutal counter insurgency efforts, |

³⁶¹ Uyangoda, J. (2010) 'Sri Lanka Post the LTTE', http://www.india-seminar.com/2010/605/605_jayadeva_uyangoda.htm, accessed 27-03-2012.

| | | |
|-------------------------------|-----------------------------|---|
| | | while the Karuna faction, continued guerrilla attacks on the LTTE in the east. |
| February 2006 | President Mahinda Rajapaksa | Talks in Geneva failed to salvage the battered ceasefire and violence between the LTTE and government forces escalated. In the meantime assassinations of MPs and bomb explosions continued in various places in Sri Lanka. |
| April 2006 | President Mahinda Rajapaksa | An LTTE suicide bomber attacked the main army compound in Colombo, killing eight soldiers and seriously wounding the army commander, General Sarath Fonseka. |
| November 2006 | President Mahinda Rajapaksa | The LTTE leader Velupillai Prabhakaran declared the ceasefire 'defunct' and called for a renewed 'freedom struggle' for an independent state. |
| Late-2006 – July 2007 onwards | President Mahinda Rajapaksa | Conflict intensified with both sides suffering heavy casualties. The fall of LTTE camps in Thoppigala in July 2007 gave government forces' control over the whole of the eastern province. Military activity then shifted north, as the government opened fronts on four sides of the LTTE controlled Vanni region. |
| January 2008 | President Mahinda Rajapaksa | The government formally withdrew from the ceasefire with the LTTE. Fighting intensified during the first months of the year, and conventional battles were accompanied by continuing rights abuses from both sides. |
| September 2008 | President Mahinda Rajapaksa | The conflict entered a new phase when government forces initiated an offensive against the LTTE. |
| September 2008 – May 2009 | President Mahinda Rajapaksa | The government continued to capture territory in northern Sri Lanka, when fighting became confined to a small area of land near Mullaitivu, where thousands of civilians were forcibly held by the LTTE in a government-designated 'no fire zone'. The LTTE forcibly conscripted civilians and prevented others from fleeing LTTE-controlled areas by firing at them, killing many. Government repeatedly bombed and shelled densely populated areas, including its own unilaterally declared 'no fire zone'. The UN High Commissioner for Human Rights expressed grave concerns over credible evidence of war crimes by both sides. The government rejected any pause in the fighting. |
| May 2009 | President Mahinda Rajapaksa | The government declared victory over the LTTE as they reported the capture of remaining LTTE-held territory and the death of LTTE leader Velupillai Prabhakaran. The entire LTTE leadership seemed certain to have been killed. The end of the military conflict resulted in nearly 300,000 internally displaced persons (IDPs). Conditions in IDP camps failed to meet international standards, with poor sanitation, insufficient water supplies and inadequate food and medical care. |

Sources: 'U.S. Relations with Sri Lanka' (n.d.), and 'Conflict Histories: Sri Lanka' (n.d.).

As indicated in the preceding Table 4.1, both the LTTE and the government held rigid positions and each was fully committed to winning its own self-interested goals. During the peace negotiations which occurred from time to time, there were attempts to decentralise power, but these attempts largely failed. Tamil critics point to the Sinhala people's rejection of an asymmetric approach. They argued that whatever 'devolution' or 'decentralisation' offer was made to the Tamil areas in the north and east of Sri Lanka, should be equally available to the Sinhala provinces. Their question was that the Sinhala people had never struggled or demanded 'devolution' or 'decentralisation', so why did the governments try to offer equal power to all? They further argued that the reality was that devolution of power towards a federal or, ideally, a confederal alternative, was the only basis for a viable and lasting political settlement to the ethnic conflict within a united Sri Lanka.³⁶² This position of Tamil critics was somewhat similar to ISGA proposals which the LTTE brought in 2002 during peace negotiations (see Table 4.1).

The Tamil critics further claimed that the Sinhala nationalists and the Buddhist clergy had painted a scenario where a federal solution would divide the country and destroy the Sinhala race. This mentality of 'danger to the Sinhala nation' has driven the rejection of the devolution of power and the federal alternative.³⁶³ This can be interpreted in two ways. First, the unitary structure of the state has long been a feature of Sri Lankan government and the leaders who supported and protected the unitary structure, and Buddhism, were mostly valued by the people for the part they played. Most of the coalition governments in the post-independence era had obtained the support of the Sinhala nationalist parties to protect their power. These leaders had a fear of losing the Sinhala-Buddhist majority's support if they promoted decentralisation attempts. Second, these nationalist parties intentionally ignored finding a political solution to the ethnic problem in Sri Lanka by minimising the problem, and categorising it as one of 'terrorism'. Their interpretation was that there was no ethnic problem in Sri Lanka and there was only a 'terrorist problem'. They further argued that the majority Sinhalese and the minority ethnic groups lived together peacefully in other areas

³⁶² Sathananthan, (1997).

³⁶³ *Ibid.*

in Sri Lanka. In the north and east there was a terrorist problem led by the LTTE.³⁶⁴

There remain several requests from the Indian government and the Tamil political parties, especially the TNA, to fully implement the decentralisation provisions of 13th amendment to the constitution. The final report of the Lessons Learnt and Reconciliation Commission (LLRC)³⁶⁵ recommended there be a political solution for land issues, demilitarisation, resettlement of civilians, disarming of paramilitary groups, reference to the media, assistance to IDP families and several other issues.³⁶⁶ The discussions between TNA and the government lasted long after the war and the TNA demanded the full implementation of the 13th amendment to the constitution, and that the full implementation of land and police powers be vested with the provincial councils as envisaged in the 13th amendment. But the government has still not given a positive response to this request.³⁶⁷ The JHU and the NFF, the Sinhala nationalist parties that support the government, have interpreted their unwillingness regarding such implementation.³⁶⁸ So it is evident that the government is not politically willing to implement the existing decentralisation policies.

According to Uyangoda, the current Sri Lankan government is a coalition of Sinhala nationalists (Uyangoda calls them hard line nationalists) who constitute the core of a broader coalition³⁶⁹ which President Rajapaksa put together earlier to back his war effort. This coalition continues to have a strong influence on public policy, country agendas and state-society relations. One key reality in post-war Sri

³⁶⁴ See Hennayake, S. (n.d.) 'Tamil Ethnonationalism and Terrorism', <http://www.lankaweb.com/news/items01/tamile&t1.htm>, accessed 01-11-2013.

³⁶⁵ The LLRC was a commission of inquiry appointed by Sri Lankan President Mahinda Rajapaksa in May 2010 after the long-lasting war in Sri Lanka. The commission was mandated to investigate the facts and circumstances which led to the failure of the ceasefire agreement made operational on 27th February 2002, the lessons that should be learnt from those events and the institutional, administrative and legislative measures which need to be taken in order to prevent any recurrence of such concerns in the future, and to promote further national unity and reconciliation among all communities. After an 18 month inquiry, the commission submitted its report to the President on 15th November 2011. The report was made public on 16th December 2011, after being tabled in the Parliament.

³⁶⁶ 'Govt.'s Double Speak on 13 Plus' (2012) <http://sundaytimes.lk/120122/Columns/political.html>, accessed 23-01-2012.

³⁶⁷ 'Govt. to Amend 13th Amendment' (2012) <http://www.srilankabrief.org/2012/01/govt-to-amend-13th-amendment-land.html>, accessed 23-01-2012.

³⁶⁸ 'Govt.'s Double Speak on 13 Plus' (2012).

³⁶⁹ Included in that broad and powerful war coalition were the military, the bureaucracy, the media, nationalist intelligentsia, political elites of the anti-LTTE Tamils as well as non-Tamil minorities, Sri Lankan diaspora and the Buddhist and Catholic religious establishments.

Lanka, however, is that the same coalition that was formed to fight the LTTE militarily cannot be the vehicle for a fair and just political solution that can satisfy at least some of the key Tamil political demands. President Rajapaksa's hesitation to implement any devolution framework is largely rooted in this complex political problem. The government is acutely aware of the fact that extreme polarisation of politics along Sinhala and Tamil nationalist projects continues to prevent any significant political reform in Sri Lanka.³⁷⁰ According to Viyangoda, there is no public opposition to the decentralisation of power. The government hesitation about implementing decentralisation policies is more about their reluctance to give strong centralised powers to other levels of government.³⁷¹

In summary, decentralisation politics in Sri Lanka have many facets and are connected to conflicts between majority and minority ethnic groups, especially between Sinhalese and Tamil groups. Several attempts to decentralise power have been made by the Sri Lankan government, from time to time, together with foreign government-facilitated peace negotiations. Most of these attempts have emerged as solutions to the ethnic problem. Both Sinhala and Tamil nationalist elements have interrupted the decentralisation process, each with demands for polarised solutions which would empower one group over the other. While the Sinhala nationalists identify any move to decentralisation, whether or not that is linked to any federal idea, as a threat to the country's unitary structure, the Tamil nationalists have continued to demand a separate state. There are, therefore, no chances to implement a solution located in a middle path within these two extremes. The full implementation of 13th amendment to the constitution is still pending due to the unwillingness of the government and its allied Sinhala nationalist political parties to implement it.

4.5. Summary

This chapter has explored the history and political development in Sri Lanka in terms of its constitutional development, political party developments and the emergence of various political leaders. It has also examined the history of decentralisation politics in the context of ethnic conflict. Although anti-colonial

³⁷⁰ Uyangoda, (2010).

³⁷¹ Viyangoda, G. (2012) 'Merry-go-round is Circling around 13' (translated from Sinhala), *Ravaya*, 22nd January 2012, p. 4.

critics assert that divisions between ethnic groups have been created by colonial rulers, from the pre-colonial era Sri Lankan society has had several divisions and conflicts related to ethnic rivalries. In both colonial and post-colonial eras, these divisions and conflicts have been evident in times of constitutional change and political party formation. These developments reflect the diversity of Sri Lankan society as well as the emergence and influence of leaders in shaping the political system in Sri Lanka. In most of these developments, the centralisation of authoritative power has been a significant feature.

The next chapter addresses the issue of local government, the lowest level of government, because it is at this level that provisions for decentralisation are directed. It is also here that over time, there have been impediments toward potential agreements to address the actual needs of the people. Later chapters examine the specific issues of local government and decentralisation in Sri Lanka and its impact at the political and social level.

Chapter 5

History and development of local government in Sri Lanka

5.1. Introduction

Sri Lanka has a long history of local government stemming from the traditional village governing system based on the ancient Sri Lankan kingdoms. During the colonial era traditional structures were changed to accommodate political interests, with various attempts made by national rulers to restructure local government in the context of Sri Lankan social needs. As discussed in chapter 4, these attempts were, from time to time, directly connected with initiatives to promote decentralisation.

There is little written about Sri Lankan local government and what does exist consists mainly of reports from the commissions and committees appointed by successive governments suggesting changes to the Sri Lankan local government system. Among these, two lengthy descriptive reports are significant: the 1955 Report of the Commission on Local Government, better known as the Choksy Commission,³⁷² and the Report of the Commission of Inquiry on Local Government Reforms 1999.³⁷³ Both reports discuss the evolution of Sri Lankan local government, highlighting problems and proposing recommendations. Other accounts of Sri Lankan local government are based on research by those involved in local government reforms concerning the implications of local development and funding issues. For example, Fernando, Thangarajah, Hettige and Leitan include in their research findings and suggestions for local government reforms.³⁷⁴ These documents, though not extensive, help to fill the gap in the literature.

This chapter extends the discussion in chapter 4 and scrutinises the decentralisation process highlighting its connection with local government reforms. The chapter identifies the main issues shaping the structure and purpose of local government in Sri Lanka, and investigates the various endeavours which

³⁷² *Report of the Commission on Local Government* (Sessional Paper No. XXXIII – 1955). This commission is known as the Choksy Commission.

³⁷³ *Report of the Commission of Inquiry on Local Government Reforms 1999* (Sessional Paper No. I – 1999).

³⁷⁴ See *Local Governance and Conflict Management in Sri Lanka-Final Report*, Sri Lanka Institute of Local Governance and Berghof Foundation for Conflict Studies and *Governance*, No. 1, Vol. 1, Sri Lanka Institute of Local Governance, Colombo-07.

have had an impact on Sri Lankan local government. These themes will be revisited in chapter 8 where the research findings on the problems in local government are presented and discussed.

5.2. Historical background

This section outlines the pre-colonial and colonial local government structures in Sri Lanka paying attention to the ways in which these have been transformed into their present form consisting of a mixture of both pre-colonial and colonial structures according to the political interests of both colonial and national rulers.

5.2.1. Pre-colonial era

As mentioned in chapter 4, Sri Lankans consider themselves to be descendants of the Indo-Aryans, as set out in the *Mahavamsa*. The establishment of Aryan settlements, which commenced with Vijaya,³⁷⁵ were village-based. These villages (*grama* or *gam*) grew and developed into larger villages (*mahagam*), and some of these were selected as the seat of government and became cities (*nagara*).³⁷⁶ For several centuries the basic village administration system continued to operate in the same form. After the arrival of Vijaya, the concept of kinship developed as King Pandukabhaya (377 BC to 307 BC) marked the boundaries of all villages in the country. These villages were recognised as minor in terms of the larger kingdom and were independently administered. The stone inscriptions of the period from the 3rd to the 1st century BC refer to the village leaders who held their positions and enjoyed special privileges.³⁷⁷ Village administration, the lowest level of government, was based on the principle of autonomy and was connected to the central administration through regional administrative units.

From the 6th to the 12th centuries AD the country was divided into three autonomous regions (*Ratas*)³⁷⁸ which were further divided into sub-divisions. With these three main regions, the country was called *Tri-Sinhale*.³⁷⁹ The *Mahavamsa* points out the plan of the city of Anuradhapura as the country's

³⁷⁵ The first Aryan who arrived accidentally in Sri Lanka and became the first king of the Sri Lankan written history (483 BC to 445 BC).

³⁷⁶ Sessional Paper No. I – 1999, p. 3.

³⁷⁷ *Ibid.*, pp. 3-4.

³⁷⁸ These three autonomous regions (*Ratas*) were: *Ruhunu Rata* (southern region), *Maya Rata* (central region) and *Pihiti Rata* (northern region).

³⁷⁹ Sessional Paper No. I – 1999, p. 4.

capital, and describes zonal divisions, reservoirs, special reserves, palace complexes, religious sites, parks, hospitals, and cemeteries. There are indications that in Anuradhapura there were designations of mayor, town planner and municipal commissioner similar to current roles.³⁸⁰ However, the capital city was under the direct control of the sovereign, and the ancient inscriptions refer to royal laws for commerce and city administration.³⁸¹ With an agricultural economy, many villages were based on markets and trading centres. Others were named with regard to their specialities. For example, villages where the main activities were based on acquiring resources such as gem stones were called mining villages.³⁸²

The king's supreme responsibilities were the preservation of unity in the country, defence of the territory, development of the economy, promotion of agriculture through major irrigation works, and the establishment of religious monuments.³⁸³ The king would tour the villages and towns to examine the work of his administration. The king also had ministers to execute his authority performing a kind of decentralised administration.

The administration of the traditional village was very simple. A group of villagers were treated as the representatives in charge of the village administration, and these village organisations performed agro-economic functions such as the collection of irrigation dues, the issue of water for cultivation, the settlement of minor disputes, and also, the organisation of religious activities, assistance in hospital services, protection of national parks, direction of popular community activities and the apprehension of criminals. The code of village administration was centred around a framework of established customs and traditions.³⁸⁴ In some villages there were judicial panels responsible to village officers and subject to the king's jurisdiction.³⁸⁵

³⁸⁰ *Ibid.*, p. 5.

³⁸¹ *Ibid.*, p. 7.

³⁸² *Ibid.*, p. 5.

³⁸³ *Ibid.*, p. 6.

³⁸⁴ *Ibid.*

³⁸⁵ *Ibid.*, p. 7.

5.2.2. Colonial era

In the Portuguese era (1505-1658),³⁸⁶ the traditional administrative units were preserved. However, the ancient Portuguese documents used for regular updates of revenue collection (*Thombus*) indicate that the Portuguese rulers decentralised administrative authority whenever possible.³⁸⁷

Dutch rule started from 1658, with several laws relating to local government being enacted in Colombo, Galle, Jaffna and Matara which had come under their control.³⁸⁸ In 1681 Robert Knox³⁸⁹ described village administration as operating through councils which functioned at the village level (*Gam Sabhas*) to organise agricultural activity and to fulfil other common needs of rural life. All community activities were performed according to customs and conventions with a sense of unity. Every chief householder was a member of the *Gam Sabha*. Appeals from the *Gam Sabhas* could be referred up to the regional council (*Rata Sabha*).³⁹⁰

The British administration in Sri Lanka commenced in 1796 with the take-over of areas under Dutch rule. After taking control of the whole island in 1815³⁹¹ the British colonial rulers enacted numerous changes to government institutions by moulding the local administration to suit the requirements of colonial administration.³⁹² According to Wanasinghe, local government in the colonial

³⁸⁶ In the Portuguese era the development of cinnamon cultivation as a commercial crop and the formulation of laws for the cultivations were special features.

³⁸⁷ Sessional Paper No. I – 1999, p. 9.

³⁸⁸ *Ibid.*

³⁸⁹ Robert Knox was an English sea captain who served the British East India Company. He faced a storm while sailing and accidentally put ashore on Sri Lanka. He and his crew were taken captive by the troops of the Kandyan King forbidden to leave. Finally he escaped and returned home by an English vessel. During his voyage he wrote the manuscript of *An Historical Relation of the Island Ceylon*, an account of his experience on Ceylon which was published in 1681. It is one of the earliest and most detailed European accounts of life in Ceylon and is today seen as an invaluable record of the island in the 17th century ('Knox' (n.d.) <http://lakdiva.org/knox/>, accessed 26-01-2012).

³⁹⁰ Sessional Paper No. I – 1999, p. 10.

³⁹¹ The Kandyan Kingdom which was located in the central portion of the island remained as the sole independent native polity until it was absorbed into the British Empire in 1815 as a protectorate. Over the 1590s the Kandyan Kingdom survived the colonial and the South Indian invasions. According to the historical evidence, the Kandyan kings used a combination of hit-and-run tactics and diplomacy to keep European colonial forces especially the British distant ('History: Grade 8 – Chapter 1' (n.d.)

[http://www.edupub.gov.lk/History%20Gr%20\(E\)/chapter%20%2001.pdf](http://www.edupub.gov.lk/History%20Gr%20(E)/chapter%20%2001.pdf), accessed 20-03-2012).

The geographical location of the kingdom as well supported its survival. The area of the central highlands in which the Kandyan Kingdom was situated, had the natural protection of rivers, water ways, hills and rocky mountainous terrain. After failures of several attempts of British forces to enter Kandyan lands, they sought diplomatic solutions and therefore signed an agreement with the Kandyan chiefs, the 1815 Kandyan Convention, which is outlined in chapter 4.

³⁹² Sessional Paper No. I – 1999, pp. 10-11.

period developed as a response to specific needs centred on the delivery of public goods and services.³⁹³ In 1818 the *Gam Sabha* system was discontinued and, therefore, the reference to customs and traditions in the settlement of disputes relating to paddy cultivation ceased to have relevance. Although made inoperative by law, the traditional village administration by cultural convention and social customs continued in some areas.³⁹⁴

As mentioned in chapter 4, under the Colebrooke-Cameron Reforms, the country was divided into five provinces and brought under the administration of government agents (GAs) and assistant government agents (AGAs). The Colebrooke-Cameron Commission suggested re-organising the former *Gam Sabhas*.³⁹⁵ They mentioned *Gam Sabhas* as village committees³⁹⁶ in their proposals³⁹⁷ which could be established by the governor and the Legislative Council at the request of 10 residents of the area.³⁹⁸ Its functions were similar to the previous *Gam Sabhas*.³⁹⁹

The success of the village committees led the British rulers to extend their functions to other matters such as cultivation, fisheries, and the maintenance of rural roads.⁴⁰⁰ These arrangements were the elementary steps in the re-organisation of local government during the British colonial period. It is evident, therefore, that the British retained traditional village administration processes by providing legal recognition of local traditions. The Village Communities Ordinance was amended several times. At the time of independence the village committees functioned as effective institutions of local administration and also

³⁹³ Wanasinghe, S. (2003) 'Building Local Capacities for Conflict Management: The Potential of Local Governance in Sri Lanka', in M. Mayer; D. Rajasingham-Senanayake and Y. Thangarajah (eds) *Building Local Capacities for Peace: Rethinking Conflict and Development in Sri Lanka*, Macmillan India Ltd., in association with South Asia Institute, University of Heidelberg and Jaffna Rehabilitation Project (JRP)-GTZ Colombo, p. 91.

³⁹⁴ Sessional Paper No. I – 1999, p. 11.

³⁹⁵ Under the Paddy Lands and Irrigation Ordinance, No. 9 of 1856, the provisions were made to implement the traditional practices relating to agriculture and irrigation. The village committees were re-organised under the Village Communities Ordinance, No. 26 of 1871, making it possible to follow the traditional forms of resolving disputes under the Paddy Lands and Irrigation Ordinance (*ibid.*, pp. 11, 13-14).

³⁹⁶ Some refer to village committees as village councils.

³⁹⁷ Sessional Paper No. I – 1999, p. 11.

³⁹⁸ The GA was the chairman in the village committee. Provision was available for the appointment of not less than six members who possessed special qualifications. The village committee framed its by-laws.

³⁹⁹ Sessional Paper No. I – 1999, p. 13.

⁴⁰⁰ Wanasinghe, (2003), p. 91.

provided opportunities for people to participate in government.⁴⁰¹ This indicates the effectiveness of village committees, and the importance and relevance of the traditional village administrative institutions in addressing the needs of the villagers.

Until the end of colonial rule in 1948, the British introduced a number of changes to the local government system through new legislation. Under the Road Committees Act, No. 10 of 1861, provincial and district road committees were established under the chairmanship of the GAs and AGAs respectively.⁴⁰² The road committees⁴⁰³ functioned during the period from 1861 to 1951, and were later transferred to the Public Works Department.⁴⁰⁴

Under the Municipal Councils Ordinance, No. 17 of 1865,⁴⁰⁵ municipal councils were established in Colombo and Kandy. The ordinance was validated for Galle in 1866 when the Galle municipal council was established.⁴⁰⁶ These institutions were originally under the GAs and consisted of councillors elected by householders. The electorate consisted of adult males with a property, income or a high literacy qualification.⁴⁰⁷

Under Ordinance, No. 18 of 1892, the sanitary boards⁴⁰⁸ were established for the provision of services in minor towns. The governor nominated two to four people

⁴⁰¹ Sessional Paper No. I – 1999, p. 14.

⁴⁰² The other members of the provincial road committee were the provincial chief engineer and three to five persons appointed by the governor. The district road committee which headed by the AGA, included an official of the public works department and three members representing the main community groups elected by popular vote (Sessional Paper No. I – 1999, p. 12). Every male over 18 years of age had a right to vote at the election of a district committee (Sessional Paper No. XXXIII – 1955, p. 6).

⁴⁰³ The charge and maintenance of rest houses, control and supervision of the work done on private and estate roads (the roads maintained partly by contributions from estates and partly by grants from government), prevent encroachments, remove obstructions on public roads, prevent nuisances thereon and the maintenance and improvement of roads and ferries in their charge were the responsibilities of the road committees (*ibid.*).

⁴⁰⁴ Sessional Paper No. I – 1999, p. 12.

⁴⁰⁵ A series of amendments were made to the Municipal Councils Ordinance since 1866. To maintain the compatibility, the Municipal Councils Ordinance and the Colombo Municipal Council (Constitution) Ordinance were consolidated, and the Municipal Councils Ordinance, No. 29 of 1947 was enacted.

⁴⁰⁶ These municipal councils consisted of members appointed by the governor and members elected through limited franchise (discussed later in this chapter). The term of the office was three years (Sessional Paper No. I – 1999, pp. 12-13).

⁴⁰⁷ Sessional Paper No. XXXIII – 1955, pp. 15-16.

⁴⁰⁸ These boards were responsible for public health, scavenging services, electricity, drainage, public conveniences, markets, dairies, laundries and water supply. These boards could acquire further authority through by-laws.

and the GA was the chairman.⁴⁰⁹ The Local Boards Ordinance, No. 13 of 1898 was enacted in towns which were larger than those under sanitary boards. These were known as local health and sanitation boards and their composition was similar to the sanitary boards.⁴¹⁰

After introducing the universal franchise to Sri Lanka in 1931, reforms were slowly introduced to elect all local government members through popular vote. Under the Urban Councils Ordinance, No. 61 of 1939, urban councils were established. The conversion of 27 towns into urban councils with a specified membership of between six and 12 members, and the election of a chairman from elected members by majority vote, formed part of later reforms.⁴¹¹ In the Town Councils Ordinance, No. 3 of 1946, the state council provided for the establishment of town councils for small towns with an urban character. As a consequence, the sanitary boards and local boards were abolished and 24 town councils were established.⁴¹² These had a membership of three to eight representing wards into which the council area was divided.⁴¹³

According to Wanasinghe, these early local administration initiatives provided for a network of organisations situated at the local level for the discharge of functions that were appropriate to public need. But it is important to recognise that these initial interventions were not necessarily conceived as being democratic institutions as understood in today's terms. They were essentially bureaucratic in nature and therefore this initiative has to be viewed more as an exercise in administrative decentralisation rather than as the introduction of a system of local governance.⁴¹⁴

Similarly, British attempts to mould local organisations to suit the colonial administration led to greater complexity. According to Leitan, local government bodies became limited in their functions and scope and ended up functioning in a much more centralised manner.⁴¹⁵ Neither the British local administration, nor the ancient local administrative system, were established to govern the villages

⁴⁰⁹ Sessional Paper No. I – 1999, p. 14.

⁴¹⁰ *Ibid.*

⁴¹¹ *Ibid.*, p. 16.

⁴¹² Their responsibilities and functions included thoroughfares, public health, common amenities, physical planning and the collection of revenue.

⁴¹³ Sessional Paper No. I – 1999, pp. 14-15.

⁴¹⁴ Wanasinghe, (2003), p. 91.

⁴¹⁵ Leitan, G.R.T. (1979) *Local Government and Decentralized Administration in Sri Lanka*, Lake House Investments Ltd., Colombo-02, pp. 229-231.

politically. Both systems were administration-oriented and centrally-controlled. Wanasinghe notes that these colonial administration structures failed to respond to the socio-economic needs of the local communities.⁴¹⁶

5.2.2.1. Proposals on district-based local government bodies

Over time various enquiries proposed the re-organisation of local government. As mentioned in chapter 4, from mid-1910s there was a direct connection between local government reforms and a decentralisation process aimed at establishing district-based local government bodies. The emphasis on these decentralising attempts fluctuated between administrative and political changes and, were subject to a variety of critiques.

In 1916 the governor of Ceylon appointed a local government commission under the chairmanship of the GA of the western province to establish what steps were desirable to improve the sanitation, education, and communications of the local government machinery. The Local Government Ordinance, No. 11 of 1920, soon followed⁴¹⁷ and provided for the establishment of district councils for all parts of the country other than municipal areas. But the country had not been divided into areas for the carrying out of the provisions of such an ordinance, and methods for financing district councils were not mentioned in the ordinance. Thus, the ordinance could not be implemented although the need to set out the areas in respect of district councils was highlighted⁴¹⁸ and this initiative can be identified as the first attempt in a lengthy process to establish district-based local government bodies in Sri Lanka.

In 1926 the government appointed a select committee on local government to consider the working of the ordinances relating to local government, and to make recommendations to extend local government bodies throughout the country. But the recommendations of the committee remained in abeyance until the Donoughmore Commission on constitutional reform.⁴¹⁹ In 1928 under the Donoughmore Reforms, one of the seven executive committees of the State Council, centred on local administration. A department of local government was

⁴¹⁶ Wanasinghe, (2003), p. 91.

⁴¹⁷ Sessional Paper No. XXXIII – 1955, pp. 9-10.

⁴¹⁸ *Ibid.*, pp. 10-11.

⁴¹⁹ *Ibid.*, pp. 11-12.

also established under a commissioner of local government.⁴²⁰ The Donoughmore Commissioners proposed creating coordinating bodies to oversee the activities of local government and called for provincial councils which, they envisaged:

...might result in a large part of the administrative work now carried out in the Legislative Council coming into the hands of persons permanently resident in the country districts and thus more directly in contact with their needs...⁴²¹

The intention was to relieve the executive committees of much detailed administrative work which could be delegated to and carried out by provincial councils and thereby leave the executive committees free to devote their time to larger problems.⁴²² The proposed provincial councils were intended to decentralise administration but was also another attempt to establish district-based local government bodies. The government considered and, in 1940, debated whether to give immediate effect to the recommendation of the Donoughmore Commission with regard to the establishment of provincial councils.⁴²³ The functions of provincial councils were to be of three main classes, namely: 1) supervisory (including controlling, coordinating, and default powers); 2) directive (executive); and 3) advisory,⁴²⁴ and were to be set up in the various revenue districts of the island.⁴²⁵ Outcomes included the reduction of the functions of GAs, and the ultimate elimination of the *Kachcheri*⁴²⁶ system of administration. The proposed provincial councils can be identified as administrative bodies rather than political bodies. However the 2nd World War and its exigencies delayed the further pursuit of the subject.⁴²⁷

The bureaucratic nature and the colonial characteristics of local government were criticised by national politicians at that time, and the country's development through local government were debated frequently in the State Council. In 1946,

⁴²⁰ Sessional Paper No. I – 1999, pp. 15-16.

⁴²¹ Quoted in Sessional Paper No. XXXIII – 1955, p. 30.

⁴²² Sessional Paper No. XXXIII – 1955, p. 30.

⁴²³ Quoted in Sessional Paper No. XXXIII – 1955, p. 30.

⁴²⁴ Sessional Paper No. XXXIII – 1955, p. 30.

⁴²⁵ *Ibid.*

⁴²⁶ *Kachcheri* is a Hindi word initially used for the revenue collector's office in the early years of the British colonial administration in Sri Lanka. Revenue collection was a main feature of the Dutch pattern of colonial administration. In the first half of the 19th century, the British colonial administrators were able to move towards a more organised form of government with civil and revenue administration. Thus, the collector's office, which continued to be locally known as the *Kachcheri* was converted into the GA's office. Even after independence, *Kachcheri* was retained as the district administrative centre and focal point of the provincial administration and was placed under a GA.

⁴²⁷ Sessional Paper No. XXXIII – 1955, p. 31.

the government decided to take away the supervision and control of village committees from the GAs, and to hand them over to local government departments and assistant commissioners of local government who were appointed for this purpose under the Local Government Administrative Regions Ordinance, No. 57 of 1946.⁴²⁸

S.W.R.D. Bandaranaike⁴²⁹ was the principal advocate of a system of provincial councils (modelled on the British county councils) as the apex of the island's modern local government system.⁴³⁰ In 1947 Bandaranaike noted the trends in local government, the ways and means of making use of the local government system for imperialistic requirements, and its potential for local economic and administrative improvements. He made particular reference to the transition from a colonial system of administration and economic development to self-government and national economic policies.⁴³¹ Speaking in the budget debate in December 1947, Bandaranaike proposed establishing provincial councils with a view to coordinating, supervising and controlling the work of local bodies in the district or province concerned.⁴³²

The draft bill, however, was set aside by the cabinet claiming that more time was required to explore the proposal further and agreement was reacted to consider it at a later date.⁴³³ According to De Silva, although interest in the scheme of provincial councils was revived after independence, the consensus over the proposal in the 1940s had evaporated in the face of new and more urgent concerns, and in any case, the first cabinet of post-independence Sri Lanka gave it a very low priority. Inevitably the establishment of these provincial councils called for a reduction in the powers of ministries under the control of Bandaranaike's cabinet colleagues, none of whom showed much willingness to accept diminution of their

⁴²⁸ *Ibid.*, p. 19.

⁴²⁹ S.W.R.D. Bandaranaike was the Minister of Local Administration from 1936 to 1947, and the Minister of Health and Local Government from 1947 to 1951.

⁴³⁰ Bandara, A.M.N. (2009) 'The First Debate on the Establishment of Provincial Councils (1928-1940)', <http://groundview.wordpress.com/2009/12/02/the-first-debate-on-the-establishment-of-provincial-councils-1928-1940/>, accessed 17-02-2012.

⁴³¹ Sessional Paper No. I – 1999, pp. 17, 445.

⁴³² Quoted in *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 3.

⁴³³ Bandara, (2009).

own political and administrative authority.⁴³⁴ This reflects the intentional negligence of the centre towards decentralising administrative and political powers.

When considering the development of local government in both pre-colonial and colonial eras, legal recognition of the pre-colonial local government structures by the British colonial rulers is significant. For example, they largely structured these bodies according to their needs with little concern for the obligations at the local level. Nonetheless, they did introduce a more systematic and legalised institutional mechanism to local government processes, although it should be said that while the national rulers identified the need to restructure local government their unwillingness to decentralise powers to the local level resulted in a low priority status being given to the decentralisation process and local government reforms.

5.3. Post-colonial developments

Following independence, colonial administrative and local governing structures continued in Sri Lanka with post-independence rulers intermittently attempting to restructure these colonial structures by appointing several commissions and committees. The recommendations of these commissions and committees were rarely implemented. This section explores the recommendations, successes and failures of implementation, and the reasons for non-observance.

5.3.1. Commissions, committees and recommendations

With independence in 1948, the number of provinces was increased to nine and divided into 19 districts. The types of local government bodies in operation were municipal councils, urban councils, town councils and village committees. According to the Choksy Commission report, there were seven municipal councils, 36 urban councils, 38 town councils, and 403 village committees functioning.⁴³⁵

⁴³⁴ De Silva, K.M. (1996) 'Decentralisation and Regionalism in the Management of Sri Lanka's Ethnic Conflict', in P.A. Groves (ed) *Economic Development and Social Change in Sri Lanka: A Spatial and Policy Analysis*, Manohar Publishers, New Delhi, p. 289.

⁴³⁵ Their functions, powers, and duties were set out in the Municipal Councils Ordinance, No. 29 of 1947, the Urban Councils Ordinance, No. 61 of 1939, the Town Councils Ordinance, No. 3 of 1946, and the Village Communities Ordinance, chapter 198 (Sessional Paper No. XXXIII – 1955, p. 19).

After independence, national politicians tried to restructure local government bodies in a way that would dismantle the colonial administrative structure, given the continuing need for district-based local government bodies. A key proposal was to establish a single tiered arrangement for regional councils, one for each of the 19 administrative districts. The election of members to these councils was to have seen each local government body in the regional area returning a certain number of members, dependent on the population within its limits.⁴³⁶ But the government hesitated to establish regional councils. One of the principal objections was that regional councils were likely to interfere with the autonomy of local government bodies.⁴³⁷ In response, the Minister of Local Government, S.W.R.D. Bandaranaike appointed an official committee under the chairmanship of the commissioner of local government, V.C. Jayasuriya, to report on the existing methods of taxation and the sources of revenue of local government bodies. The committee made its report in 1949.⁴³⁸

In 1950 Bandaranaike proposed reducing the functions and powers of regional councils, and the significant powers of exercising statutory supervision and control over village committees, in particular, were dropped.⁴³⁹ Regional councils were to be composed entirely of members elected by the people.⁴⁴⁰ But no final decisions were taken by the government on the recommendations of the 1949 committee report⁴⁴¹ or on the proposed regional councils. Bandaranaike's resignation from the ministership, and then from the governing party, the UNP, explains this non-implementation.⁴⁴²

The Local Authorities (Enlargement of Powers) Act, No. 8 of 1952, has been highlighted as the most important change in the post-independence period.⁴⁴³ Through this act, the government granted local government bodies further

⁴³⁶ *Ibid.*, p. 31.

⁴³⁷ *Ibid.*, p. 33.

⁴³⁸ *Ibid.*, p. 18.

⁴³⁹ *Ibid.*, p. 33.

⁴⁴⁰ These members elected on the same qualifications as were prescribed for village committee members under the Local Authorities' Elections Ordinance, with a minimum of 18 members and a maximum of 30 members, the exact number of members being determined on the basis of village committee areas within each region (*ibid.*).

⁴⁴¹ *Ibid.*, p. 18.

⁴⁴² In 1952 the then Prime Minister Dudley Senanayake took the office of the Local Government Minister as well. He resigned in October 1953. John Kotelawala took the office of the Prime Minister after that, and C.W.W. Kannangara was appointed as the Local Government Minister.

⁴⁴³ Sessional Paper No. XXXIII – 1955, p. 19.

opportunities to function on their own, independently of central government.⁴⁴⁴ Furthermore, through this act, the powers vested in the local government minister were transferred to local government bodies. According to the commentators, with the passing of this act, local government bodies became more independent entities with wider powers for the utilisation of funds for development projects in their area of administration.⁴⁴⁵ This move was highlighted in the Choksy Commission report as an indication of the increasing importance attached by government to the proper development of local government bodies, and of their place in the life of national politics.⁴⁴⁶ Further, this can be interpreted as a limited devolution of power which strengthened local government bodies and supported the break from the colonial bureaucratic structures to some extent.

In October 1953, district and divisional coordinating committees were established. Each district coordinating committee consisted of representatives of the departments functioning in the district (exclusive of the judiciary), divisional revenue officers, and members of parliament of the district who were invited to be members of the committee. The GA or the AGA was the chairman of the committee.⁴⁴⁷ The function of the committee was to coordinate all governmental activities in the district, and to facilitate the carrying out of government programmes. Village committees were represented by the assistant commissioner of local government functioning in the area.⁴⁴⁸ Divisional coordinating committees were presided over by divisional revenue officers with other officials in the division. According to the Choksy Commission report, the set-up of district and divisional coordinating committees by the central government arose from the explicit need for a body to coordinate all governmental activity within the district and to help facilitate the implementation of the government's programme in the district.⁴⁴⁹ Although they reflected a decentralisation effort, these coordinating committees were effectively administrative bodies.

In December 1953, the Governor Lord Soulbury appointed a commission on local government headed by N.K. Choksy, to examine the nature and scope of local

⁴⁴⁴ *Ibid.*

⁴⁴⁵ *Overview of the Local Government System: Towards Participatory Democracy in Sri Lanka Society* (2011) Marga Institute, Ethul Kotte, Colombo, p. 8.

⁴⁴⁶ Sessional Paper No. XXXIII – 1955, p. 19.

⁴⁴⁷ *Ibid.*, p. 37.

⁴⁴⁸ *Ibid.*, p. 38.

⁴⁴⁹ *Ibid.*

government in the country, to investigate the changes needed, and to make recommendations on the functions, powers and duties of the local government bodies. In addition, the brief was to examine the supervision and control of central government over local government bodies, by looking at the ways and means of providing revenue to local government bodies in tandem with the recruitment of employees of local government bodies.⁴⁵⁰ The commission observed:

If the business of government is always to continue to remain in the hands of officials, controlled from the centre, then the gap that has existed in the past between those who are governing and the governed will remain as wide as it has been.⁴⁵¹

The commission's view was that whilst the *Kachcheri* system may have been appropriate in colonial days, it was completely out of place in the democratic set-up of modern times. Not only did it detract from the authority and prestige of local government bodies but the continuance of the hierarchical system of the *Kachcheri*, with its divisional revenue officers and headmen, tended to perpetuate the allegiance of the local populace to the GA, as the representative of the central government. The commission recommended that local government bodies should be made the executive agency of the government instead of the *Kachcheries*,⁴⁵² and that the *Kachcheries* were anachronistic and should be abolished.⁴⁵³ So again, the need for district-based local government bodies to eliminate existing district-based administrative structures, was proposed.

A major recommendation of the commission was to establish an independent autonomous set of local organisations, in the form of regional councils,⁴⁵⁴ similar to the bodies earlier proposed by Bandaranaike in 1950. But the commission did not follow through on this because at that time local government bodies did not have either the finances, or the opportunity of gaining first-hand experience in the discharge of these various duties by direct contact with them. The commission instead proposed that representatives of the local population take part in the discharge of some of the duties and functions of *Kachcheries*, in association with government officials, by utilising and expanding the existing set-up of the district

⁴⁵⁰ *Ibid.*, pp. iii-iv.

⁴⁵¹ *Ibid.*, p. 401.

⁴⁵² *Ibid.*, p. 35.

⁴⁵³ *Ibid.*, pp. 39, 401.

⁴⁵⁴ *Ibid.*

coordinating committees.⁴⁵⁵ The commission also recommended that the district coordinating committees in the *Kachcheries* be reconstituted into regional committees,⁴⁵⁶ to carry out the responsibilities of the *Kachcheries*, and to coordinate functions.⁴⁵⁷ Regional committees were to provide for social welfare and relief of distress policies, the settlement of people on peasant and middle class allotments other than colonisation schemes, rural development, coordination of agricultural activity, minor irrigation and food production, organisation and supervision of public health measures, and road development and regional planning.⁴⁵⁸ The Choksy Commission wanted to drive local political representatives towards the future potential of establishing regional councils by transferring responsibilities to them through regional committees.

Although the UNP government had not fully implemented the recommendations of the Choksy Commission report, the district development committees were established in 1955 for the coordination of government activities within the district. These committees provided the opportunity for local government bodies to be aware of the government's programmes in the district and also to forward their requests to the central government.⁴⁵⁹ The district development committees reflected similar features of the recommended regional committees. But the UNP was defeated in the 1956 general election,⁴⁶⁰ and the implementation of recommendations on regional councils did not happen.

In May 1957 the government of S.W.R.D. Bandaranaike, published a draft bill for the establishment of regional councils and for matters connected therewith. Under this draft bill regional councils would be established to cover the whole or part of

⁴⁵⁵ *Ibid.*, p. 37.

⁴⁵⁶ Regional committees should be composed of the local heads of government departments (exclusive of the judiciary), and include officials and others. The officials should be represented by the GA or AGA, the assistant commissioner of local government of that district, nominees of the department directors, the officials such as divisional land officer, superintendent of surveys, divisional agricultural officer, and divisional revenue officers. The non-officials should be one representative of each municipal council, urban council, and town council in the area of authority, one representative elected from each of several groups of village committees (each group consists three-four village committees) had been recommended. Every member of parliament in each regional committee area should be an ex-officio member of that regional committee, the chairman should be the GA, and in no case should the total number of officials (including the chairman) exceed the total number of non-official members (*ibid.*, pp. 41-43).

⁴⁵⁷ *Ibid.*, pp. 401-402.

⁴⁵⁸ *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) pp. 4-5.

⁴⁵⁹ Sessional Paper No. I – 1999, p. 18.

⁴⁶⁰ In the 1956 general election, SLFP won and S.W.R.D. Bandaranaike became the Prime Minister.

an administrative district, or the area consisting of the whole or part of two or more administrative districts. It also provided for the election of regional councillors by local government bodies, for ex-officio regional councillors among whom would be members of parliament, the election of a chairman by the council, the appointment of a regional commissioner who was to be the chief executive officer of the council, and for the transfer or delegation to the council of powers, duties, and functions⁴⁶¹ which could be exercised by ministers.⁴⁶² However the draft bill faced unexpected impediments when the proposal for establishing regional councils merged with the major decentralisation process of the country.

Some of the documents published by later governments state that the concept of district-based councils always followed the ‘principles of democratic decentralisation’ until 1957, when S.W.R.D. Bandaranaike sought to amend his Regional Councils Bill of 1957 to accommodate some of the requirements of the Federal Party’s⁴⁶³ policy of federalism.⁴⁶⁴ But it is not clear what the ‘principles of democratic decentralisation’ referred to prior to 1957. This highlights the situation which occurred when the Bandaranaike-Chelvanayakam pact was signed. The joint statement read:

At this stage the Prime Minister suggested an examination of the government’s draft Regional Councils Bill to see whether provision could be made under it to meet reasonably some of the matters in this regard which the Federal Party had in view.⁴⁶⁵

In 1957 the Bandaranaike-Chelvanayakam pact was signed and provisions made for direct elections to regional councils which also laid out that the subjects covered by regional councils include agriculture, cooperatives, lands and land development, colonisation and education. The pact however did not survive the opposition of sections of the Sinhala community led by Buddhist priests and which included the opposition led by the UNP. Bandaranaike’s election campaign

⁴⁶¹ In addition to these powers the regional council could establish public utility services; promote, develop, and assist in the development of agriculture and food production; exercise certain supervisory powers over local bodies; and advise the minister in regard to the exercise of his powers over them. The regional council had also the right to appoint its own staff, to create its own funds, impose taxes, and raise loans. The central government had the power to suspend or dissolve regional councils (*Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 5).

⁴⁶² *Ibid.*

⁴⁶³ Tamil ethnic-based political party (this is discussed in chapter 4).

⁴⁶⁴ *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 9.

⁴⁶⁵ Quoted in *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 9.

in 1956 was strongly based on the Sinhala-Buddhist groups. But his later act of devolution of power to the Tamils through regional councils was not accepted by these Sinhala-Buddhists. Here, as mentioned, the main opponents were the Buddhist priests, with the UNP mainly aiming to regain public opinion by supporting them. Although Bandaranaike feared the loss of the Sinhala-Buddhist support, the provisions of the Bandaranaike-Chelvanayakam pact were not implemented. So another attempt to establish district-based local government bodies – regional councils – failed. Although the Bandaranaike-Chelvanayakam pact did not succeed, the attempts to restructure the local government were directly connected with the decentralisation process. The pact was clearly aimed at decentralising power to the minorities, a proposal which was not acceptable to opponents.

In July 1963 the Sirimavo Bandaranaike's government announced in the throne speech that "early consideration would be given to the question of the establishment of district councils to replace the *Kachcheries*."⁴⁶⁶ The government appointed a committee which later forwarded its report to the Minister of Local Government in February 1964,⁴⁶⁷ recommending the creation of district councils to replace the *Kachcheries* and suggesting ways of decentralising some of the functions performed by government departments in revenue districts for the purpose of establishing these councils. The report also contained a draft of a bill to make provision for the establishment of district councils.⁴⁶⁸

In a throne speech from government in 1964 it was stated: "A draft bill to implement the proposals to establish district councils will be placed before you for consideration."⁴⁶⁹ But the consideration never came and nothing happened immediately as the government expected that the previous Sinhala-Buddhist opposition would lead to the defeat of the SLFP at the 1965 general election. However, the UNP was returned in 1965 against predictions.

⁴⁶⁶ *Ibid.*, p. 7.

⁴⁶⁷ The Minister of Local Government was Mahanama Samaraweera from 1960 to 1965.

⁴⁶⁸ *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 7.

⁴⁶⁹ Quoted in *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 7.

The Dudley-Chelvanayakam pact was signed in March 1965 with the government declaring that it would give 'earnest consideration' to the establishment of district councils. In April 1965 the Prime Minister stated:

My government will examine the existing structure of the machinery of local government with a view to increasing its efficiency and harnessing the cooperation of all classes of citizens in the administration. With this objective in view, earnest consideration will be given to the establishment of district councils which will function under the control and direction of the central government.⁴⁷⁰

This policy statement was repeated in 1966 and 1967.⁴⁷¹ In 1968 a draft bill was presented as a white paper, providing for the establishment of district councils. They would not be local government bodies but would be extensions of central government taking over some of the functions performed by the *Kachcheries*.⁴⁷² The draft bill proposed that these councils should function under the control and direction of central government. Such functions⁴⁷³ would be vested in these bodies by the ministers in charge of the functions, and the ministers would have the power to direct and control the councils in the exercise of the powers vested in the councils by them.⁴⁷⁴ These proposals were an attempt to further strengthen the central government through taking over some of the administrative functions of the *Kachcheries*.

As envisaged by Bandaranaike the regional councils would have been empowered to amalgamate with each other. Furthermore the regional councils would have the authority to select settlers for the colonisation schemes in the areas under their administration, and powers over land development and colonisation programmes.⁴⁷⁵ But the 1968 white paper stated that no such powers of amalgamation would be vested in the proposed district councils. All these functions were excluded from the subjects allocated to district councils, and district councils would have no 'district services.'⁴⁷⁶ Moreover a district council

⁴⁷⁰ *Ibid.*

⁴⁷¹ *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 7.

⁴⁷² Sivanayagam, S. (1987) 'From a 40 Year Chronology 1946-1986', <http://tamilnation.co/conflictresolution/tamileelam/68districtcouncils.htm>, accessed 15-02-2012.

⁴⁷³ Subjects of the district councils: 1) Agriculture and food; 2) Animal husbandry; 3) Industries and fisheries; 4) Rural development; 5) Works, housing and regional planning; 6) Education; 7) Cultural affairs; 8) Ayurveda; 9) Social welfare; and 10) Health services (*District Councils – Draft Bill* (1968) pp. 35-38).

⁴⁷⁴ *Proposals for the Establishment of District Councils under the Direction and Control of the Central Government* (1968) p. 9.

⁴⁷⁵ *Ibid.*

⁴⁷⁶ *Ibid.*

was to consist of ex-officio councillors and nominated councillors.⁴⁷⁷ There were no directly elected councillors. Every district council would function under the general direction and control of the government. The draft bill did not provide for any powers to be exercised by these councils over local government bodies.⁴⁷⁸ These points further clarify that the draft bill did not provide provisions to decentralise powers but did extend centralisation.

However, again the Sinhala-Buddhist campaign against district councils arose by connecting the Dudley-Chelvanayakam pact together with the proposed district councils. It is alleged that the bill was a 'device to divide the country to the detriment of the Sinhala people'. The leading Buddhist priests as well as a deputation of the All Ceylon Buddhist Congress meet the Prime Minister to make known their opposition to the proposed district councils and to demand that the government should give up the proposal. Some of the Tamil politicians also opposed the white paper. The most vehement attack on the district council proposals came from a Tamil member on the government side, G.G. Ponnambalam, the leader of the Tamil Congress who argued that the establishment of district councils would lead to the eventual segregation of the Sinhalese and the Tamils.⁴⁷⁹ Finally, the Prime Minister declared that the district council proposals would be abandoned if a majority of the people did not want them.⁴⁸⁰ The Dudley-Chelvanayakam pact, like the Bandaranaike-Chelvanayakam

⁴⁷⁷ A district council shall consist of the following councillors: ex-officio councillors, namely, (a) elected members of the House of Representatives for the electoral district which lies within such administrative district; (b) appointed members of the House of Representatives; and (c) mayors of municipalities and chairmen of local bodies within the administrative district. There will also be not more than three nominated councillors. The council shall elect the chairman. There shall also be an executive committee for each district council consisting of not more than seven councillors elected by the council. The GA of the district shall, in addition to his own duties, be the commissioner, the chief executive officer of the council (*ibid.*, p. 8).

⁴⁷⁸ *Ibid.*

⁴⁷⁹ Sivanayagam, (1987).

⁴⁸⁰ The opposition walked out of the House burning and tearing copies of the white paper within the chamber as Dudley Senanayake rose to initiate the debate on the white paper. The members, who had earlier walked out, led by the Leader of the Opposition Sirimavo Bandaranaike, gathered outside the precincts of the parliament building and made a bonfire of the copies before they dispersed. They pointed to the possibility of the division of the island into two or three parts by establishing district councils. Dudley Senanayake lashed out at the opposition for carrying its false propaganda and spreading communal hatred. He quoted from the speeches of opposition leaders and pointed out how they had earlier favoured the establishment of district councils and even incorporated the idea in numerous throne speeches. He also blamed the Tamil politicians by saying that the tragedy of the Tamil race was the existence of a set of self-seeking sycophants making the sweet speech of saviours. If the Tamils were ever to regain their birth right in Ceylon, they should send the present saviours of the Tamil Congress and the Federal Party away (*ibid.*).

pact, was never implemented.⁴⁸¹ The Dudley Senanayake government withdrew the District Councils Bill in 1968. Then the Federal Party, which supported the government at that time, withdrew from the government. According to Bandara, although the original idea of establishing a second-tier of government was used in formulating the legislation for the setting up of regional councils in 1957, and later district councils in 1967, both efforts failed in the face of the opposition. In 1957 the UNP opposed it and in 1967 the opposition led by the SLFP, LSSP and CP coalition opposed it.⁴⁸²

These attempts and failures reflect two political dimensions. First, when Bandaranaike tried to devolve power to the minorities through regional councils, the Sinhala nationalists identified regional councils as an attempt to divide the country. Because of this, later efforts to establish district councils were labelled as attempts to divide the country, even when many were clearly concerned simply with decentralisation. Second, the political leadership from time to time was reluctant to lose the support of the Sinhala nationalists, and therefore decided not to establish the regional or district councils.

In 1970 the then Local Government Minister R. Premadasa⁴⁸³ appointed a committee of inquiry on local government to examine and report on several matters.⁴⁸⁴ On 26th February 1970 the report of the committee was submitted to the Local Government Minister. The committee suggested new sources of revenue for local government bodies. But the UNP was defeated in the general election in May 1970 so that although the report came out as Sessional Paper No. 7 – 1972, the SLFP-led coalition government did not implement the recommendations that were put forward.

⁴⁸¹ Wilson, A.J. (2000) *Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries*, University of British Columbia Press, pp. 1-12.

⁴⁸² Bandara, (2009).

⁴⁸³ From 1965 to 1968, the local government minister of the Dudley Senanayake cabinet was M. Tiruchelvam. But he resigned in 1968 and then R. Premadasa was appointed as the local government minister for the period from 1968 to 1970.

⁴⁸⁴ These included the adequacy of the present sources of revenue of local government bodies, the existing financial relations between government and local government bodies, what new sources of revenue should be made available to local government bodies to enable them to perform their functions more efficiently, whether any changes should be made in the present method of election of mayors/chairmen of local government bodies and, whether or not any changes should be made in the distribution of powers and functions among mayors/chairmen, the councils and the officers, for the more efficient functioning of local government bodies; and any other matters that may be referred to the committee (*Report of the Committee of Inquiry on Local Government* (Sessional Paper No. VII – 1972) p. 1).

In 1975, S. Sittampalam headed the committee on local government revenue. This committee also investigated the revenue sources and the ways of increasing the financial bases of local government bodies.⁴⁸⁵ However there are no further details or evidence of implementation of the recommendations of the committee other than the mention of this committee in the report of the 1999 Commission of Inquiry. The government change in 1977 was one reason for such non-implementation.

5.3.2. Establishment of district development councils

As discussed in chapter 4, after 1977 the UNP government transformed the whole politico-economic structure of the country. Until 1977 governments were usually elected for five-year terms, with parliament the supreme body and the prime minister-led cabinet exercising the powers of government. The new constitutional arrangements from 1977 created a high powered executive presidency leaving the Parliament, cabinet and the prime minister powerless. For this reason governments after 1977 have not changed as frequently as before.⁴⁸⁶ This development has led to a centralisation and, it could be argued, misuse of power.

In 1979 A.E. Moragoda headed the committee on delimitation for the establishment of rural councils, appointed on a recommendation of President J.R. Jayewardene's cabinet⁴⁸⁷ on the premise that the then existing town councils and village councils were unable to meet their establishment expenses and provide a satisfactory service.⁴⁸⁸ The committee recommended the establishment of 269 rural councils to replace 632 town and village councils. The area of authority of each rural council was to be roughly an AGA's division.⁴⁸⁹

In 1979 President Jayewardene also appointed a commission on development councils to inquire into and report on the existing structure of local government

⁴⁸⁵ Sessional Paper No. I – 1999, p. 18.

⁴⁸⁶ For example, the UNP government remained in power for 17 years (from 1977 to 1994) and the UPFA government is still in power from 2004.

⁴⁸⁷ According to the 1978 Constitution, the executive president is the head of the executive and of the government (*The Constitution of the Democratic Socialist Republic of Sri Lanka-1978*, p. 19). R. Premadasa was the Prime Minister and the Local Government Minister of the J.R. Jayewardene's government.

⁴⁸⁸ Sessional Paper No. I – 1999, p. 19.

⁴⁸⁹ *Report of the Presidential Commission on Development Councils* (Sessional Paper V – 1980) p. 28.

with a view to ascertaining a wide range of issues.⁴⁹⁰ The commission found that although the island was covered by a network of democratically elected councils, most were not effective local government bodies. Some were so small that they could not generate the financial resources required for any important changes in the living standards of the people.⁴⁹¹ The commission stressed that the system of local government imposed by the British in their colonial territories was not designed for economic development in such territories. Therefore additional powers and functions should be vested with the local government bodies to enable them to undertake economic development activities.⁴⁹²

The commission recommended establishing development councils as district coordinating bodies to connect the national economic development with the local areas. Development councils should consist of ex-officio members, and of elected members.⁴⁹³ It was suggested that the elected group would form a committee deciding upon local government matters, subsequently to be ratified by the whole council sitting in local government sessions, and proposing that the whole council would deal with development matters.⁴⁹⁴ The commission recommended establishing political bodies at the district and divisional levels with the development councils and the rural councils respectively.

As the commission was proceeding, the government decided to establish development councils to replace the town and village councils, and advised the chairman of the commission on 13th November 1979. This decision was against the recommendations of both the Moragoda Committee and the Commission on Development Councils. The commission report argued against the government decision. The government letter of 13th November 1979 argued:

Since a plethora of councils would not be conducive to development, especially in the rural areas, it was decided to have development councils at the rate of one for each district instead of a large number of rural councils as envisaged earlier. The development councils will also replace the existing town councils and village councils.⁴⁹⁵

⁴⁹⁰ *Ibid.*, pp. iii-iv.

⁴⁹¹ *Ibid.*, p. 15.

⁴⁹² *Ibid.*, pp. 16-17.

⁴⁹³ Ex-officio members should be members of parliament, and heads of municipalities and urban councils. Elected members should be a group elected from the rural areas of the district.

⁴⁹⁴ Sessional Paper No. V – 1980, p. 31.

⁴⁹⁵ Quoted in Sessional Paper No. V – 1980, p. 50.

The government had decided to have municipal councils, urban councils and development councils as local authorities.⁴⁹⁶ The commission said that their deliberations proceeded on the assumption that there would be an infrastructure of local government bodies covering the whole country.⁴⁹⁷ According to the commission report, the units of local government must be composed of persons elected by the people who are close to and who know the problems of the area.⁴⁹⁸ The commission report also argued that a development council was a concomitant or an adjunct of the district minister and a part of the scheme of decentralisation of the central executive through the district ministers. Thus the development council was an integral part in a central government exercise and not part of an exercise in decentralisation through local government bodies.⁴⁹⁹ According to the commission, development councils were not intended to have, and could not be given, powers to supply continuous public utility services.⁵⁰⁰ If the development council was to be the local authority in the rural areas, it would imply an invidious distinction between the rural areas and the urban areas.⁵⁰¹ The commission did not consider it desirable or even reasonably practicable to mix central government and local government in one person or authority.⁵⁰²

The commission requested the President not convert the development councils into local authorities.⁵⁰³ Against the recommendations of the commission the government passed the Development Councils Act, No. 35 of 1980, under which 15 development functions⁵⁰⁴ performed by 11 ministries were transferred to the development councils.⁵⁰⁵ The development councils consisted of both ex-officio members and elected members.⁵⁰⁶ The Development Councils Act stated:

The development council shall exercise, perform and discharge such powers, duties and functions as were exercised, discharged or performed by a town council or a village council constituted for any town or village area situated

⁴⁹⁶ Sessional Paper No. V – 1980, p. 28.

⁴⁹⁷ *Ibid.*

⁴⁹⁸ *Ibid.*, p. 29.

⁴⁹⁹ *Ibid.*, p. 30.

⁵⁰⁰ *Ibid.*

⁵⁰¹ *Ibid.*, p. 31.

⁵⁰² *Ibid.*

⁵⁰³ *Ibid.*

⁵⁰⁴ 1) Agrarian services; 2) Agriculture; 3) Animal husbandry; 4) Cooperative development; 5) Cultural affairs; 6) Education; 7) Employment; 8) Fisheries; 9) Food; 10) Health services; 11) Housing; 12) Irrigation works; 13) Land use and land settlement; 14) Rural development; and 15) Small and medium scale industries (*Development Councils Act, No. 35 of 1980*, p. 37).

⁵⁰⁵ Sessional Paper No. I – 1999, *op.cit.*, p. 19.

⁵⁰⁶ *Act, No. 35 of 1980*, p. 2.

within the administrative district for which a development council has been constituted...⁵⁰⁷

The development councils established under the Development Councils Act were totally different from the recommendations of both the Moragoda Committee and the Commission on Development Councils. The government was seeking to reduce its expenditure by maintaining a few development councils rather than maintaining several local government bodies as recommended by the committee and commission. Also it can be identified that through establishing development councils, the whole control of such councils was supposed to remain under the central government and through this the central government may had expected to expand and strengthen its authoritative power.

The development councils elections were held in 1981,⁵⁰⁸ and commenced their term of office in 1981, together with the abolition of 83 town councils and 549 village councils and their functions transferred to 24 development councils. A direct consequence of this process was that the town councils and village councils representing about 85 per cent of the population ceased to function. Only 12 municipal councils and 39 urban councils in operation at the time remained as the democratically elected local government bodies.⁵⁰⁹ With the town and village councils abolished, questions emerged about the extent to which local government became disconnected from local communities. Finally, the development councils were established, but the long-lasting expectations of establishing district-based local government bodies to replace colonial administrative bodies were not fulfilled. So the *Kachcheri* administration system remained and continued to function. The report of the 1999 Commission of Inquiry states that when the development councils were in operation there would be two streams of authority in the district – under the district minister and the district administrative officials.⁵¹⁰ Establishment of development councils can be interpreted as the beginning of the complex relationship between two streams of administrative and

⁵⁰⁷ *Ibid.*, p. 8.

⁵⁰⁸ Development councils consisted of members elected on the list system of proportional representation by the voters of the district, as well as the MPs of the central legislature whose constituencies came within the district. The head of each development councils' executive committee was the district minister appointed by the President from among the MPs of his party (Leitan, G.R.T. (1990) *Political Integration through Decentralization and Devolution of Power: The Sri Lankan Experience*, Department of History and Political Science, University of Colombo, Sri Lanka, p. 10).

⁵⁰⁹ Sessional Paper No. I – 1999, pp. 19-20.

⁵¹⁰ *Ibid.*

political authorities. Through development councils the centralisation process was strengthened.

Later the cabinet appointed a committee on the primary level people's participation in development councils – the *Gramodaya Mandala* Committee. The newly established development councils were distanced from the people and were not able to address local needs. Therefore the cabinet sought the recommendations of a committee on people's participation for representative government. The cabinet requested that the committee make recommendations for the establishment of *Gramodaya Mandalas*, composed of the chairmen of the non-political voluntary organisations at the level of the *Grama Niladhari* (GN) division.⁵¹¹ The number of GN divisions increased greatly from 4,712 to 14,700. The *Gramodaya Mandalas*, assigned statutory status by an amendment to the development councils law,⁵¹² were set up from 1981 onwards.⁵¹³ The *Gramodaya Mandalas*, in turn, were components of larger *Pradeshiya Mandalas*⁵¹⁴ which were established at the AGA level division.⁵¹⁵ It is clear that development councils, *Pradeshiya Mandalas* and *Gramodaya Mandalas* were established following the administrative divisions, the district, the AGA's division and the GN division respectively. However there was no procedure to link *Pradeshiya Mandalas* and *Gramodaya Mandalas* to development councils and this led to a political vacuum between these local authorities.⁵¹⁶

The report of the 1999 Commission of Inquiry notes that in practice,⁵¹⁷ the *Gramodaya Mandalas* were unable to provide the community service at village level which the government expected them to do. The working of the *Gramodaya Mandalas* was considered unsatisfactory from the beginning⁵¹⁸ because they were unable to fill the gap created by the abolition of former town and village councils.

⁵¹¹ *Grama Niladhari* division is the lowest level of the government administration in Sri Lanka.

⁵¹² *Gramodaya Mandalas* established under section 17A of the Development Councils Act, as amended by Act, No. 45 of 1981.

⁵¹³ Sessional Paper No. I – 1999, p. 20.

⁵¹⁴ *Pradeshiya Mandalas* were composed of the chairmen of *Gramodaya Mandalas* in each AGA's division.

⁵¹⁵ Matthews, B. (1982) 'District Development Councils in Sri Lanka', *Asian Survey*, Vol. 22, No. 11, University of California Press, p. 1122 (<http://www.jstor.org/stable/2643983>, accessed 30-04-2013).

⁵¹⁶ *Ibid.*, pp. 1122-1123.

⁵¹⁷ *Gramodaya Mandalas* were thus not elected, but were designed as genuine local level bodies which could voice village opinion; subsequently they were also vested with functions which could strengthen the village economy (Leitan, (1990), p. 26).

⁵¹⁸ Sessional Paper No. I – 1999, p. 20.

Also the chairmen of the voluntary organisations and the GN were not elected by the people. The *Gramodaya Mandalas* did not have a direct responsibility for the people. Moreover, in many village areas, voluntary organisations which were ‘anti-government’ generally did not present themselves for inclusion of their chairmen in the *Gamodaya Mandalas*, through a conviction that ‘it would serve no purpose’.⁵¹⁹

5.3.3. Decline of district development councils

The performance of development councils and *Gramodaya Mandalas* was not successful and in 1986 a ministerial sub-committee was appointed to report on how to organise for people’s participation. A draft law on *Pradeshiya Sabhas* was subsequently submitted to the Parliament. When the *Pradeshiya Sabhas* Act was debated in Parliament the merits of the former *Gam Sabha* system were recounted and the system of elections for *Pradeshiya Sabhas* – the proportional representation – was emphasised as unsuitable⁵²⁰ (discussed later in this chapter). The *Pradeshiya Sabhas* Act was passed as Act, No. 15 of 1987,⁵²¹ with the newly established *Pradeshiya Sabhas* very similar to the rural councils recommended by the Moragoda Committee in 1979.

As discussed in chapter 4, 1987 was remarkable in the Sri Lankan local government and decentralisation process. Under the 13th amendment to the constitution, local government gained constitutional recognition and became subject to provincial councils. Clause 4 in the 9th schedule of the 13th amendment includes references to local government as follows:

4. Local government –

4:1 Local authorities for the purpose of local government and village administration, such as municipal councils, urban councils and *Pradeshiya Sabhas*, except that, the constitution, form and structure of local authorities shall be determined by law;

4:2 Supervision of the administration of local authorities established by law, including the power of dissolution;

4:3 Local authorities will have the powers vested in them under existing law. Municipal councils and urban councils will have the powers vested in them under

⁵¹⁹ Leitan, (1990), pp. 26-28.

⁵²⁰ Sessional Paper No. I – 1999, pp. 20-21.

⁵²¹ *Pradeshiya Sabhas* have been established at the level of AGA’s division by mostly following demarcations of the AGA’s divisions.

the Municipal Councils Ordinance and the Urban Councils Ordinance. *Pradeshiya Sabhas* will have the powers vested in them under existing law. It will be open to a provincial council to confer additional powers on local authorities but not to take away their powers;

4:4 *Gramodaya Mandalas* will have the powers vested under existing law. It will be open to a provincial council to confer additional powers on *Gramodaya Mandalas*.⁵²²

When local government was placed under the provincial councils, the previous direct relationship with the central government Ministry of Local Government was de-linked. According to the 1999 Commission of Inquiry, under clause 4.1 in the 9th schedule of the 13th amendment, the control and supervision of local government was a power vested in the minister of local government of the province⁵²³ and, accordingly, local government came under provincial councils. The Department of Local Government at the national level was discontinued and provincial commissioners and assistant provincial commissioners of local government (CLGs and ACLGs)⁵²⁴ were appointed for each provincial council.⁵²⁵

An administrative reforms committee was appointed to consider administrative changes in support of devolution of power which brought proposals to implement the Provincial Councils and *Pradeshiya Sabhas* Acts. The committee emphasised that the functions at the three levels (the centre, the province and the *Pradeshiya*

⁵²² *The 13th Amendment to the Constitution of the Democratic Socialist Republic of Sri Lanka-1978*, 14th November 1987, pp. 18-19.

⁵²³ Each provincial council functions through a provincial governor in whom executive power is vested, and a board of ministers. The board of ministers for each province comprise five ministers including the chief minister. The subjects and functions are organised within seven groups as follows: 1) Provincial administration and personnel; 2) Law and order; 3) Local government and rural institutions; 4) Finance and planning; employment and labour; 5) Agriculture and fisheries; trade and tourism; industry; 6) Economic infrastructure (power, irrigation, construction, roads and transport); and 7) Education, youth affairs, and culture; health and social services. Of these, the first three groups would be handled by the chief minister and each of the others by an individual minister (*Report No. 6 of the Administrative Reforms Committee, Administrative Changes in Support of Devolution* (Sessional Paper No. III – 1988) p. 3).

⁵²⁴ Provision is made for a provincial public service in each province while the powers of recruitment, promotion and disciplinary control of officers within such service are vested in the provincial governor. A provincial public service commission is also to function in each province, to which the governor is able to delegate these powers (*Provincial Councils Act, No. 42 of 1987*, pp. 12-13). The head of the provincial public service is the provincial governor. With the establishment of provincial councils, all staff of local government bodies were absorbed into the provincial public service and all matters previously dealt with by the local government service commission were transferred to the provincial public service commission (Sessional Paper No. I – 1999, p. 22). Under the Constitution, the President appoints the governor (for a five-year term) and the chief secretary of the province. In addition most of the key officials such as secretaries of provincial ministries and provincial commissioners are seconded from the centre to the provincial public service ('Country Paper: Sri Lanka' (n.d.)

<http://www.unescap.org/huset/lgstudy/country/srilanka/srilanka.html#top>, accessed 29-12-2011).

⁵²⁵ Sessional Paper No. I – 1999, p. 21.

Sabha) would vary.⁵²⁶ At each level responsibility for implementing the assigned tasks and functions would rest with the centre, the province or the *Pradeshiya Sabha*.⁵²⁷ The committee wanted to decentralise much of the power to the provinces and *Pradeshiya Sabhas*, and to avoid centre influences on provincial and local levels of government. It particularly wanted to avoid use of the system of financial relationships as a mechanism of control of the periphery.⁵²⁸

In 1988 both provincial councils and *Pradeshiya Sabhas* came into operation but the government did not accept many of the recommendations of the committee⁵²⁹ and government control over provincial and local levels continued. The development councils were abolished and while the *Gramodaya Mandalas* were not abolished they were de-activated. The efforts to establish district-based local government bodies declined. The *Kachcheri* administration functioned further without any replacement. The *Kachcheries* and the GAs were renamed as district secretariats and district secretaries respectively and the complicated twin streams of politics and administration continued. In 1990s this was introduced to the divisional level under divisional secretaries.⁵³⁰ Due to this the complications extended to divisional level and problems occurred between divisional secretariats and *Pradeshiya Sabhas* as well (as discussed later in this chapter).

⁵²⁶ The *Pradeshiya Sabha* level would focus on project implementation and delivery of services, while at the provincial level the emphasis would be on the formulation of operational policies, programmes and budgets, the provision of technical guidance to the *Pradeshiya Sabhas* and on monitoring and evaluation of programme implementation. At the centre, the emphasis would be on macro-planning, formulation of national policies, setting of standards as well as on the evaluation of policies, plans and standards (Sessional Paper No. III – 1988, p. 1).

⁵²⁷ *Ibid.*

⁵²⁸ *Ibid.*

⁵²⁹ The committee recommended that each *Pradeshiya Sabha* should convert itself into a planning council for the purpose of appraising the annual development plan and its constituent projects as well as for monitoring. Furthermore the committee recommended that the *Pradeshiya Sabha* should have authority over all those who serve in its geographical area of operation. There should be no duality of supervision both by the provincial authorities and by the *Pradeshiya Sabha* authorities. The chairmen and the three vice chairmen should form the executive committee of the *Pradeshiya Sabha*. The administrative head of the *Pradeshiya Sabha* should be designated commissioner and should have supervision over its entire staff (*ibid.*, pp. 2-4). It was proposed that the total governmental administration should be conducted at the level of *Pradeshiya Sabha* for which the chief executive officer should be designated commissioner and that development plans at divisional level should be formulated by this institution (Sessional Paper No. I – 1999, p. 21).

⁵³⁰ These divisions are former AGA's divisions. The position of AGA has been renamed as divisional secretary.

5.3.4. Recent attempts to restructure local government

In 1994 the UNP was defeated and the PA came to power. In 1999 President Chandrika Bandaranaike Kumaratunga appointed a commission on local government reforms,⁵³¹ which brought many proposals and recommendations for restructuring the Sri Lankan local government system, including a greater degree of local autonomy, more people's participation in the affairs of local government, public accountability, self-reliance and equity, greater responsiveness to the needs of the local constituents, developmental role of local government, efficiency, effectiveness and productivity, development of a new local government culture, and a rate-payers' charter.⁵³² Yet again, the recommendations of the commission were not implemented. In 2001 the PA government was defeated and President Kumaratunga, who appointed the 1999 Commission of Inquiry, was later joined by the Sinhala nationalist JVP and JHU in coalition politics to defeat the UNP in 2004. As a result, the proposed local government reforms were devalued. Also there were no demands or influences from the local level for implementing the reforms.

Since the 1999 Commission of Inquiry, no more commissions have been appointed to restructure the local government system in Sri Lanka. In 2007 the Ministry of Local Government and Provincial Councils published the national policy declaration for local government. The preamble cites a part of 2010 Presidential election manifesto of Mahinda Rajapaksa⁵³³ on local government which aimed to adopt immediate changes to strengthen local government. It further aimed to introduce practical solutions to address the current deficiencies of local government. It accepted the need to broaden the power of the existing local government bodies towards effective local self-government.⁵³⁴ The national policy declaration, published in the Gazette No. 1632/26 (18th December 2009), proposed a strategy but failed to set out how it could be implemented. It proposed adopting a structure and practices which would result in an 'optimum divisional

⁵³¹ This commission was headed by H.A.P. Abeyawardana. He was the head of the previous *Gramodaya Mandala* Committee in 1980.

⁵³² Sessional Paper No. I – 1999, p. 353.

⁵³³ *Mahinda Chintanaya* (Mahinda thinking).

⁵³⁴ *National Policy Declaration for Local Government*, 17th July 2007, Ministry of Local Government and Provincial Councils, Sri Lanka.

decentralisation and devolution.’⁵³⁵ It also mentioned the need of local government to receive constitutional status as an integral part of representative government in Sri Lanka. Local government bodies would thus be transformed from the status of ‘dependent institutions’ to ‘self-governing partners’ of the other two tiers of government, the central and the provincial. The national policy aimed to establish *Jana Sabhas* at the village level.⁵³⁶ The national policy further suggested strengthening the image of local government bodies and also safeguarding their powers⁵³⁷ as stipulated in clause 4.3 of the 13th amendment to the constitution.⁵³⁸ But again the policy does not mention how it should be implemented. The major problem here is the different statements in the policy and in the gazette.

In summary, after independence, many attempts to establish district-based local government bodies failed and more centralised development councils were established. Development councils and later established *Gramodaya Mandalas* and *Pradeshiya Mandalas* were not successful. These bodies, especially the development councils were executive agencies which were ill-equipped to perform functions in relation to local development.⁵³⁹ Moreover, these bodies were established following administrative divisions rather than political divisions. Later, after the decline of district-based development councils, the local government bodies were subject to newly established provincial councils. Alongside all these political bodies, the colonial district-based administrative structures also remained, and later these administrative structures were extended to divisional level as well. The governments’ ignorance of most recommendations of the commissions and committees, led to implementation failures in establishing local government bodies away from the colonial structures. The political ambitions of the post-independence rulers together with the nationalist elements led to the centralisation of power and the neglect of people’s needs.

⁵³⁵ *National Policy on Local Government* (Gazette No. 1632/26) 18th December 2009, pp. 3-5.

⁵³⁶ *Ibid.*, p. 3.

⁵³⁷ These include the powers vested in municipal councils, urban councils and *Pradeshiya Sabhas* under the Municipal Councils Ordinance, Urban Councils Ordinance and the *Pradeshiya Sabhas* Act respectively.

⁵³⁸ Gazette No. 1632/26, 18th December 2009, pp. 3-4.

⁵³⁹ Leitan, (1990), p. 28.

5.4. Local government electoral systems

This section outlines the transformation of local government electoral systems in Sri Lanka from colonial to present time. This section investigates the ways in which the changes to local government electoral system from time to time have served to strengthen or weaken local government.

5.4.1. Transformation of local government electoral systems

As mentioned earlier, in 1931 British colonial rulers introduced universal franchise to Sri Lanka through the Donoughmore Reforms. The electoral system introduced was based on constituencies, especially single-member constituencies, similar to those in Britain.⁵⁴⁰ The province was the unit adopted for demarcation of constituencies and each province was divided into certain constituencies.⁵⁴¹ At the end of every decade a delimitation commission revised constituency boundaries. The number of such constituencies varied in the densely-populated and ethnically diversified provinces which received additional constituencies. Elections were conducted under a first-past-the-post system. In 1945, through the Soulbury Reforms, multi-member constituencies were introduced with the aim of better representing ethnic, religious, and caste minorities.⁵⁴² From 1931 to 1980, elections to the national legislature and local government bodies were fought under the first-past-the-post electoral system.

In the case of local government bodies, prior to the introduction of the universal franchise in 1931, there was limited franchise in the municipal council areas.⁵⁴³ The other members of the municipal councils were appointed by the governor. Village committees consisted of members appointed by the governor and the national legislature. By 1935, chairmen and all members were elected by a wider franchise and were introduced to municipal councils. Amendments made in 1932,

⁵⁴⁰ 'Electoral System' (n.d.) http://www.parliament.lk/about_us/electoral_system.jsp, accessed 21-03-2012.

⁵⁴¹ The criteria of demarcation were that one constituency for 75,000 persons (from 1975 this was raised to 90,000) and, in addition, there would be an additional constituency for every 1,000 square miles of an area (De Silva, K.M. (n.d.) 'Electoral Systems: The Sri Lankan Case', http://nesac.org.np/main/pdf/desa_11_ESTSLC.pdf, accessed 21-03-2012).

⁵⁴² *Ibid.*

⁵⁴³ The male residents over 21 years of age who held property with an annual value of over 10 pounds were entitled to vote at the election of a few municipal council members. The property qualification for candidates was 50 pounds (Sessional Paper No. I – 1999, pp. 12-13).

1933 and 1938, to the Village Communities Ordinance, had the effect of replacing their official membership with elected members.⁵⁴⁴

As noted above, prior to the introduction of development councils in 1981, there were four types of local government bodies – municipal councils, urban councils, town councils and village committees. The respective areas of these local government bodies were divided into wards with each party and independent group nominating individual candidates for particular wards. The counting of votes was done by the presiding officer at the polling station and the result was declared there.⁵⁴⁵ The candidate who obtained the highest number of votes was declared elected.

In 1978, the proportional representation system was introduced under the new constitution and this electoral system was later extended to local government as well.⁵⁴⁶ The ward system, used to elect members to local government bodies, was changed to a system of proportional representation under the Local Authorities Elections (Amendment) Act, No. 20 and No. 24 of 1987.⁵⁴⁷ The entire local government area was considered as one electoral unit and the elected members accordingly represented the total area of the local government. The party or group with the highest number of votes is entitled to two ‘bonus’ seats. Any party or group that received less than one-eighth (1/8) of the number of votes cast is not entitled to any representation.⁵⁴⁸ The commissioner of elections decides the number of seats each party will get based on the election results.⁵⁴⁹ The political party or independent group winning the highest number of votes will nominate members for the positions of mayor, deputy mayor (municipal council) or chairman, vice chairman (urban council or *Pradeshiya Sabha*). A significant feature in local government elections is the regulation that 40 per cent of the

⁵⁴⁴ Wanasinghe, (2003), p. 92.

⁵⁴⁵ Sessional Paper No. I – 1999, p. 311.

⁵⁴⁶ Proportional representation was first used in 1981 development council elections under the Development Councils Elections Act, No. 20 of 1981. Then proportional representation was used in 1988 provincial council elections and then in 1989 parliamentary elections and later in 1991 local government elections for the first time (‘Handbook of Parliament: Election Dates’ (n.d.) http://www.parliament.lk/handbook_of_parliament/election_dates.jsp, accessed 26-03-2012).

⁵⁴⁷ Sessional Paper No. I – 1999, p. 21.

⁵⁴⁸ *Ibid.*, p. 312.

⁵⁴⁹ ‘Country Paper: Sri Lanka’ (n.d.).

candidates on the nomination list should be between 18 and 35 years of age, which gives an opportunity for youth representation in local government.⁵⁵⁰

The composition of the membership of each local government body is stipulated in section 5 of both the Municipal Councils and Urban Councils Ordinances and in section 4 of the *Pradeshiya Sabhas Act*.⁵⁵¹ The term of office of a local government is four years, although the local government minister has the power to extend this period by a further year.⁵⁵² There is no term limitation for local government members either by law or by political party regulations.⁵⁵³ Depending on an enquiry,⁵⁵⁴ the provincial local government minister has the power to suspend the mayor or the chairman and direct the deputy to carry on with the business of the council. However, the powers given to the provincial local government minister on local government have to be exercised in a lawful manner.⁵⁵⁵

The system of proportional representation has been criticised frequently as an unsuitable system. According to Fernando, proportional representation has created much distortion in Sri Lankan local government because of the abolition of 'wards' and the introduction of preferential voting. Without direct responsibility to a particular ward, the representatives can easily evade duty and commitment. Preferential voting has also given rise to much undue competition and electoral violence.⁵⁵⁶ According to Leitan, when the entire local government area is regarded as one electoral unit, there is no guarantee that all areas within the area of operation of the local government will be represented.⁵⁵⁷ But the Sri Lankan society is multi-ethnic in character and there is no particular guarantee in the ward system on minority representation. Leitan's argument on guaranteeing

⁵⁵⁰ *Ibid.*

⁵⁵¹ According to these provisions the local government minister has to determine and prescribe the number of members of local government bodies, after considering the land area and the population. But there are no accepted criteria on this and it appears that the number of members is decided on ad-hoc basis at the minister's discretion (Sessional Paper No. I – 1999, p. 37).

⁵⁵² *Ibid.*, p. 312.

⁵⁵³ *Ibid.*, p. 37.

⁵⁵⁴ This enquiry, conducted by a retired judicial officer, has the power of a commission of enquiry appointed under the Commission of Inquiry Act.

⁵⁵⁵ 'Country Paper: Sri Lanka' (n.d.).

⁵⁵⁶ Fernando, L. (2011) 'Potential of the Local Government System in Contributing to Ethnic Reconciliation in Sri Lanka', <http://www.asiantribune.com/news/2011/07/10/potential-local-government-system-contributing-ethnic-reconciliation-sri-lanka>, accessed 29-12-2011.

⁵⁵⁷ Leitan, G.R.T. (2001) 'Sri Lanka's Institutions of Local Governance: Their Present Status and Possibilities for the Future', *Governance*, No. 1, Vol. 1, Sri Lanka Institute of Local Governance, Colombo-07, p. 88.

representation in all areas disregards the assurance of representing all ethnic minorities given that one reason for introducing proportional representation was to give recognition to minority views.⁵⁵⁸ Both Fernando and Leitan highlight area representation and neglect the issue of minority representation.

Some critics argue that proportional representation creates a gap between people and local government. For Wijesinghe, the political member-voter relationships have been weakened because there is no responsible member to represent the people in a particular ward.⁵⁵⁹ Hettige argues that a wide gap between local government bodies and ordinary voters has been created due to the diverse socio-economic circumstances.⁵⁶⁰ Furthermore, there have been cases where some people could not go to the *Pradeshiya Sabha* chairmen due to various socio-political reasons such as political party partisanship, religion, race, caste and occupation.⁵⁶¹ It is evident then that proportional representation is not the only factor creating gaps between people and local government bodies.

Other commentators point to the advantages of proportional representation at the local level in which representation is based on the total population of a local government area and not on a ward basis. It permits political members to pay attention to the local government area as a whole rather than to a ward that consists only of a few settlements with a small population. Under the ward-based electoral system, the services rendered or infrastructure constructed was generally of a small size due to the fact that these needs were generally limited to a smaller geographical area. Instead of such limitations, the political members are able to look at a broader spectrum and a larger geographical area, since they have to look up to and depend on a larger population for victory at elections.⁵⁶²

While mentioning the defects and also desirable features of the present proportional representation, the 1999 Commission of Inquiry proposed to re-introduce the ward system. Hettige, a member of the commission, proposed the re-introduction of the ward system to strengthen people's active participation,

⁵⁵⁸ De Silva, (n.d.).

⁵⁵⁹ Wijesinghe, P. (2004) 'Withering of Local Government in Sri Lanka', *Governance*, No. 4, Vol. 4, Sri Lanka Institute of Local Governance, Colombo-07, p. 70.

⁵⁶⁰ Hettige, S. T. (2001) 'Empowering Local Communities through Devolution of Power in Sri Lanka: The Unfinished Agenda', *Governance*, No. 1, Vol. 1, Sri Lanka Institute of Local Governance, Colombo-07, p. 23.

⁵⁶¹ 'Country Paper: Sri Lanka' (n.d.).

⁵⁶² *Ibid.*

arguing that in a ward system, voters in a particular ward could maintain a close relationship with their representative.⁵⁶³ Hettige's prediction of people's participation is quite uncertain because the long term lack of participation cannot be improved through an electoral system solely. The 1999 commission report and also Hettige give several reasons for low participation, including the open economic system introduced in 1977, the diverse socio-political populations, the free and independent life style of the people, and the argument that their lives were so full of economic and commercial activities that they had little time to devote to public affairs.⁵⁶⁴

Proposals were also made to combine the ward system and the proportional representation system. Leitan proposes a system which is a combination of both the ward system and proportional representation system under which the voter is able to vote for a candidate from his area as well as for candidates on the list.⁵⁶⁵ The most recent effort to restructure the local government electoral system was the Local Authorities Elections (Amendment) Bill, presented to the Parliament in August 2010, which introduced a hybrid local government election system; a combination of both first-past-the-post and proportional representation systems, known as the mixed member system of proportional representation.⁵⁶⁶

The TNA opposed the proposed bill because it was concerned that where there were mixed communities the majority would easily wipe out the minority voices. In this case the two-party system would be further strengthened.⁵⁶⁷ Also there were several defects with the proposed bill.⁵⁶⁸ Although the bill was being introduced as a panacea to address a range of problems blamed on the current electoral system, commentators pointed out that the bill could only partially

⁵⁶³ Hettige, (2001), p. 27.

⁵⁶⁴ Sessional Paper No. I – 1999, p. 240.

⁵⁶⁵ Leitan, (2001), p. 88.

⁵⁶⁶ This followed the steps of the German model.

⁵⁶⁷ 'Sri Lanka's Tamil National Alliance Oppose the New Local Government Elections Bill' (2010) <http://www.asiantribune.com>, accessed 21-10-2010.

⁵⁶⁸ The proposed bill had several defects such as its cut-off point of five per cent at the level of the ward, so where a candidate polls less than five per cent in a ward then those votes are not counted. Furthermore, the proposed bill sought to make the youth and woman quota discretionary, so political parties could easily ignore both these sectors of society when choosing candidates (Raheem, M. (2012) 'LG Elections Bill: Need for Amendments', <http://www.dailymirror.lk/opinion/172-opinion/22522-lg-elections-bill-need-for-amendments.html>, accessed 09-03-2013).

address some of these issues.⁵⁶⁹ The Minister of Local Government and Provincial Councils proceeded to appoint a five-member committee to oversee re-demarcation of ward boundaries which, according to the TNA, was not an independent committee.⁵⁷⁰ Without considering these objections, in October 2012, the Local Authorities Elections (Amendment) Act, No. 22 of 2012 passed with no debate either inside or outside Parliament.

As mentioned earlier, the advantage of a hybrid system was that it sought to promote the benefits of both systems while limiting the problems of doing so. But the new legislation called for 30 per cent of seats to be decided using proportional representation and 70 per cent using first-past-the-post. So it is clear that the first-past-the-post system dominates the new legislation resulting in minority parties, whose supporters are spread relatively thinly across the country, being badly affected.⁵⁷¹

Commentators stress that both the UPFA and the UNP do not want to depend on the minorities and want to eliminate any minority impact during elections.⁵⁷² With the government's 2/3 majority of the Parliament, the voices of the opposition have been devalued and disregarded. Despite the end of long-term war, continuing militarisation of the country prevents and suppresses the free media, civil society movements and minority groups who could conceivably drive the society in favour of implementing useful political reforms. As a consequence, the majority of the country however remained silent when the local government electoral reforms were being developed and still no elections have been held under the new system.

In summary, when the Sri Lankan electoral system was transformed from first-past-the-post to proportional representation, simultaneously, the local government

⁵⁶⁹ For instance, reducing or even eliminating violence between candidates from the same political party during campaign periods, could not be addressed in such a bill to deal with the larger problem of a violent political culture. The bill provided significant power to the minister in appointing the committees and making the final decision on boundaries. As the delimitation process has significant implications for political, ethnic and social representation, the commentators pointed that such a process needed to be transparent and consultative (*ibid.*).

⁵⁷⁰ 'Sri Lanka's Tamil National Alliance Oppose the New Local Government Elections Bill' (2010).

⁵⁷¹ Noble, K. (2012) 'The Deafening Silence on Electoral Reform', <http://www.srilankaguardian.org/2012/10/the-deafening-silence-on-electoral.html>, accessed 20-10-2012.

⁵⁷² 'Sri Lanka's Tamil National Alliance Oppose the New Local Government Elections Bill' (2010).

electoral system was also transformed. However, later critiques emerged on the unsuitability of the proportional representation system to elect local government representatives, and the proposals highlighted a mixed member system connecting both systems. Nonetheless the government introduced an electoral system which relies more heavily on first-past-the-post system. Critics continue to point out that this will not fulfil the expected aims from a mixed member system but that, instead, it will undermine the minor political parties and strengthen the major political parties by centralising more powers to the central governing party.

5.5. Local government – current

Although the number of Sri Lankan local government bodies has increased, the complexities of the local government mechanism are widening. This section looks into the current local governing mechanism in Sri Lanka.

5.5.1. Local governing mechanism

Local government in Sri Lanka presently consists of municipal councils for cities and large towns, urban councils for less urbanised areas or smaller towns, and *Pradeshiya Sabhas* for rural areas.⁵⁷³ As mentioned, these councils operate under the Municipal Councils Ordinance, Urban Councils Ordinance and *Pradeshiya Sabhas* Act respectively.

Municipal councils and urban councils have been functioning for a long period of time but *Pradeshiya Sabhas* are relatively new. The demarcation over the degree of urbanisation is not absolute and precise. There is no formal definition of the terms ‘rural’ and ‘urban’, nor is there an accepted standard of the characteristics on which it is determined. There are some *Pradeshiya Sabhas* which are more urbanised than urban councils.⁵⁷⁴ Most of the time, the demarcation and the positions of local government bodies have been decided not according to the population, land or resources, but according to the political discretion of the local government minister. The 1999 Commission of Inquiry recommended that as the needs of people in rural areas are different from those in urban areas, a correct

⁵⁷³ Leitan, G.R.T. (2004) ‘The Role of Local Government in Citizen Participation’, *Governance*, No. 4, Vol. 4, Sri Lanka Institute of Local Governance, Colombo-07, p. 51.

⁵⁷⁴ Sessional Paper No. I – 1999, pp. 27, 39.

demarcation was needed for these local government bodies to serve the people of their respective areas in a more effective manner.⁵⁷⁵

Since the establishment of *Pradeshiya Sabhas* in 1988, the number of local government bodies in Sri Lanka has grown (see Table 5.1). The entire land area, with the exception of the free trade zones of Katunayaka, Biyagama and Koggala, falls within the areas of authority of the local government bodies.⁵⁷⁶

The municipal councils are headed by mayors with deputy mayors and members of the councils making policy and policy implementation decisions. The mayor is the chief executive and is assisted by the municipal commissioner, who is a senior public official. There are several departments under the administration of a municipal commissioner, depending on size, complexity, staff availability and resources of the municipality.⁵⁷⁷ Under the urban councils and *Pradeshiya Sabhas* the chief executive is the chairman. Moreover, there is a vice chairman and also a secretary to assist the work of the council.

Table 5.1: Growth of the number of local government bodies

| Year | Number of municipal councils | Number of urban councils | Number of <i>Pradeshiya Sabhas</i> | Total |
|------|------------------------------|--------------------------|------------------------------------|-------|
| 1988 | 12 | 39 | 257 | 308 |
| 1997 | 14 ⁵⁷⁸ | 37 | 258 | 309 |
| 2010 | 18 | 42 | 270 | 330 |

Sources: Sessional Paper No. I – 1999, *op.cit.*, pp. 22, 451 and *Essential Information on Provincial Councils and Local Government 2010*, Ministry of Local Government and Provincial Councils, Colombo-02.

Although there is no single legislative enactment in relation to local government in Sri Lanka, all three types of local government bodies have almost similar powers.⁵⁷⁹ Local government bodies are given powers to formulate their own by-

⁵⁷⁵ *Ibid.*, p. 39.

⁵⁷⁶ In the free trade zone areas the local government functions are attended to by the Board of Investment (BoI) of Sri Lanka (*ibid.*, p. 22).

⁵⁷⁷ ‘Country Paper: Sri Lanka’ (n.d.).

⁵⁷⁸ This happened as a result of creating a new *Pradeshiya Sabha* and upgrading two urban councils into municipal council status.

⁵⁷⁹ These are generally routine administrative powers, such as recruitment of officials, acquisition of assets, licensing, instituting legal actions, budgeting and supplementary budgeting. Local government bodies have to be careful about unauthorised constructions in their area of authority and they have power to demolish unauthorised buildings. They provide public infrastructure services and are authorised to acquire land for public purposes. The law gives extensive powers to local government bodies to meet their responsibilities. This includes making it mandatory for the

laws in accordance with the provisions of the statutes.⁵⁸⁰ All three local government legislations provide for the creation of a municipal fund, a local fund and a *Pradeshiya Sabha* fund for the municipal councils, the urban councils and the *Pradeshiya Sabhas* respectively. In addition, legislation empowers local government to take necessary action to ensure that revenue generation takes place according to the wishes of the local government body.⁵⁸¹

Many other government institutions are engaged in local government functions in addition to the local government bodies. Therefore contradictions occur from time to time when implementing laws. The Urban Development Authority Act, No. 41 of 1978, was passed to deal with the physical planning problems of the urban areas of Sri Lanka. Previously, physical planning was a function of local government bodies particularly of municipal councils. This change was made given the limited capacity of manpower and economic resources of local government bodies to prepare and implement development plans, and the problems associated with the acquisition of land. The Urban Development Authority (UDA) law has extensively superseded the relevant laws and regulations made under the Urban Councils Ordinance and the *Pradeshiya Sabhas* Act as well.⁵⁸²

Over time the utility functions of local government bodies have been taken over by central government decision making. For example, water supply was taken over by the National Water Supply and Drainage Board, electricity supply and

police to help local government bodies in enforcing their regulations. A majority of functions, such as health and sanitation activities, solid waste disposal, greening of the areas under their control and development of parks, could all be categorised as environmental activities. Market facilitation and regulation in their areas of authority is another important power (see *Municipal Councils Ordinance, Urban Councils Ordinance* and *Pradeshiya Sabhas Act, No. 15 of 1987*).

⁵⁸⁰ By-laws adopted by the respective local government bodies under the powers vested with them are enforceable only after notifications have been gazetted for public information. In order to maintain uniformity and adherence to the provisions of the law, standard by-laws have been introduced. Such by-laws shall be brought before the provincial council and shall not be disallowed. It should be noted that through passing by-laws, some municipal councils enjoy more powers than the other local government bodies ('Country Paper: Sri Lanka' (n.d.)).

⁵⁸¹ Generally the following sources could be considered as the base of the funds: all rates, taxes, duties, fees and other charges levied by the council; all fines levied and penalties received under the authority of the council or under any enactment specified or in respect of any offense to which the President extends the jurisdiction of the council; the amount of all stamp duties and fees specified in the ordinances and acts; all sums realised by sales, leases or other transaction of the councils; all revenue derived by the councils from any property vested in the council or by the administration of any public service; all sums and all revenues regularly appropriated or transferred to the council by Parliament; all grants allocated to the council; all sums otherwise accruing to the council in the course of the exercise of its powers and duties.

⁵⁸² Sessional Paper No. I – 1999, pp. 30-31.

street lighting were taken over by the Ceylon Electricity Board (CEB), Lanka Electricity Company and the UDA. Rest houses were taken over by the Tourist Board. In defense, the government argued that there was a lack of resources and professional expertise within local government bodies to manage these utility services profitably. According to the 1999 commission report, this take-over was a severe blow to the financial resources of local government bodies.⁵⁸³

As mentioned earlier, the divisional secretariats at the divisional level were established according to President R. Premadasa's wish to extend the public administration to the village level. Leitan notes that the expected objectives of the local government have not been fully realised since the Transfer of Powers (Divisional Secretaries) Act, No. 58 of 1992 placed the emphasis once again on administrative agencies rather than on the institutions of local government. In accordance with the provisions of this act, the divisional secretariat, rather than the elected *Pradeshiya Sabha*, has become the focal point of the administrative structure in each division.⁵⁸⁴ To avoid overlaps, Leitan proposed to merge *Pradeshiya Sabha* with the divisional secretariat to enable the divisional secretariat to function as the administrative arm of local government body, the *Pradeshiya Sabha*, and so strengthen the *Pradeshiya Sabha*.⁵⁸⁵ But Hettige notes that early in the development of the divisional secretariats, a decision to make the divisional secretary the executive officer working with the *Pradeshiya Sabha* was aborted due to resistance from administrative officers.⁵⁸⁶ The administrative officers who were appointed through the Sri Lanka administrative service (SLAS) rejected working with the local political representatives because of significant differences in the educational qualifications of the administrative officers which were higher than the low educational qualifications of most of the local political representatives. In effect, administrative officers were not willing to obey the rules of the local political representatives. However, when employed by the central government, these administrative officers obeyed the national politicians without any resistance.

⁵⁸³ *Ibid.*, p. 31.

⁵⁸⁴ Leitan, (2004), pp. 51-52.

⁵⁸⁵ Leitan, (2001), p. 85.

⁵⁸⁶ Hettige, S. (2008) 'Local Democracy: The Sri Lankan Experience', in D.N. Gellner and K. Hachhethu (eds) *Local Democracy in South Asia: Microprocesses of Democratization in Nepal and its Neighbours: Governance, Conflict and Civic Action*, Vol. 1, Sage Publications, India, p. 429.

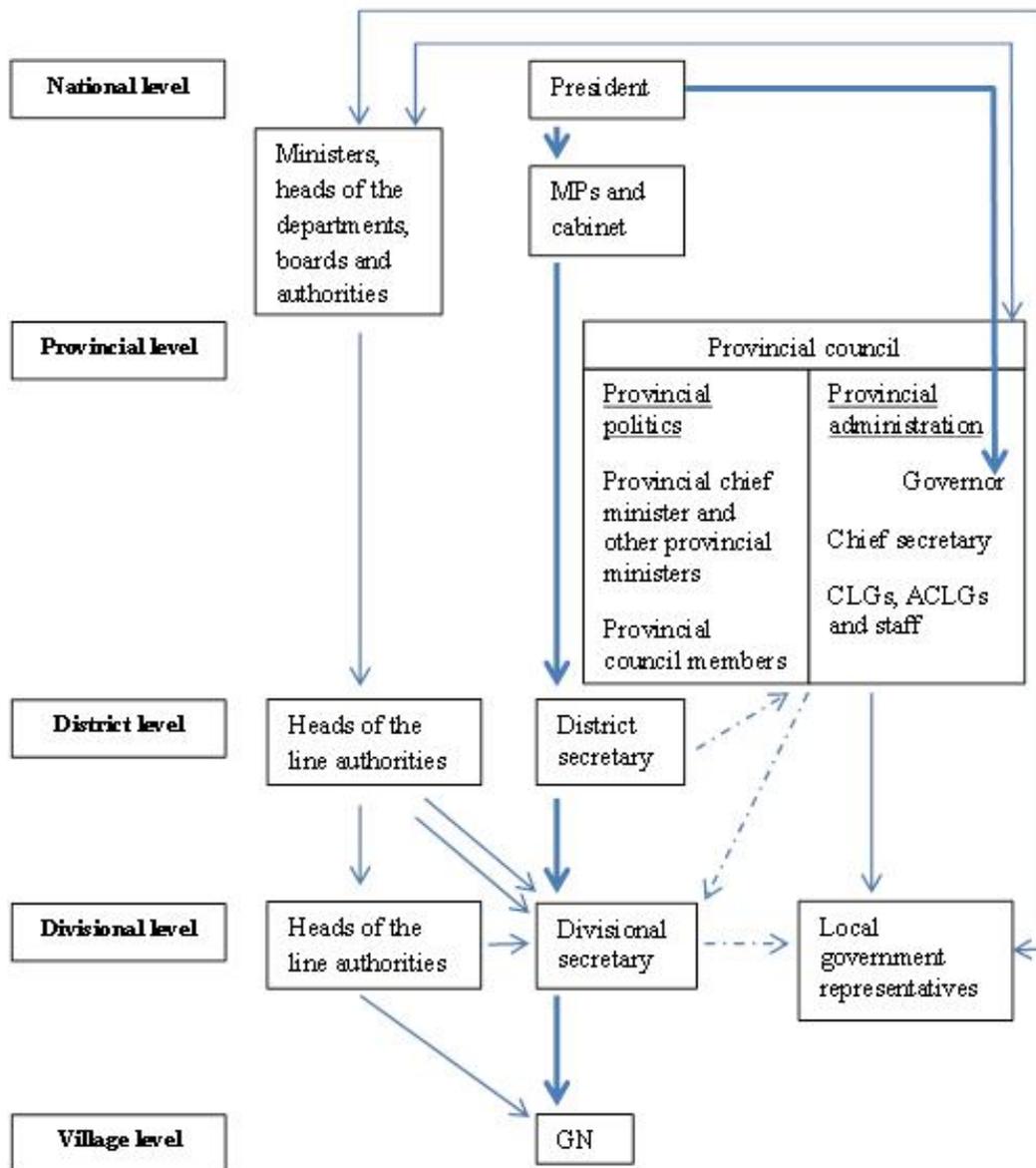
The 1999 Commission of Inquiry brought the same proposal in a different way to debates by suggesting the desirability of combining these two agencies operative at the divisional level into one authority answerable to the local body in the area. The institutional arrangement would mean the services of the divisional secretary would function as the commissioner of *Pradeshiya Sabhas* and provide bureaucratic support through the one agency at the divisional level, namely the local body supported by the divisional secretary.⁵⁸⁷ This proposal is encouraging, but the problem is the unwillingness of the administrative officials to engage and continue links with the *Pradeshiya Sabhas*.

Figure 5.1 outlines the political and administrative structure in Sri Lanka. There are several political and administrative bodies at the national, provincial, district, divisional and village level. The thick arrows indicate the central government-controlled administrative power flow. Ministries, departments, boards and authorities connect with the provincial council and also with the local government bodies. But they have many connections with the central government-controlled administrative bodies. The dashed arrows indicate weak and uncertain relations between political and administrative bodies at the provincial, district and divisional levels.

As discussed above, the divisional level is complex with many bodies operating and therefore, clashes between central government-controlled bodies and local government bodies frequently occur. Local government bodies are influenced by central government-controlled bodies and also by the provincial council. However, the provincial council and local government bodies have direct relations with the central government Ministry of Local Government and Provincial Councils. Further, Figure 5.1 indicates the provincial council's direct involvement in local government. In Figure 5.1, the line authorities are central government-controlled bodies such as the UDA, Road Development Authority (RDA), CEB and Tourist Board that work at the district and divisional levels together with district and divisional secretariats. The President, MPs, provincial council members and local government representatives are elected by popular vote. The rest of the positions indicated in Figure 5.1 are appointed.

⁵⁸⁷ Sessional Paper No. I – 1999, p. 138.

Figure 5.1: Political and administrative structure in Sri Lanka



Source: Leitan, G.R.T. (2010) *Overview of Decentralization and Local Governance in Sri Lanka*, Swiss Agency for Development Cooperation (SDC), Colombo, Sri Lanka, p. 21.

Current local government mechanisms in Sri Lanka reflect certain gaps and overlaps. Here the influences of central government over local government are significant. Decisions of the local government minister on the demarcation and the positions of local government bodies and take-over of local government powers by certain central government-controlled bodies have resulted in the undermining and weakening of local government in Sri Lanka. But local government bodies still have powers to formulate their own by-laws towards strengthening their powers. Although there were proposals to combine the complicated twin streams

of local political and administrative authorities together, the unwillingness of administrative officers to engage with local political bodies resulted in further conflictual overlaps between separate political and administrative power structures at the local level.

5.6. Summary

Overall, from the ancient kingdoms to the present the history of Sri Lankan local government has been evolutionary. The pre-colonial and colonial local government systems mostly reflect administrative features of earlier regimes. However, during the last decades of the colonial period, and later after independence, several attempts were made to restructure local government bodies away from colonial administrative structures. A succession of commissions and committees were appointed from time to time by the ruling governments to make recommendations for restructuring the local government system. A prominent recommendation put forward was the need to establish district-based local government bodies to replace the colonial administrative bodies. The attempts taken to implement such recommendations were directly connected to the major decentralisation process in the country at that time and had arisen from certain obstacles ending up with the establishment of more centralised development councils which failed to address the local needs. The established provincial councils which evolved later resulted in interests being transferred to the provincial level rather than to district level. Accordingly local government became a subject for provincial councils. The colonial administrative structures which have not been abolished and the newer established government institutions weakened local government. These led to several complications in local government governing processes. As a consequence, the decentralisation process and local government reforms in Sri Lanka reflect the unwillingness and inability of ruling governments to decentralise power to the local level and have hindered efforts towards addressing the actual needs of the people. This failure to devolve has strengthened the centralisation of authoritative power.

Subsequent chapters closely scrutinise the problems in Sri Lankan local government, politics and investigate ways of driving local government towards addressing the local community interests. The next chapter analyses the issues

relating to NGOs in seeking the possibilities for NGO involvement in supporting local governance and local development in Sri Lanka.

Chapter 6

NGOs in Sri Lanka

6.1. Introduction

NGOs in Sri-Lanka have, since the 1970s, played a key role in addressing problems including human rights violations, and issues with decentralisation, local government and community-led development. The relationship between the Sri Lankan government and the NGOs has similarly been both contradictory and collaborative. Various documents, reports and booklets published by NGOs, on both completed and on-going projects, are drawn upon in this chapter to provide an account of their role in the field of conflict resolution, peace building, relief, rehabilitation and reconstruction work, humanitarian assistance, human rights, policy advocacy and local development. This chapter provides an account of the growth of NGO involvement in Sri Lanka, particularly from the mid-1970s where, as a consequence of the internal conflicts and insurrections, much of the commentary on the role of NGOs can be classified as critiques and counter critiques of their practices. The chapter begins by addressing issues of definition and character that have arisen as a consequence of the growth in number and variety of NGOs in Sri Lanka. It goes on to outline the growth in the number of NGOs and review their evolving relationship with the Sri Lankan government. This chapter also draws on the views of respondents who were officials attached to NGOs. The chapter raises themes that are addressed further in chapter 9 which outlines features of the involvement of NGOs in local government and local development in Sri Lanka.

6.2. NGOs: conceptual confusions

The ambiguities caused by the term NGO in the Sri Lankan context are evident in the literature, requiring an examination of the various definitions and explanations on the position of NGOs in the Sri Lankan context.

In writing on NGOs in Sri Lanka, most authors quote Uyangoda's definition:

NGOs are precisely what the long description of the acronym suggests: non-government organisations. They are voluntary bodies formed by groups of citizens for specific purposes of social service or social and policy intervention.

They can be neighbourhood associations, pensioner's clubs or temple development societies, with a limited scope of interest and activity. They can also be human rights bodies or economic development and environmental organisations or women's associations with a concern for national issues and therefore a wider scope of interest and activism. Indeed, the range of NGO bodies is so wide that it is often difficult to stick the label to one set of citizen's groups in contradiction to another.⁵⁸⁸

Although this definition is widely used, it is very broad and lacks specificity. Most Sri Lankan authors include community-based organisations (CBOs) like neighbourhood associations, pensioner's clubs or temple development societies in their definitions of NGOs, but this definition makes no reference to the international dimension of many of the larger, more influential NGOs.⁵⁸⁹ Perera suggests that the definition does not pay enough attention to the different roles NGOs play, the differences in their emergence and historical evolution and the differences in organisation and funding.⁵⁹⁰ NGOs are not village level voluntary organisations in the sense of people in Sri Lanka, but are organisations set up by specific individuals from the local area or by individuals from outside with access to local contacts.⁵⁹¹ Wickramasinghe notes three characteristics of the NGO sector in Sri Lanka: 1) an international NGO sector serving the humanitarian needs of the country stemming from the ethnic conflict; 2) a few large and well distributed national NGOs involved in poverty alleviation projects in conjunction with the state or complementary to the state; and 3) a myriad of small NGOs sometimes called CBOs involved in rural development.⁵⁹²

The Voluntary Social Service Organisations (Registration and Supervision) Act, No. 31 of 1980 is the main act which refers to organisational forms similar to NGOs but it does not specifically mention the term 'NGO'. According to the act, 'voluntary social service organisation' means any organisation formed by a group of persons on a voluntary basis and (a) is of a non-governmental nature; (b) is dependent on public contributions, charities, grants payable by the government or

⁵⁸⁸ Uyangoda, J. (1995) 'NGOs, Hate Politics and Questions of Democracy', *Pravada*, Vol. 4, No. 5 & 6 (December/January) Social Scientists' Association, Colombo, p. 6.

⁵⁸⁹ See Perera, S. (1998) 'Non Government Organizations in Sri Lanka: The Dynamics, the Impact, the Rhetoric and the Politics', <http://sasankaperera.com/wp-content/uploads/2011/04/NGOs-1998.pdf>, accessed 15-06-2012) and Kloos, P. (1999) *The Sri Lankan Government and the NGO's: An Ambivalent Relationship*, Vrije Universiteit, Amsterdam.

⁵⁹⁰ Perera, S., (1998), p. 1.

⁵⁹¹ *Ibid.*, p. 2.

⁵⁹² Wickramasinghe, N. (2001) *Civil Society in Sri Lanka: New Circles of Power*, Sage Publications, New Delhi p. 76.

donations local or foreign, in carrying out its functions; (c) has as its main objectives, the provision of such relief and services as are necessary for the mentally retarded or physically disabled, the poor, the sick, orphans and the destitute, and the provision of relief to the needy in times of disaster.⁵⁹³ Fernando notes that NGOs cannot be addressed as a homogenous category due to the vast diversity of different historical specificities in which these organisations emerged and the different ideological perspectives held by the organisations.⁵⁹⁴ Therefore, Fernando suggests using a country-specific definition to denote different conceptual and operational meanings in terms of one country to another.⁵⁹⁵ Accordingly, the meaning of the term NGOs by different writers can vary according to the context of a study.

In sum, there is no widely accepted definition for NGOs in Sri Lanka. But there is ready agreement about the main elements of what constitutes an NGO. The different and overlapping definitions on NGOs indicate that there is a need to use the term NGO purposively and flexibly to match the Sri Lankan context and within the parameters of the particular study objectives concerning NGO-related research.

6.3. Growth of NGOs in Sri Lanka

NGOs are identifiable in Sri Lanka during the pre-colonial and colonial eras. A significant growth in such organisational forms is seen in the post-independence period. This section underlines the growth of the various organisational forms and investigates the reasons for their growth.

6.3.1. Growth of NGOs: pre-colonial times to present times

The emergence of NGOs can be identified in Sri Lanka manifested by the informal groups functioning as *Wev Sabhas* (irrigation councils) which maintained and managed small scale water reservoirs for agricultural needs.⁵⁹⁶ The British colonial period marked the clear emergence of the organisational forms of NGOs as they are known today. For example, the Christian missionary

⁵⁹³ *Voluntary Social Service Organizations (Registration and Supervision) Act, No. 31 of 1980*, p. 63.

⁵⁹⁴ Fernando, U. (2003) 'The Landscape of NGOs in Sri Lanka: Issues and Challenges', p. 3 (http://www2.fmg.uva.nl/agids/publications/2003/fernando_ls.html, accessed 15-06-2012).

⁵⁹⁵ *Ibid.*

⁵⁹⁶ *Ibid.*, p. 4.

work in education, health and social welfare, and the establishment of the Young Men's Christian Association (YMCA), the Young Women's Christian Association (YWCA) and the Salvation Army's presence in Sri Lanka were significant⁵⁹⁷ not for profit organisations.

In the late 19th century, local Buddhists, Hindus and Muslims began to imitate the organisational structures of the Christian missionaries with religious and social service agendas being established.⁵⁹⁸ Despite their strong religious identity, the common feature of these organisations was social service and welfare activities,⁵⁹⁹ although the designation NGO was not used.⁶⁰⁰ These social service provisions and welfare activities continued to develop into the post-independence period.

Up until 1970, there was a slow but steady increase in the number of NGOs.⁶⁰¹ The reason for the sudden increase in the number of NGOs from 1971 onwards was in response to the internal conflicts and insurrections which occurred at that time. In 1971 the JVP insurgency led to a new awareness about problematic socio-economic issues, and in the absence of an adequate government policy, private persons took various initiatives to improve situations conceived as highly problematic.⁶⁰²

According to Fernando, prior to 1977 there was no trend towards the formation of new, or expansion of, the existing NGOs.⁶⁰³ It was the newly elected UNP government's emphasis on an open economic policy, after 1977, which led to a reduction of certain welfare policies and this trend opened spaces for NGOs to enter where and when the government withdrew.⁶⁰⁴ This argument is supported by Wickramasinghe who maintains that, after 1977, industrial growth based on foreign investment was encouraged, and a necessary concomitant to such an export-led strategy was the WB and IMF's 'structural adjustment policies', which

⁵⁹⁷ *Ibid.*

⁵⁹⁸ For example, according to Kumari Jayawardena, among the early NGOs was the Buddhist Theosophical Society which pioneered the movement for Buddhist education. This Society received contributions from Europe, the USA and Australia and one of Colonel Olcott's important missions was fund-raising abroad for local Buddhist causes (Jayawardena, K. (1995) 'The NGO Bogey', *Pravada*, Vol. 4, No. 5 & 6 (December/January) Social Scientists' Association, Colombo, p. 10).

⁵⁹⁹ Fernando, (2003), p. 4.

⁶⁰⁰ Kloos, (1999), p. 12.

⁶⁰¹ *Ibid.*, p. 13.

⁶⁰² *Ibid.*

⁶⁰³ Fernando, (2003), p. 5.

⁶⁰⁴ Kloos, (1999), pp. 13-14.

demanded shifting public resources away from social welfare into investment.⁶⁰⁵ Perera adds that since 1977 attempts were made to dismantle many components of the post-colonial welfare society which in financial terms were becoming unaffordable. This meant that certain kinds of activities such as small scale development initiatives, informal educational activities, and the distribution of food rations were no longer the prerogative of the state.⁶⁰⁶ NGO development in Sri Lanka might, therefore, be described as an appendage to market-oriented growth.⁶⁰⁷

The National Secretariat for Non-Governmental Organisations (the NGO Secretariat), discussed later in this chapter, refers to the growth of NGOs in Sri Lanka as follows:

With the liberalisation of the economy in the late-1970s and the consequent relaxation of foreign exchange regulations, trade and travel restrictions, there arose a phenomenal increase in the number of foreign NGOs. With the increased flow of foreign assistance and the expansion of community and rural development, a further proliferation of NGOs was observed in the country. Since NGOs were expected to play a complementary role to that of the government, and its selfless nature, the presence and operation of NGOs was welcomed by the government.⁶⁰⁸

Many of the NGOs in Sri Lanka were interested in the issues of development located within the spheres in which the state played a less dynamic role or had completely vacated.⁶⁰⁹ Wickramasinghe notes that over 65 per cent of these were established after 1977,⁶¹⁰ and Perera adds that this trend gathered momentum in the 1980s. During the 1970s and 1980s, therefore, there was a quantitative expansion of NGOs set up by Sri Lankan citizens with or without the aid of international or foreign agencies.⁶¹¹ There was also growth in the range of activities they performed.⁶¹²

This can be seen in the wider focus of NGOs in the 1980s, where they expanded their concerns from development-oriented activities to a rights-oriented sphere. The prolonged war and the second JVP insurrection resulted in numerous human rights violations, and many NGOs were involved in activities associated with the

⁶⁰⁵ Wickramasinghe, (2001), pp. 39-40.

⁶⁰⁶ Perera, S. (1998), p. 7.

⁶⁰⁷ Wickramasinghe, (2001), p. 108.

⁶⁰⁸ 'The Growth of NGOs' (n.d.) <http://www.ngosecretariat.gov.lk>, accessed 24-11-2011.

⁶⁰⁹ Perera, S. (1998), p. 8.

⁶¹⁰ Wickramasinghe, (2001), p. 78.

⁶¹¹ Perera, S. (1998), p. 3.

⁶¹² *Ibid.*

protection of human rights and the support of war-affected people through relief and rehabilitation work.⁶¹³ Uyangoda claims that in the 1980s and 1990s, a number of other NGOs actively campaigned for peace and the democratic rights of the Tamil people.⁶¹⁴ These were multi-ethnic advocacy and activist groups, who were bound by a shared commitment to a vision of progress for Sri Lanka, conceived on the basis of liberal and humanitarian concepts of ethnic harmony, justice, and equality.⁶¹⁵

In the 1990s increasing pressure came on NGOs through their donors demanding more attention be given to the effectiveness and efficiency of the aid. The heavy dependence of NGOs on foreign donor funds was a contributing factor in this. Many NGOs were unable to adapt to these new pressures due to a lack of capacity in terms of their institutional capability, human resources and organisational planning ability. As a result new NGOs emerged in the 1990s, along with individual consultants and consultancy firms, to assist in building this type of capacity.⁶¹⁶

After the tsunami disaster in December 2004, many NGOs and private individuals descended on Sri Lanka with budgets of various dimensions and involving projects of varying time frames.⁶¹⁷ This involvement can be highlighted as an important point of NGO growth in Sri Lanka. Although there was already considerable NGO involvement, it was in the post-tsunami period that these rose rapidly. There are, however, no reliable, systematically recorded data about the exact number of NGOs in Sri Lanka at this time. Brochard reports that, the exact numbers of NGOs are actually difficult to obtain as these change from week to week. It is estimated that over 2,000 NGOs of various sizes have come to Sri Lanka since the tsunami. However, at April 2005 the newly created Centre for

⁶¹³ Fernando, (2003), p. 5.

⁶¹⁴ Movement for Inter-Racial Justice and Equality (MIRJE), Movement for the Defence of Democratic Rights (MDDR), Information Monitor on Human Rights (INFORM), Women for Peace, Dharmavedi Institute for Communication and Peace, National Christian Council, Citizens' Committee for National Harmony, and Sarvodaya are some of the leading NGOs active in the peace and democracy front (Uyangoda, (1995), p. 7).

⁶¹⁵ *Ibid.*

⁶¹⁶ Fernando, (2003), p. 21.

⁶¹⁷ Brochard, P. (2005) 'New Regulations and Procedures Affecting the NGOs in Sri Lanka', CIDA Programme Support Unit, p. 1.

Non-Governmental Sector (CNGS) (discussed later in this chapter) only records the presence of 103 organisations.⁶¹⁸

Without a systematic and unambiguous registration system,⁶¹⁹ it has been difficult to determine the exact number of NGOs in Sri Lanka.⁶²⁰ The best the available literature has been able to offer is estimates of the number of NGOs from a variety of sources (see Table 6.1).

Table 6.1: Estimated number of NGOs in Sri Lanka

| Year | Source | Estimated number of NGOs |
|------|--|--|
| 1991 | The directory of foreign development agencies in Sri Lanka published by IRED (Innovations et Reseaux pour le Development) ⁶²¹ | 293 local NGOs 50 foreign NGOs |
| 1993 | The NGO Commission report ⁶²² | 25,000-30,000 grassroots organisations ⁶²³ 3,000 NGOs ⁶²⁴ |
| 1997 | USAID | 50,000 NGOs and CBOs ⁶²⁵ |
| 1997 | ADB | 25,000 NGOs and CBOs ⁶²⁶ |
| 1997 | Stirrat and Henkel ⁶²⁷ | 20,000 local NGOs and grassroots organisations |
| 1999 | Kloos ⁶²⁸ | 20,000-30,000 NGOs |
| 2001 | Wickramasinghe ⁶²⁹ | 4,000 NGOs |
| 2007 | Walton ⁶³⁰ | 10,000-12,000 local NGOs at the district and divisional levels |

⁶¹⁸ *Ibid.*

⁶¹⁹ Fernando, (2003), p. 5.

⁶²⁰ Wickramasinghe, (2001), pp. 82-83.

⁶²¹ Cited in Fernando, (2003), p. 5.

⁶²² Discussed later in this chapter.

⁶²³ Cited in Wickramasinghe, (2001), pp. 82-83.

⁶²⁴ Cited in 'ICJ on the NGO Commission' (1992) *Pravada*, Vol. 1, No. 2 (January) Social Scientists' Association, Colombo, p. 15.

⁶²⁵ Cited in Wickramasinghe, (2001), pp. 82-83.

⁶²⁶ Cited in Fernando, (2003), p. 5.

⁶²⁷ Stirrat, R.L. and Henkel, H. (1997) 'The Development Gift: The Problem of Reciprocity in the NGO World', *Annals of the American Academy of Political and Social Science*, Vol. 554 (November) The Role of NGOs: Charity and Empowerment, p. 67 (<http://www.jstor.org/stable/1049567>, accessed 12-03-2013).

⁶²⁸ Kloos, (1999), p. 15.

⁶²⁹ Wickramasinghe, (2001), pp. 82-83.

⁶³⁰ Walton, O. (2008) 'Conflict, Peacebuilding and NGO Legitimacy: National NGOs in Sri Lanka', *Conflict, Security & Development*, Vol. 8, No. 1, p. 163 (<http://dx.doi.org/10.1080/14678800801977146>, accessed 27-05-2011).

| | | |
|------|--------------------------------|--|
| 2007 | NGO Secretariat ⁶³¹ | 1,073 registered NGOs ⁶³² |
| 2012 | NGO Secretariat ⁶³³ | 1,398 registered local and foreign NGOs ⁶³⁴ |

The figures in Table 6.1 show a broad range of assessments in the number of NGOs. These figures, especially the larger ones, include organisations ranging from village level CBOs to national level NGOs. There is no viable source from which to obtain a reliable idea about the number of NGOs, and the figures available in the form of estimates do not provide details of the diversity of these organisations.⁶³⁵

It is clear that the same uncertainty governs estimates of NGO funding. For Wickramasinghe, the donor funding channelled to local NGOs has increased if one were to judge it by the expansion of the number of organisations that call themselves NGOs. But the uncertainty about the exact number of NGOs makes it difficult to ascertain the volume of funds they now handle.⁶³⁶ Wickramasinghe adds that in Sri Lanka, specific factors such as the war must be added as the expansion was driven partly by increased international NGO aid during the political crisis that began in the late 1970s with the emergence of a violent secessionist movement in the north and east of the island.⁶³⁷ Much of the influx of foreign relief funds after the 1983 Sinhala-Tamil ethnic riots was handled by NGOs.⁶³⁸ In 1993, the NGO Commission report acknowledged that 22 per cent of the total foreign aid received by Sri Lanka was channelled through NGOs.⁶³⁹ Walton claims that the amount of funding allocated to the NGO sector in Sri Lanka grew rapidly following the signing of the ceasefire agreement between the Sri Lankan government and the LTTE in 2002, and in the aftermath of the

⁶³¹ Cited in Walton, (2008), p. 163.

⁶³² This figure only includes international NGOs, Sri Lankan NGOs receiving foreign funds, and/or Sri Lankan NGOs working in more than one administrative district.

⁶³³ 'Directory of Registered NGO's Sri Lanka' (2012) <http://www.ngosecretariat.gov.lk>, accessed 18-03-2013.

⁶³⁴ According to the data recorded by the NGO Secretariat, out of 1,398 NGOs registered at the end of year 2012, 357 were foreign-funded NGOs (*ibid.*). But this data does not show the origins of the NGOs or the detailed sources of their funding.

⁶³⁵ Fernando, (2003), p. 5.

⁶³⁶ Wickramasinghe, (2001), pp. 82-83.

⁶³⁷ *Ibid.*, p. 75.

⁶³⁸ Orjuela, C. (2005) 'Dilemmas of Civil Society Aid: Donors, NGOs and the Quest for Peace in Sri Lanka', *Peace and Democracy in South Asia*, Vol. 1, No. 1 (January) p. 5.

⁶³⁹ Wickramasinghe, (2001), p. 75.

tsunami.⁶⁴⁰ The total aid channelled through NGOs in 2005 was around US\$400 million.⁶⁴¹

In sum, while there is evidence of growth in the number of NGOs in Sri Lanka, there is a lack of specific detail about the nature, quality and impact of that growth. Nonetheless this data is sufficient to draw a conclusion that NGOs and their activities have a significant place in Sri Lanka, and that their growth has coincided with changes to the politico-economic situation. Similarly, political changes have had a positive as well as negative influence on NGOs, their growth and activity in Sri Lanka, as discussed below.

6.4. Relations between the Sri Lankan government and NGOs

The relationship between the Sri Lankan government and NGOs has taken a variety of forms over time going through stages of relative indifference up until the 1970s, ambivalence in the 1980s, and open confrontation in the early 1990s.⁶⁴² The role of NGOs in Sri Lanka has to be understood in the context of a transformed political outlook on the part of governments and a change in attitude to developmental activities.⁶⁴³

6.4.1. Different government policies on NGOs

The earliest recognition of an NGO taking a social role is seen in the Children and Young Persons' Ordinance of 1939 and in the Orphanages Ordinance of 1941, which empowered government agencies to obtain services for the rehabilitation of young offenders.⁶⁴⁴ After 1948 the UNP government continued the plantation-based economy and the open policy on foreign investments.⁶⁴⁵ In 1950 Sri Lanka obtained membership of the IMF and the WB. At that time, the government also reduced its social welfare commitments and this led to a change of government in 1956.⁶⁴⁶ After 1956 the government promoted Sinhala nationalism and this had a profound influence on development policies, foreign policy and on the flow of

⁶⁴⁰ Walton, (2008), p. 139.

⁶⁴¹ *Ibid.*, p. 163.

⁶⁴² Wickramasinghe, (2001), p. 84.

⁶⁴³ Perera, S. (1998), p. 4.

⁶⁴⁴ Wickramasinghe, (2001), p. 99.

⁶⁴⁵ Fernando, (2003), p. 10.

⁶⁴⁶ *Ibid.*

foreign aid.⁶⁴⁷ Furthermore, this period marked the establishment of diplomatic, trade and other relations with the Eastern European countries led by Soviet Union and China. During this period, therefore, the links with the IMF, WB, USA and the Western European countries became weaker.⁶⁴⁸

In the 1960s, government recognition of an NGO role came in the ‘freedom from hunger campaign’ under the auspices of the FAO.⁶⁴⁹ At this time, NGOs also worked with the state on the promotion of minor irrigation schemes and as collaborators with government in development projects.⁶⁵⁰ In 1965, there was a change of government with the UNP again coming into power. During this period the Paris Aid Group⁶⁵¹ was established with Western donors, together with the IMF and WB, extending their assistance to Sri Lanka. The developmental trend was reversed in 1970 when the SLFP-led coalition government came into power.⁶⁵² Although the Paris Aid Group continued to function, the aid flow from the Western countries declined under the strict socialist economic policies followed by the government.⁶⁵³

The open economic policy of the new UNP government included efforts to attract foreign capital. An example is the Greater Colombo Economic Commission – now called as the Board of Investment (BoI) – which was established to attract foreign investments by providing legal and infrastructure facilities to such investors.⁶⁵⁴ The state policy on welfare was changed and it began to reduce its role in providing welfare services such as health, education, subsidised food and transportation. In this context, the government allowed foreign NGOs and donors to work in Sri Lanka. As a result, there was a proliferation of both foreign and local NGOs. The initiatives of these NGOs received significant support from the international community. As was done with the foreign investors, the government created an environment which was conducive to international NGOs and donors functioning in Sri Lanka.⁶⁵⁵ The trend continued in the 1980s as an increased amount of government spending was allocated to defence expenses leaving the

⁶⁴⁷ *Ibid.*

⁶⁴⁸ *Ibid.*

⁶⁴⁹ Wickramasinghe, (2001), p. 99.

⁶⁵⁰ Fernando, (2003), p. 14.

⁶⁵¹ The forum of donor countries supporting Sri Lanka under the auspices of the WB.

⁶⁵² Fernando, (2003), p. 11.

⁶⁵³ *Ibid.*

⁶⁵⁴ *Ibid.*

⁶⁵⁵ *Ibid.*

state more dependent on international NGO and foreign donor funding for welfare and development work.⁶⁵⁶

In the 1980s the *Gramodaya Mandalas* provided for the participation of NGOs in local level planning and implementation. NGOs collaborated, with more or less success, in government projects such as the *Gam Udawa* (village re-awakening), integral rural development programme and the *Mahaweli*⁶⁵⁷ development project.⁶⁵⁸ The growing importance of NGOs is evident in the way the UNP manifesto in 1988 specifically recognised their role. It was the first time in Sri Lanka that a political party made an official stand on NGOs.⁶⁵⁹ In 1988-1989, the UNP's electoral victory was achieved partly by incorporating an electoral commitment to an extensive 'safety net' programme⁶⁶⁰ in the form of a large income transfer scheme for the declared purpose of 'poverty alleviation'.⁶⁶¹ This programme was introduced as the *Janasaviya*, and sponsored by the WB.⁶⁶² In May 1991, the *Janasaviya* trust fund (JTF)⁶⁶³ was set up to implement the programmes of savings and credit, and nutrition, among CBOs.⁶⁶⁴ NGOs were involved as intermediaries in implementing *Janasaviya* sub-projects.⁶⁶⁵ A large amount of funding began to be channelled to NGOs and a number of NGOs were formed exclusively to implement the JTF-funded projects. As partner organisations of the JTF, NGOs received assistance for institutional development which included funding for infrastructure, office equipment and vehicles. This was recognised as one of the major collaborative relationships between the

⁶⁵⁶ *Ibid.*, pp. 11-12.

⁶⁵⁷ *Mahaweli* is the longest river in Sri Lanka. *Mahaweli* development project aimed to generate electricity and to develop agriculture in the dry zones in Sri Lanka.

⁶⁵⁸ Cited in Wickramasinghe, (2001), p. 99.

⁶⁵⁹ Fernando, (2003), p. 24.

⁶⁶⁰ Safety nets deserve a place in development policy in all countries. They mitigate extreme poverty through the re-distribution of resources; they help households invest in their future and manage risks; and they help governments make sound policy decisions in macro-economic, trade, labour, and many other sectors (Grosh, M.; Ninno, C.; Tesliuc, E. and Ouerghi, A. (2008) *For Protection and Promotion: The Design and Implementation of Effective Safety Nets*, The World Bank, Washington, p. 11).

⁶⁶¹ Wickramasinghe, (2001), p. 101.

⁶⁶² The WB is the most articulate and influential promoter of partnership in development. More than any other development agency, the WB has selected, adapted, and adopted the NGO participation agenda insofar as it strengthens and promotes local involvement in project management (*ibid.*, p. 92).

⁶⁶³ The JTF was jointly funded by the government and bilateral or multilateral donors (*ibid.*, p. 101). The strategy of the JTF was to work in partnership with NGOs that functioned both at the national and village levels in order to mobilise the CBOs (Fernando, (2003), p. 14).

⁶⁶⁴ *Ibid.*

⁶⁶⁵ Wickramasinghe, (2001), p. 101.

government and NGOs.⁶⁶⁶ It reflected an acknowledgement by the Sri Lankan government of a need for NGO support in the implementation of the project.

In 1994, the SLFP-led PA coalition came into power marking another phase of government-NGO relations. In the 1994 Parliamentary election, the NGOs and PA government shared common ground on the need to solve the ethnic conflict through a negotiated political settlement.⁶⁶⁷ NGOs became involved in implementing programmes towards a non-military solution for the ethnic conflict to restore peace.⁶⁶⁸ However, this collaboration between the PA government and NGOs was not evident in other government programmes, with Fernando claiming that the government began to narrow the scope of NGOs.⁶⁶⁹ For example, in the *Samurdhi* programme, the successor to the *Janasaviya*, the government did not obtain the support of NGOs.⁶⁷⁰ This trend continued when the PA government failed in its peace negotiations with the LTTE. The decision of the PA government to go back to a military strategy further undermined collaboration between the government and NGOs. Fernando notes that human rights-based NGOs began to revert to the watch-dog role they had played in the 1988-1993 era as many incidents of human rights violations began to be reported, especially in war-affected areas.⁶⁷¹ Election malpractices, violence and misuse of power by the government were also reported during the *Wayamba* (north western) provincial council election in 1999. NGOs played an active role in monitoring the election process and openly confronted the government's action.⁶⁷² In this period, therefore, the government began to come under heavy criticism by NGOs.

In response to these criticisms, the government attempted to pressurise agencies such as USAID and the Asia Foundation not to support those NGOs involved in election monitoring, by interpreting that such support was a contravention of the

⁶⁶⁶ Fernando, (2003), p. 14.

⁶⁶⁷ *Ibid.*, p. 15.

⁶⁶⁸ Especially the NGOs collaborated with two initiatives of the PA government. The first was the *Sudu Nelum Viyaparaya* (the white lotus movement), which raised the public awareness of the ethnic conflict and advocated a non-military political solution. The second was the National Integration and Planning Unit (NIPU) formed under the Ministry of Constitutional Affairs and Ethnic Integration with the assistance of the Norwegian government. In both these initiatives, many NGOs took an active part in collaborating with the government (*ibid.*).

⁶⁶⁹ *Ibid.*

⁶⁷⁰ The strategy of *Samurdhi* was to recruit about 3,000 unemployed educated youth as village level coordinators (*Niyamakas*) and to establish a powerful network of CBOs.

⁶⁷¹ Fernando, (2003), p. 15.

⁶⁷² *Ibid.*

memoranda of understanding they had signed with the government.⁶⁷³ NGO liaison units in many ministries were disabled under the PA government indicating that the state had moved away from formally acknowledging a special role for NGOs in the development of the country.⁶⁷⁴ Government withdrew from its association with not only rights-oriented NGOs, but also with development-oriented NGOs.

In December 2001, the UNP-led UNF coalition came into power and introduced new economic reforms and development programmes with the fullest support of the organisations like the WB, IMF and ADB.⁶⁷⁵ The election manifesto of the UNF had a separate section on its stand and policy on NGOs.⁶⁷⁶ Fernando reports that the secretary of the Ministry of Finance and Planning and the Treasury, while addressing a meeting of a group of NGO representatives, invited the NGOs to take an active part in the UNF government's 100 days accelerated development programme. Some NGOs saw this as an opportunity to forge a more positive working relationship with the government and perform their role without being harassed by the government.⁶⁷⁷

After the ceasefire of 2002, NGOs became involved in a range of peace building projects, which included promoting development in conflict-affected areas in an effort to establish a 'peace dividend', building relationships at a community level, and attempting to foster popular support for the peace process (particularly in the south). According to Walton, donor commitment to these programmes, and hence their support for NGOs, was heavily dependent on the state's commitment to the peace process. As a result, NGO activities and objectives became increasingly aligned with the political project driven by the UNF government and its international backers.⁶⁷⁸

However, in 2004 the UNF government collapsed and the UPFA, an alliance of the SLFP and the Sinhala nationalist JVP, came into power. Later this alliance received the support of the JHU, another Sinhala nationalist political party but this collaboration again weakened government-NGO relations. As has been said,

⁶⁷³ *Ibid.*

⁶⁷⁴ Wickramasinghe, (2001), pp. 99-100.

⁶⁷⁵ Fernando, (2003), p. 23.

⁶⁷⁶ The manifesto claimed that the UNF recognised the NGOs and CBOs as important partners of the development process, and as leading actors in socio-economic transformation.

⁶⁷⁷ Fernando, (2003), p. 24.

⁶⁷⁸ Walton, (2008), p. 141.

political responses to NGOs in Sri Lanka during this period were heavily influenced by the tsunami of December 2004. According to Walton, the unprecedented international response to the tsunami produced an unruly funding environment, which resulted in numerous examples of malpractice.⁶⁷⁹ This response not only transformed the NGO sector in Sri Lanka by making it richer, it also boosted the public consciousness of NGOs. Walton further notes that this international response in turn, increased the potential advantages open to political actors who criticised NGOs as a means of articulating their own political visions which, for nationalist groups, usually meant highlighting the corrupting influence of Western culture or political interference. As a result, well-established nationalist discourses about the harmful impact of NGOs on Sri Lankan life gained greater relevance and public perceptions of NGOs were damaged.⁶⁸⁰ But the base of these criticisms can be identified as the government's attempt to compete with the NGO sector. For Walton, the tsunami also rapidly elevated the NGO sector from an insignificant concern for government, to one which was suddenly receiving and distributing foreign resources and social welfare on a scale comparable to that of the state. Furthermore, for Walton, the tsunami response exposed failures in government decision making and operational weakness in the aftermath of the tsunami, providing further incentives for the government to attack NGOs.⁶⁸¹ Government criticism of NGOs, in this context, can be seen as an attempt to hide its own weaknesses.

The election of a new President in November 2005 began a period of growing hostility towards NGOs in Sri Lanka. This prompted a sudden widening of the ideological gap between the government and the majority of donors and NGOs working on peace building whose ideas had fitted closely with the previous UNF

⁶⁷⁹ *Ibid.*, p. 142. Tsunami funds scandal popularly known as the Helping Hambantota case is the most prominent among frauds of tsunami funds by government. Sri Lanka's Prime Minister at that time, Mahinda Rajapaksa was siphoning off tsunami funds into a private account maintained in his father's name. However this case was dismissed by the Supreme Court due to political influences made by government and the personal connections which the Chief Justice had with Mahinda Rajapaksa ('Helping Hambantota Investigation' (n.d.) <http://www.lankastandard.com/vault/helping-hambantota-investigation/>, accessed 31-07-2013). Moreover, nearly half a billion US dollars in tsunami aid for Sri Lanka is unaccounted for and over US\$600 million has been spent on projects unrelated to the disaster ('Sri Lanka's Tsunami Aid: Over \$1 Billion Missing or Misappropriated' (2009) <http://srilankastaterrorism.blogspot.com/2009/12/sri-lankas-tsunami-aid-over-1-billion.html>, accessed 26-05-2012).

⁶⁸⁰ Walton, (2008), p. 142.

⁶⁸¹ *Ibid.*

government's version of liberal peace building. This shift was accelerated by the government's reliance on two Sinhalese nationalist parties, the JVP and the JHU, as partners in the ruling UPFA coalition. Their new prominence allowed them much greater space to promote their views through the mainstream state media, and to encourage government measures to restrict the work of NGOs. Walton further adds that the backlash against NGOs was also closely linked to the slide back to full-scale military confrontation, which began in 2006. The government's increasingly militarist approach reduced the space for the critical voices that had grown in confidence during the ceasefire period. By putting the country on a war footing, the government was also able to tighten its grip over the media and use it to attack human rights and peace advocates, who were increasingly seen as a threat to the state's military objectives,⁶⁸² and indicated a return to past beliefs about NGOs. Since 2004, the UPFA government has remained in power and NGOs have faced continued limitations in terms of their operational capacities.

6.4.1.1. The NGO Commission

In March 1990 a high powered committee was appointed by the then Executive, President R. Premadasa, to investigate allegations that foreign funds were flowing into both international and local NGOs without the knowledge or concurrence of the government.⁶⁸³ This was called 'the Presidential Commission of Inquiry in Respect of Non-governmental Organisations Functioning in Sri Lanka', better known as 'the NGO Commission'. There were three broad reasons for the inquiry which were made public in the gazette notification setting up the commission: 1) the number of (3,000) NGOs function in Sri Lanka; 2) concern that there was no framework for monitoring the activities and funding of these NGOs; and 3) concern that some of the funds received from foreign sources, as well as those generated locally, were being misappropriated and/or used for activities prejudicial to national security, public order and/or economic interests and, in addition, for activities detrimental to the maintenance of ethnic, religious and cultural harmony among the people of Sri Lanka.⁶⁸⁴

⁶⁸² *Ibid.*

⁶⁸³ Wickramasinghe, (2001), p. 84.

⁶⁸⁴ 'ICJ on the NGO Commission' (1992), p. 15.

The commission began work in the first week of January 1991 and continued until December 1993. The general public were invited to make complaints or representations either publicly or anonymously and behind closed doors.⁶⁸⁵ The commission also surveyed a number of NGOs (the exact number is unknown)⁶⁸⁶ asking for details of all staff, use of funds, assets, and even the bank account details of spouses, children of senior staff and the board of directors.⁶⁸⁷ From the NGOs who answered the questionnaire, it was revealed that a number of them were asked for very detailed information in a number of subsequent questionnaires.⁶⁸⁸ Public hearings were held into allegations against three NGOs: 1) World Vision, an American NGO; 2) the Eye Donation Society;⁶⁸⁹ and 3) Sarvodaya, a large and well-known Sri Lankan NGO, with a presence in hundreds of villages and receiving significant amounts of international funding.⁶⁹⁰ In these open session hearings, the general public came forward on their own initiative or were called by the commission.⁶⁹¹ Investigations and interrogations were also conducted by the police unit attached to the commission.⁶⁹² These events of the commission received significant media coverage and created much unrest among the NGO community.⁶⁹³

An independent report published in November 1991 by the International Commission of Jurists (ICJ) following their visit to Sri Lanka,⁶⁹⁴ concluded that whereas the intentions and the activities of the NGO Commission as such might be defended as 'reasonable', what was being done in its name was not acceptable.

⁶⁸⁵ Brabant, K. (1995) 'NGO Legislation: The Sri Lanka Case', *RPN*, No. 19 (May) Refugee Studies Programme, Oxford, UK, p. 12.

⁶⁸⁶ 'NGO Commission and Emergency Regulations' (1993) *Pravada*, Vol. 2, No. 10 (November/December) Social Scientists' Association, Colombo, p. 5.

⁶⁸⁷ Brabant, (1995), p. 12.

⁶⁸⁸ 'NGO Commission and Emergency Regulations' (1993), p. 5.

⁶⁸⁹ Sri Lanka Eye Donation Society is an NGO involved in donating human eyes and tissues for transplantation. It serves patients in need both in Sri Lanka and around the world. The society is a non-profit organisation and provides the organs free of charge, except for a small fee on processing and delivery.

⁶⁹⁰ 'NGO Commission and Emergency Regulations' (1993), p. 6.

⁶⁹¹ Brabant, (1995), p. 12.

⁶⁹² 'ICJ on the NGO Commission' (1992), p. 15.

⁶⁹³ Brabant, (1995), p. 12.

⁶⁹⁴ The Geneva-based ICJ commissioned Dr Stephen Neff to visit Sri Lanka to study the mandate and operation of the NGO Commission. The ICJ submitted their draft report to the government in July 1991 and asked for an opportunity for an ICJ delegation to discuss its findings with the government and with the members of the NGO Commission. This request was denied, and the ICJ was informed by the permanent representative of Sri Lanka to the UN in Geneva that any comment or critique on the operations of the commission "would be a violation of the principle of non-interference in matters that are deemed to be sub-judice" ('ICJ on the NGO Commission', (1992), p. 14).

Brabant wrote that the ICJ considered that the government had used the NGO Commission to foster a negative, discrediting and intimidating climate around NGOs. The effect was that NGOs felt that their rights to freedom of association and privacy were under threat.⁶⁹⁵ The ICJ report recognised the government's desire to seek information on NGOs as a prelude to establishing a regulatory framework. It also did not doubt the integrity and impartiality of the members of the NGO Commission, chaired by a former judge of the Supreme Court.⁶⁹⁶ But the report suggested that the commission should not lead to the harassment of NGOs.⁶⁹⁷ The ICJ report stated that it should not be used to justify a control system that would be so heavy-handed as to dissuade persons from joining or contributing funds to NGOs.⁶⁹⁸

The NGO Commission handed in its report to the President on 11th December 1993.⁶⁹⁹ But the report has not been published and has not been released as public information.⁷⁰⁰ An unofficial summary of the findings reveals that the commission found the NGO sector seemingly 'chaotic, anarchic and in disarray'. The report also criticised the undemocratic structure of some NGOs, their large overheads and especially their actions in promoting 'unlawful religious conversions'. To the degree that they sought to ameliorate the causes of poverty through advocacy and influence policy with foreign funding, criticism was levelled that they represented 'an alien hand' which was directly or indirectly trying to exercise power in Sri

⁶⁹⁵ Brabant, (1995), p. 12.

⁶⁹⁶ *Ibid.*

⁶⁹⁷ The ICJ report suggested that the commission must be genuinely, and not merely nominally, a vehicle for finding facts that would be relevant to the regulation of NGOs. It should not be used as a device for intimidating NGOs. The report further suggested that if the commission functions in such a way as to lead to harassment of NGOs, then the commission's manner of operation should be changed. The ICJ report suggested that evidence should be obtained from the public in writing rather than taken orally, to remove restrictions on press reporting of the commission's hearings, and police investigations to be undertaken only under the most careful supervision of the commission itself, rather than of the commission's staff. Furthermore the report suggested that police investigations in the commission's name be stopped and that the police unit attached to the commission be disbanded because there was unacceptably great scope for police harassment of NGOs under the general auspices of the commission ('ICJ on the NGO Commission' (1992), p. 16).

⁶⁹⁸ *Ibid.*, p. 17.

⁶⁹⁹ 'NGO Commission and Emergency Regulations' (1993), p. 6.

⁷⁰⁰ Although the report of the NGO Commission has not been released or published some authors have referred to an unofficially released version on the NGO Commission report. See Kloos, (1999), and Wickramasinghe, (2001). Some authors mention that they have to go on certain brief government statements and extracts in the newspapers of some sections of the NGO Commission report ('NGO Commission and Emergency Regulations' (1993), p. 7). This researcher was not able to find the NGO Commission report. But an official from the Sri Lanka National Archives mentioned that there is a copy of the released report, but as it is a closed and restricted archive, it cannot be released for reference for any reason.

Lankan society. The report regretted that the NGO community had been uncooperative and seemingly hostile to the deliberations of the commission. It rejected the possibility of excessive legislation but acknowledged the state's right to supervise the proper use of funds.⁷⁰¹ The report revealed that NGO officers enjoyed extraordinarily high salaries and fringe benefits. It also revealed that there was misappropriation and other practices by NGOs, and that the NGOs were spending an unusually high proportion of funds for administrative purposes.⁷⁰² The report stated that NGOs would not only have to comply with the national laws but also not undertake activities that might upset the balance between communities and religions, or to interfere in political matters.⁷⁰³

According to government statements, the report recommended compulsory registration for foreign and local NGOs receiving foreign funding, as well as CBOs directly sponsored or directed by a registered NGO. The report further recommended monitoring of foreign funding. Therefore the NGOs would be required to disclose very detailed and comprehensive information about the use of foreign funds.⁷⁰⁴ The commission report further recommended a new post consisting of a commissioner with its own secretariat, and an NGO coordinating mechanism.⁷⁰⁵ This would require the creation of a central office, support staff, and two advisory committees⁷⁰⁶ to support the commissioner. It proposed that a few members from the NGO sector would sit on the committees, but that all would be appointed by the President. The NGO commissioner's office was to be the focal point for all national and international NGOs and would be authorised to make preliminary inquiries into matters of alleged misconduct or misappropriation, but would then refer the case to the proper authorities if warranted.⁷⁰⁷ The report recommended the establishment of an NGO fund made up of percentage allocations of government grants and foreign aid grants. The stated purpose of the fund would be to help prevent 'uneven and skewed development within the country' and disproportionate funding going to 'selected

⁷⁰¹ Brabant, (1995), p. 13.

⁷⁰² Fernando, (2003), p. 13.

⁷⁰³ Brabant, (1995), pp. 13-14.

⁷⁰⁴ *Ibid.*, p. 13.

⁷⁰⁵ *Ibid.*

⁷⁰⁶ One on 'administrative matters' and one on 'state-NGO relations'.

⁷⁰⁷ Brabant, (1995), p. 13.

groups'.⁷⁰⁸ These recommendations reflect an attempt by government to create a mechanism to control NGOs and their funds according to government's preferences.

Several criticisms emerged during and after the NGO Commission. Kloos noted that even though the report referred to various allegations, at the end only one particular NGO, Sarvodaya, was singled out for further investigation. According to Kloos, this is probably related to President Premadasa's suspicion that Sarvodaya leader A.T. Ariyaratne might become a rival for the presidency.⁷⁰⁹ This case is complicated. Sarvodaya is a giant among local NGOs and its leader is particularly influential among the rural poor. Premadasa was engaged in island-wide welfare programmes such as *Janasaviya* and *Gam Udawa*. Kloos further adds that Premadasa may have seen in Ariyaratne a potential rival when thinking about the future Presidential elections which were scheduled for 1994.⁷¹⁰

However Premadasa's assassination in May 1993 is probably the reason that the report of the NGO Commission was shelved before it reached the Parliament.⁷¹¹ This episode has become infamous as an attempt by the government to control NGOs.⁷¹²

6.4.1.2. Critiques and counter criticisms

There were subsequent challenges to the presence and activities of NGOs. In mid-November 1995, the official meetings of the Sri Lankan NGO Forum⁷¹³ were disturbed by rioters. Kloos notes that in the same month, November, the Sri

⁷⁰⁸ *Ibid.*, p. 14.

⁷⁰⁹ Kloos, (1999), p. 32.

⁷¹⁰ *Ibid.*, p. 29.

⁷¹¹ *Ibid.*, p. 32.

⁷¹² Fernando, (2003), p. 12.

⁷¹³ The establishment of an NGO Forum in 1993 followed the created of the European NGO Forum on Sri Lanka in 1990. The Forum was established in response to the crisis that had begun in 1987, after the arrival in Sri Lanka of the Indian Peace Keeping Force (IPKF). The Forum was seeking attention from the international community for the increasing violation of human rights in Sri Lanka. A shifting number of European NGOs participated in the Forum. Providing information on Sri Lanka was one goal, exerting pressure on the combatants in Sri Lanka another. The meetings of the Sri Lankan Forum would be chaired by the chairman of the European Forum and the chairman of the Sri Lankan Forum. Sri Lankans decided in 1994 to form a 'counter Forum' and therefore four types of NGOs would participate: those in the fields of human rights, relief and rehabilitation, economic development, and peace (Kloos, (1999), pp. 33-35). The topics to be discussed were economic development, human rights and NGO partnership in addition to the more sensitive topics of peace and humanitarian assistance (Perera, J. (1995) 'Today the NGOs; Tomorrow...', *Pravada*, Vol. 4, No. 4 (November/December) Social Scientists' Association, Colombo, p. 31).

Lankan army launched operation *Riviresa*, which was meant to wrench Jaffna from the LTTE. Some Sinhala from nationalist groups and a number of their newspapers created the impression that the forum meeting was held in order to stop the military campaign arguing that foreign-based and Sri Lanka-based NGOs supported the LTTE.⁷¹⁴ He further added that although there was no evidence to justify this suspicion against NGOs, the government was also not free from the same suspicion.⁷¹⁵ Perera critiques that: “It is quite absurd to believe that at a large meeting of around 80 NGOs, almost all of them local, that anything ‘anti-Sri Lanka’ could ever have been decided upon.”⁷¹⁶

The campaign of hostility was of course not directed at all NGOs. Its primary targets were those NGOs that had intervened in national policy debates, lobbied and agitated for national policy reforms and worked in a manner that had called for mobilisation of the people on specific issues. Democratic reforms, human rights, peace, free and fair elections, and media freedom were major themes in the advocacy and interventionist campaigns of these NGOs.⁷¹⁷ The attacks by Sinhala nationalist groups on NGOs as foreign agents who supported the LTTE were countered by Uyangoda who argued that:

Actually, this ‘foreign agent’ argument is linked to an ideology of xenophobia, propagated by a section of Sri Lankans who, despite their own connections with foreign organisations, business enterprises and individuals, appear to believe that ‘foreign links’ endanger national security.⁷¹⁸

It is significant that foreign funding of NGO peace work had come under harsh criticism in Sri Lanka. According to Orjuela, the most vociferous opposition to NGOs and peace processes came from Sinhala nationalist groups.⁷¹⁹ Wickramasinghe adds that militant Sinhala groups vilified ‘foreign-funded NGOs’ as responsible for undermining the morale of the troops and pursuing ‘selfish aims’ instead of thinking of the good of the nation.⁷²⁰ Critiques of relief organisations failed to make distinctions between local NGOs which received foreign funds and others.⁷²¹ Uyangoda connected his argument with the government and said that

⁷¹⁴ Kloos, (1999), p. 35.

⁷¹⁵ *Ibid.*, p. 36.

⁷¹⁶ Perera, (1995), p. 31.

⁷¹⁷ Uyangoda, (1995), p. 6.

⁷¹⁸ *Ibid.*

⁷¹⁹ Orjuela, (2005), p. 7.

⁷²⁰ Wickramasinghe, (2001), pp. 40-41.

⁷²¹ *Ibid.*, p. 152.

what was extremely interesting in Sri Lanka was that the state had only occasionally come out against the human rights-based NGOs on the argument that they endangered national security.⁷²² Furthermore, Uyangoda added that if one really wanted to demonise, terrorise and silence one's enemy, the easiest argument was to suggest collusion with the LTTE. By using this argument, many NGOs have been demonised in Sri Lanka.⁷²³

Reasons for the emergence of arguments suggesting NGO collusion with the LTTE include the fact that some NGOs had funded the LTTE and, in the north, there had been pro-LTTE NGOs. Humanitarian NGOs who had worked in the conflict areas were branded as pro-LTTE because they had worked among civilians in LTTE-controlled areas. For example, international humanitarian NGOs such as the ICRC and the UNHCR were there because in situations of armed conflicts, direct parties to the conflict are not always capable of looking after, and providing for, the civilian population, affected by the conflict itself.⁷²⁴ Uyangoda adds that these critics know that no international humanitarian NGO has worked in Sri Lanka's north without being invited by the government and asked by the government to carry out specific activities.⁷²⁵

Many authors have repeatedly pointed out the baselessness of the government's criticisms of NGOs. According to Wickramasinghe, what some critics have failed to understand is that it is possible to pressure a legitimate state which has signed binding treaties and conventions relating to humanitarian law but exerting similar pressure on rebel groups is hardly feasible.⁷²⁶ Brabant states that NGOs clearly provided assistance to local government departments in the LTTE-controlled north, notably through purchasing and transporting essential supplies for them. NGOs provided assistance to displaced and resettled groups of people that led observers to wonder whether they were filling a gap or substituting for government.⁷²⁷

Prior to the end of the war, the links between the LTTE and NGOs were of concern to some commentators. Only a handful of international NGOs were

⁷²² Uyangoda, (1995), pp. 7-8.

⁷²³ *Ibid.*, p. 8.

⁷²⁴ *Ibid.*

⁷²⁵ *Ibid.*

⁷²⁶ Wickramasinghe, (2001), p. 152.

⁷²⁷ Brabant, (1995), p. 14.

working in the LTTE-controlled north where there was no legal recourse or protection outside of LTTE structures. A few of these NGOs were directly operational while others funded a variety of small local NGOs. It was felt that the LTTE preferred to keep the international presence to the absolute minimum and that international agencies should fund and develop the capacity of local NGOs. The latter, however, have had little potential to negotiate LTTE directives.⁷²⁸ This argument rejects the Sinhala nationalist suspicion that the NGOs have been in collusion with the LTTE.

Notably, most of the criticisms against NGOs have been connected to the sovereignty of the state and to colonialism. Jayawardena has countered this, asserting that situations of war tend to make people emotional and fearful. They also provide an occasion for nationalists and others to get up against ‘foreign conspiracies’ and local ‘treason’.⁷²⁹ She further adds that:

Why is it possible 50 years after colonial rule to raise cries of foreign money, alien ideology and a western way of life especially at a time when all governments try to attract foreign money, and when the people have modernised their dress and life styles? The reason is that it is the cheapest trick in the book to invoke ‘imperialism’ about which people have strong feelings and to abuse one’s opponents as agents or running dogs of imperialism. In most parts of South Asia, this pretext is still used to stifle criticism. Human rights which are universal, become ‘Western’ (one of the most ludicrous of all excuses); comment by human rights groups in Sri Lanka become treacherous action (by those who work for ‘dollars’) and comment by foreign human rights groups become ‘interference’ in the internal affairs of the country.⁷³⁰

Uyangoda adds that: “It is sheer nonsense to suggest that these NGOs have been challenging the sovereignty of the Sri Lankan state and acting as new colonial masters.”⁷³¹ These debates are typical of the PA era of government rule and government relations with NGOs since 1994. But, as mentioned above, the later UPFA government together with the support of Sinhala nationalist political parties and groups have continued to make such criticisms against NGOs.

⁷²⁸ *Ibid.*, p. 15.

⁷²⁹ Jayawardena, (1995), p. 10.

⁷³⁰ *Ibid.*, p. 11.

⁷³¹ Uyangoda, (1995), p. 8.

6.4.1.3. Legal procedures

The lack of a uniform registration mechanism has been a major reason for confusion and ambiguity in defining NGOs. There are different forms of NGO registration in Sri Lanka. Under the Voluntary Social Service Organisations (Registration and Supervision) Act, No. 31 of 1980, better known as the VSSO Act,⁷³² registration is mandatory for NGOs that obtain contributions from the public and government sources.⁷³³ Under the Companies Act, No. 17 of 1982, the companies formed to promote commerce, arts, science, religion, charity, sports or any other useful object, who intend to apply its profits, if any, or other income in promoting its objects, and agree to prohibit the payment of any dividend to its members, can be registered. NGOs can register under this act as ‘guaranteed limited companies’.⁷³⁴ NGOs may also register in a variety of other ways. Through the Societies Ordinance of 1891 and Trust Ordinance of 1917, NGOs can register as unincorporated associations, while the foreign NGOs usually enter into a memorandum of understanding with an appropriate government ministry.⁷³⁵

In May 1993, after President Premadasa’s assassination, President D.B. Wijetunga acted on the NGO Commission’s recommendations, promulgating an emergency regulation entitled ‘the Monitoring of Receipts and Disbursements of Non-governmental Organisations Regulation No. 1.’⁷³⁶ This was made through an extraordinary gazette under emergency regulations.⁷³⁷ Several criticisms emerged regarding the emergency regulation. Critics pointed out that there was no reason for the use of emergency regulations to register and monitor the workings of

⁷³² The VSSO Act sought to introduce a system of registration of NGOs with the government; to provide for their inspection and supervision; to facilitate the coordination of the activities of such organisations; to give governmental recognition to such organisations which are properly constituted; to enforce the accountability of such organisations in respect of financial and policy management under the existing rules of such organisations, to the members of such organisations, the general public and the government; to prevent malpractices by persons purporting to be such organisations; to regularise the constitution of voluntary social service groups which have been legally recognised; and for matters connected therewith or incidental (*Act, No. 31 of 1980*).

⁷³³ *Ibid.*

⁷³⁴ *Companies Act, No. 17 of 1982.*

⁷³⁵ Brabant, (1995), p. 14.

⁷³⁶ Under this regulation, the organisations that are dependent upon the public or government grants-in-aid for funds and that are engaged in social welfare, development, empowerment, research, and environmental protection activities were defined as NGOs. Cooperative societies and NGOs with annual budgets less than Rs.50,000 were excluded. The regulation required an NGO to register with the director of social services and submit detailed information regarding receipts and disbursements. Heavy penalties for non-compliance were built into the regulation (Wickramasinghe, (2001), pp. 84-85).

⁷³⁷ Fernando, (2003), p. 13.

NGOs. Furthermore, commentators stated that if during its three years of operation the NGO Commission had found at least some of the suspicions on NGOs well founded, this fact would have been mentioned in the commission report and that it would have figured as a reason for urgency. Therefore the commentators justifiably assume that the commission had found no material base for such suspicions.⁷³⁸ The NGO sector also noted that there was no discernible urgency or threat to the public security⁷³⁹ that warranted the enactment of legislation under emergency regulations.⁷⁴⁰ However this regulation lapsed⁷⁴¹ in 1994 after the PA government came into power. Wickramasinghe notes that NGOs complied with such regulation until the government allowed it to lapse the following year. She further adds that the general analysis of the NGO Commission episode has been a condemnation of the state's use of emergency measures to unleash its resources against institutions of civil society.⁷⁴²

However in 1995, the PA government attempted to control NGOs through introducing an amendment to the VSSO Act. Although this amendment bill was presented to the Parliament, it was not taken for approval by the Parliament due to lobbying of the NGOs and the Parliamentary opposition.⁷⁴³ But on the 27th March 1998, when the main opposition party, the UNP boycotted the Parliament, the government tactically passed this bill.⁷⁴⁴ This Voluntary Social Service Organisations (Registration and Supervision) (Amendment) Act, No. 8 of 1998 gives power to the minister of social services to control NGOs.⁷⁴⁵ The VSSO act together with the amendment remains is the latest Sri Lankan act applicable to NGOs. Some authors interpret these attempts of the government as a negative response towards NGOs. For Kloos, the rush to pass such an amendment signified

⁷³⁸ 'NGO Commission and Emergency Regulations' (1993), p. 7.

⁷³⁹ Regulations can be issued under the Public Security Ordinance only where there is a need for regulations to meet threats to public security and public order, to quell any mutiny or commotion or to ensure the maintenance of services essential to public life (*Ibid.*).

⁷⁴⁰ Brabant, (1995), p. 14.

⁷⁴¹ Fernando, (2003), p. 13.

⁷⁴² Wickramasinghe, (2001), pp. 84-85.

⁷⁴³ Fernando, (2003), p. 13.

⁷⁴⁴ *Ibid.*

⁷⁴⁵ For example, this amendment act states that: If there is evidence to support any allegation of fraud or misappropriation made against a voluntary organisation, and the minister is satisfied that the fraud or misappropriation is of such nature as would affect the financial management of the organisation and that public interest will suffer if such organisation is continued to be carried on by its existing executive committee, the minister shall, by order published in the gazette, appoint an interim board of management for the purpose of administering the affairs of such voluntary organisation (*Voluntary Social Service Organizations (Registration and Supervision) (Amendment) Act, No. 8 of 1998*).

the anger of the government towards human rights NGOs.⁷⁴⁶ Kloos is critical of the government for betraying its wish for monitoring rather than understanding. Control of the NGO world would imply control of civil society.⁷⁴⁷

Additional legal procedures regarding NGOs have been introduced. In April 1999, a presidential circular was issued to all government ministries, district secretariats, and departments calling all NGOs to be re-registered under the NGO Secretariat. All international and national level foreign-funded voluntary service organisations were required to declare their sources of funding, annual expenditure, and annual budgets. Clearance from Ministries of Defence, Foreign Affairs, Plan Implementation, and the relevant line ministry was made a pre-requisite for re-registration. The exceptions for re-registration under the NGO Secretariat are those organisations whose activities are conducted in one district and at divisional levels. Those organisations are required to re-register under the district secretary and the divisional secretary, respectively. However, if these organisations receive funds from foreign sources, they have to register under the NGO Secretariat.⁷⁴⁸ Although the NGO Secretariat was formed in 1996, it was not active till 1999. Following the presidential circular, the NGO Secretariat became re-activated because the circular very clearly made re-registration compulsory.⁷⁴⁹

As mentioned earlier, large amounts of foreign funds flowed to Sri Lanka following the tsunami and the government introduced new regulations and procedures for international NGOs. Since the tsunami the NGO registration procedures have changed. According to Brochard, the introduction of new regulations and procedures has added a new layer to the relationship between the government and NGOs.⁷⁵⁰ A new institutional mechanism established under the External Resources Department (ERD) of the Ministry of Finance and Planning became the Centre for Non-Governmental Sector (CNGS). Prior to the tsunami all international NGOs were registered with the NGO Secretariat of the Ministry of Social Services. But when the CNGS was established, pre-tsunami international NGOs were also requested to provide information on their activities to the CNGS

⁷⁴⁶ Kloos, (1999), p. 33.

⁷⁴⁷ *Ibid.*, p. 39.

⁷⁴⁸ Fernando, (2003), pp. 13-14.

⁷⁴⁹ *Ibid.*, pp. 14.

⁷⁵⁰ Brochard, (2005), p. 1.

as well.⁷⁵¹ The new registrations had to be initially recommended by the line ministry and approved by the Ministry of Social Services. Following this, applications needed to be forwarded to the CNGS of the ERD who then forward them to the Immigration Department after obtaining clearance from the Ministries of Defence, Finance, and Foreign Affairs. This process made registrations very slow, and as Brochard claims, discouraged the international NGOs.⁷⁵² He further adds that the procedure and the duration varied from agency to agency. For example, with regard to the Caritas agencies,⁷⁵³ the initial approval has to be given by the Ministry of Christian Affairs.⁷⁵⁴

The 2005 budget proposed to tax six per cent of all funds granted by both local and international NGOs at the rate of 30 per cent.⁷⁵⁵ While the taxation applied to international NGOs as well those involved in relief work had an opportunity to apply for exemption. But Brochard notes that, it was not clear how the exemptions were to be granted and also it was unclear if this would apply to tsunami related relief work. Moreover, 'humanitarian' had not been defined in this regard. This added yet another registration which created further delays.⁷⁵⁶

The NGOs receiving tsunami related funds were asked to channel those funds through a special bank account titled 'post-tsunami inward remittances account'. Brochard says that it was reported that remittances received by NGOs far exceeded funds received by the government of Sri Lanka for tsunami related initiatives.⁷⁵⁷ He further adds that the government of Sri Lanka was not encouraging expatriates to take up positions in Sri Lanka with NGOs.⁷⁵⁸ Agencies

⁷⁵¹ *Ibid.*, p. 2.

⁷⁵² *Ibid.*

⁷⁵³ Caritas is a confederation of 164 Roman Catholic relief, development and social service organisations operating in over 200 countries and territories worldwide. Their mission is to work to build a better world, especially for the poor and oppressed.

⁷⁵⁴ Brochard, (2005), p. 2.

⁷⁵⁵ In the 2005 budget speech, the minister stated that: There are many NGOs carrying out activities which are not monitored adequately. It is necessary to adopt a proper system of monitoring of such organisations particularly in areas of activities carried out and funds utilised by them. Those institutions are now required to register with the registrar of companies and open tax files. I propose to impose a presumptive tax at the rate of 30 per cent by taking six per cent of the funds received as income of the institution, other than the institutions carrying out activities solely related to rehabilitation work of work of north and east and any other activities which are approved by the minister on humanitarian grounds (Budget Speech – 2005).

⁷⁵⁶ Brochard, (2005), p. 3.

⁷⁵⁷ *Ibid.*, p. 4.

⁷⁵⁸ It was pointed out that foreign recruits ideally should have qualifications and experience that were not available locally. Foreign accountants were particularly discouraged with the arguments

were being encouraged to employ Sri Lankans wherever possible.⁷⁵⁹ These conditions prompted a re-evaluation of the state's institutional and legal relationship with NGOs.

In January 2006, a Parliamentary select committee into the activities and impact of NGOs was launched with a 'special focus' on post-tsunami developments. Its terms of reference clearly reflected concerns linked to the ethnic conflict, including the allegations that some NGOs were engaged in activities that were 'inimical to the sovereignty and integrity of Sri Lanka', 'detrimental to the national and social wellbeing of the country' and adversely affected 'national security'.⁷⁶⁰ According to Walton, therefore, NGO legitimacy in Sri Lanka is reliant on a number of factors specific to the Sri Lankan context such as a highly centralised political system, a lack of legal protection for NGOs, and a sense that NGOs were elitist and threatened the aims of a nationalist political agenda.⁷⁶¹ Perera notes that, the legal procedures have not been to evaluate the utility of NGO activities and projects but monitor them, which can leave them subject to control through state intervention.⁷⁶² Such legal procedures reflect government aims to suppress and control NGOs rather than obtaining their support in various sectors such as human rights protection and development.

6.4.1.4. The NGO Secretariat

As noted earlier, in 1995 amendments were proposed to the VSSO Act which provided for the establishment of an NGO advisory council and appointment of interim boards of management to administer the affairs of NGOs,⁷⁶³ reflecting the recommendations of the NGO Commission. Although a secretariat for NGOs was established in 1996 in the Ministry of Health, Highways and Social Services, the VSSO Amendment Act was passed in 1998. However this act has not been adequately implemented and the registration of such organisations had not been

that: 1) there is a pool of local professionals; and 2) accountants must be familiar with local accounting practices.

⁷⁵⁹ Brochard, (2005), p. 5.

⁷⁶⁰ Walton, (2008), p. 143.

⁷⁶¹ *Ibid.*

⁷⁶² Perera, (1998), p. 9.

⁷⁶³ 'Measures to Introduce a System of Registration' (n.d.) <http://www.ngosecretariat.gov.lk>, accessed 24-11-2011.

strictly followed⁷⁶⁴ leading to a presidential circular which was issued in April 1999 to make the NGO registration compulsory.⁷⁶⁵

The official web site of the NGO Secretariat mentions that their mission is to mobilise the resources and to coordinate the activities of NGOs within the national policy framework and to have NGOs contributing as partners in the process of development of the country. The goals of the NGO Secretariat are to ensure the registration of all NGOs which function in Sri Lanka, and to assess if they are functioning within the frame of government policies.⁷⁶⁶ The official web site mentions several objectives of the NGO Secretariat.⁷⁶⁷ However, the entire mission, goals and the objectives of the NGO Secretariat stresses its strong affiliation with central government policy.

Among the various activities of the NGO Secretariat,⁷⁶⁸ the registration of NGOs is prominent. There are different levels of NGO registration. All foreign NGOs, local NGOs receiving foreign funds, and the local NGOs which conduct their activities in more than one administrative district are required to register with the NGO Secretariat. The NGOs which conduct activities within the boundaries of only one administrative district should register in the appropriate district

⁷⁶⁴ For example, in 1997 the Ministry of Social Services collected lists of NGOs from variety of sources such as ministries, provincial councils, divisional offices, government agencies and human rights commission. At the end of 1997 a four-page form was sent to all known NGOs. Many filled-in-forms have meanwhile been returned, but nothing has been done with the data due to lack of staff and computer facilities. The ministry could do not much more than store the forms in one of its two rooms (Kloos, (1999), p. 15).

⁷⁶⁵ 'Measures to Introduce a System of Registration' (n.d.).

⁷⁶⁶ 'Mission and Goal' (n.d.) <http://www.ngosecretariat.gov.lk>, accessed 24-11-2011.

⁷⁶⁷ The objectives of the NGO Secretariat are: to make a conducive environment for national and international communities to contribute in the relief and development activities; to make coordination among NGOs, government institutions and people who need services of the NGOs; to make NGOs projects compatible with the legal framework of the country; and to ensure the NGOs act within the national policy framework of the country ('Objectives' (n.d.) <http://www.ngosecretariat.gov.lk>, accessed 24-11-2011).

⁷⁶⁸ The activities of the NGO Secretariat are: registering NGOs; facilitating services to NGOs; signing memoranda of understanding with NGOs; monitoring NGO activities and providing information about the coordination between government institutions, NGOs and needy people; taking legal action against misconduct and misbehaviour of NGOs; establishing district coordinating committees chaired by the district secretaries, and activating them to monitor the activities of the NGOs at the district level; collecting information about various phases of projects implement by NGOs at the divisional level; obtaining NGO participation to implement the projects proposed by the divisional secretariats; and conducting comprehensive surveys to manage a data base to commence strict monitoring at the district level. The supportive activities of the NGO Secretariat include: printing the NGO and CBO directory and the NGO project directory; conducting capacity building programmes to improve skills of NGO Secretariat officials and of NGO staffs; conducting site visits to observe NGO activities; facilitating foreign NGO officials to obtain visa, to open bank accounts and to sign memoranda of understanding with the ministries; and providing advisory services to NGOs to overcome the difficulties they encounter ('Activities' (n.d.) <http://www.ngosecretariat.gov.lk>, accessed 24-11-2011).

secretariat. The NGOs which conduct activities within the boundaries of only one divisional secretariat area need to register in the appropriate divisional secretariat. These complexities reflect that there is still no single institution to register all NGOs in Sri Lanka.

The NGOs need to qualify to be registered. These organisations are not for profit; shall not share the profit or surplus earned through fundraising activities among its members; shall not be self-serving in aims and related values; and shall be within the legal framework and social values of the country.⁷⁶⁹ Prior to registration, these organisations should apply for the recommendation of the ERD⁷⁷⁰ through a separate form obtained from the NGO Secretariat. Some of these requirements are vague and complex, with regulations designed to discourage the NGOs. If a high official sees an NGO as a threat to the existing government's power, there are many ways to suppress or restrict NGOs in the country by labelling them as imperial agents. There are controversies over interpreting such vague terms as 'social values of the country'. These loopholes make a path for the misuse of laws and to direct the aims of NGO Secretariat towards fulfilment of political needs.

According to a special gazette notice issued by the President on 30th April 2010, the NGO Secretariat presently functions under the purview of the Ministry of Defence. And while the aims of establishing the NGO Secretariat may be clear and reasonable, the problem is the control the Defence Ministry has over it. Because the war ended in 2009, the government cannot put forward arguments of national security anymore. In the post-war period, numerous human rights violations occurred in Sri Lanka. The government's poor response to these issues was manifest with the government fearing NGOs might spread news of these violent incidents to the outside world. Thus, the government might be trying to suppress the NGOs by controlling them under the purview of the Defence Ministry. According to critics, NGOs are required to submit financial statements, audited reports and work plans on a regular basis to the NGO Secretariat. Oversight of a clearly civilian function by the Ministry of Defence is deeply repressive and highly political. This is apparent in the restrictions that have been

⁷⁶⁹ *Ibid.*

⁷⁷⁰ The ERD approval is needed only if the objectives of an NGO contain the provision that their relief services are for the mentally retarded or physically disabled, the poor, the sick, the orphans and destitute, and contains the provision that the relief services aim the needy in times of disasters. These NGOs also needed to get the positive recommendations from the Ministry of Foreign Affairs and the Ministry of Defence to be qualified to be registered in the NGO Secretariat (*ibid.*).

placed on organisations limiting work to specific activities and subject areas.⁷⁷¹ The monitoring of such organisations mainly working to address human rights and humanitarian concerns, especially in the north and the east, creates an environment of self-censorship and curtails meaningful intervention.⁷⁷²

It is important here to note the role of the President who, at the time of writing, is the Minister of Defence, with the defence secretary being one of his brothers. The control of the NGO Secretariat under the purview of the Defence Ministry indicates attempts by the President to centralise the authoritative power within his family and control NGO funds and work plans according to his self-interested priorities. This raises the spectre of nepotism within the ruling government.

This researcher found that the actual mechanism of the NGO Secretariat is different to the statements listed on their web site. Although the NGO Secretariat gives contact details including postal and e-mail addresses and phone numbers, several attempts to make contact by those means was unsuccessful. No replies were received. Finally the phone was answered and an official told this researcher to come over to the office if information was needed.

Entering the office was a long process because of the rules and regulations of the Defence Ministry, with details required of personal details such as name, address, and the reason for coming. After a security check the security office provided a visitor's tag which gave permission to enter the relevant office. This researcher had to wait for more than two hours in the NGO Secretariat to obtain the requested data, which turned out not to be relevant.

This researcher observed the inefficiency of the officials and the overarching hierarchical power structure between higher and lower officials. The office environment was not client-friendly, and the officers were discouraging to those people who came to register NGOs. There were clear inconsistencies between the

⁷⁷¹ For example, after the war the Sri Lankan military forces denied all access to the IDP camps by NGOs. This was later relaxed after pressure was exerted by the international community. Many local and international NGOs now work in the camps but they continue to report problems with access. However, human rights groups and others who wish to provide advice to the IDPs are still denied access (see 'Sri Lanka: Unlock the Camps in Sri Lanka: Safety and Dignity for the Displaced Now' (2009) Amnesty International, <http://www.amnesty.org/en/library/asset/ASA37/016/2009/en/5de112c8-c8d4-4c31-8144-2a69aa9fff58/asa370162009en.html>, accessed 02-10-2013).

⁷⁷² 'Situation in North-Eastern Sri Lanka: A Series of Serious Concerns', a document tabled in Parliament on 21st October 2011 by M.A. Sumanthiran, MP (TNA), www.dbsjeyaraj.com, accessed 23-11-2011.

activities followed in the office and the mission, goals and objectives mentioned in their web site. If foreign NGO officials are discouraged and ill-treated by the NGO Secretariat officials then this may result in them backing away from their operational objectives.

6.4.1.5. Significant views

The writings on government-NGO relations suggest that the government readily perceives at least some NGOs as a threat and that it seeks to control and curb their activities.⁷⁷³ Kloos' critique of the government position maintains that: 1) because NGOs are not effectively controlled there is a chance that financial resources are wasted or misappropriated; 2) when applying for resources abroad, NGOs may be tempted to present a picture of reality in Sri Lanka worse than it actually is, thereby tarnishing the image of the country; 3) support for an NGO might amount to support for an insurgent revolutionary or secessionist movement; 4) resources, foreign resources in particular, may be used to gain political influence in the national arena, thus undermining the sovereignty of the state, or for private gain; and 5) foreign resources, while officially used for socio-economic purposes, may have undesirable cultural consequences.⁷⁷⁴ Kloos claims this last criticism is voiced by some Sinhala nationalist groups and occasionally used by some of the Buddhist monks against Christian charity NGOs. The reason for this critique is that these NGOs are suspected of conversion activities in the wake of helping the poor.⁷⁷⁵ For Kloos there is a tension between the government and human rights NGOs, but hardly between the government and development-oriented NGOs.⁷⁷⁶ Kloos further adds that although there definitely is a relationship of mutual suspicion, actual conflicts are rare indeed.⁷⁷⁷ Wickramasinghe also notes that open conflicts rarely arise between the state and NGOs involved in rural and technical development but do occur between the state and human rights NGOs who purport to act as watch-dogs of state excesses.⁷⁷⁸ For example, the NGO Commission

⁷⁷³ Kloos, (1999), p. 36.

⁷⁷⁴ *Ibid.*, p. 26.

⁷⁷⁵ *Ibid.*, p. 30.

⁷⁷⁶ *Ibid.*, p. 37.

⁷⁷⁷ *Ibid.*

⁷⁷⁸ Wickramasinghe, (2001), p. 98.

report states that, human rights issues should not be used as political issues for confrontation with the government but as pure human rights issues.⁷⁷⁹

Through these writings it is clear that there is ambivalence and suspicion of Sri Lankan governments regarding their position vis-à-vis NGOs. Kloos brings three things to the discussion on the relationship between the government and NGOs in Sri Lanka: 1) the quantitative importance of NGOs in terms of the number of people working in this sector and concerns about the amount of money spent by NGOs; 2) the bewildering variety of activities carried out under the banner of NGOs; and 3) the fact that absolutely nobody has a full grasp of the extent of the phenomenon.⁷⁸⁰ Therefore despite an explicit willingness on both sides to cooperate, collaboration between NGOs and government is limited. According to Wickramasinghe, for the state quite clearly the partnership with NGOs does not grow naturally out of its development vision. It is more a means to achieving certain political objectives.⁷⁸¹

The challenge for the Sri Lankan government is to combine economic growth and employment creation with a reduction in government spending.⁷⁸² For Brabant, this is only possible if the private sector and the non-governmental sector expand and take over the roles and responsibilities previously exercised by government. He questions whether a government can opt to attract foreign investment and increase deregulation in the private sector, while simultaneously increasing its regulation over the civil society sector and controlling that sector's access to foreign funds.⁷⁸³ This indicates the ambiguous policies of government over NGOs. According to some of the respondents attached to NGOs, it is evident that government-NGO rivalry continues to exist. Nonetheless, the respondents pointed out their willingness to work with the government and stressed that their aim was not to challenge the government. One stated:

Although people expect many things from our NGOs, we are not going to play the role of central government. We cannot violate the government's rules and regulations. We carry a facilitating role and we want to introduce our working models to both government and private sector policy makers. However, we are not representing the government. When we try to obtain support from the

⁷⁷⁹ Cited in Wickramasinghe, (2001), p. 99.

⁷⁸⁰ Kloos, (1999), p. 37.

⁷⁸¹ Wickramasinghe, (2001), p. 101.

⁷⁸² Brabant, (1995), p. 15.

⁷⁸³ *Ibid.*

government, sometimes we face problems due to inefficiencies and their inability to handle them. The government should motivate or promote the NGOs without putting them all into the same category. The government can select NGOs by using interviews or other methods. We always try to obey government regulations and try to provide an efficient service to the people within the legal limitations. We want to show good results from our projects and to change the mentality of the government about NGOs. (Respondent: Mr Sisira Wijesundara, Team Leader, CARE International – Hambantota Office.)

This indicates that the NGOs expected the government's support in their work while affirming their willingness to collaborate with the government. Another respondent noted:

We obtain the support of central and also the provincial governments. Actually we need the support of the central and provincial governments. It is not good to go beyond government rules and regulations because then there is a risk of wasting all the money and efforts of our NGOs. However, most of the foreign funds come to the central government. The NGOs get smaller amounts of foreign funds compared to the government. But nobody questions the funding which the central government receives. (Respondent: Ms Nauli Wimalarathna, Consultant, Transparency International-Sri Lanka.)

The common criticism which emerges from the government side about the foreign funds is again highlighted here. However, the respondents' views also indicate that if there are no such government barriers, NGOs have capacities to be involved in more development activities.

We have no direct access to local government bodies. We have to sign memoranda of understanding with the relevant central government ministry to start a programme. The ministry does not allow NGOs to work according to their desires. Therefore the capabilities of the NGOs to be involved in local government work have been limited. Although USAID has a good capacity to work more, it has been limited due to the strict rules of the central government. Also the aid does not reach the most needed people. All processes have been politicised. (Respondent: Mr Abul Kalam, Programme Manager, Supporting Regional Governance Programme (SuRG) of USAID.)

Through these observations and statements it is clear that the relationship between the Sri Lankan government and NGOs has not evolved smoothly. Careful scrutiny into such criticisms and the different reactions of certain governments on NGOs, give rise to several arguments. First, the government-NGO relations have slowly changed and are still changing according to different government policies, and therefore, it is clear that within the state boundaries of Sri Lanka, the government can and will control the activities of NGOs according to its political objectives. Second, the government's attempts to control NGOs indicate that the government

identifies NGOs as significant and influential. Third, during the moments when the government and NGOs collaborated in the matters of human rights and development, it is evident that the results achieved were positive.

6.5. Summary

Overall, in Sri Lanka there is no widely accepted definition for the term NGO. Although there is evidence of the organisational forms like NGOs since pre-colonial times, due to the ambiguities of definitions and legal procedures, there is no clear data about the growth of NGOs in Sri Lanka. The relations between government and NGOs have taken a variety of forms according to the policies and aspirations of different governments and rulers, political parties and leaders, and incidents occurring in the country. The governments which obtained the support of Sinhala nationalist political parties and groups tried to label NGOs as imperial agents. This criticism has been counter critiqued by many authors as a trick of governments to avoid NGOs becoming involved in human rights protection, a sector which is intentionally ignored by many governments. This reveals the government's fear of receiving international pressure on human rights protection when the NGOs act as watch-dogs to protect human rights. Compared with rights-oriented NGOs, development-oriented NGOs have not faced much pressure.

The following chapters examine the current gaps of Sri Lankan government structure especially in terms of local government, and seek ways in which NGOs can involve and contribute to local government and development in Sri Lanka despite the limitations imposed on NGOs by central government.

Chapter 7

Local development, people's participation and local politics

7.1. Introduction

Development is an elusive and ambiguous concept reflected by different meanings according to the context in which it is used.⁷⁸⁴ The Sri Lankan literature points to development is a multidimensional process involving major changes in the social structures, popular culture and national political institutions combined with an acceleration of economic growth, the reduction of inequality and the eradication of poverty.⁷⁸⁵ Development, thus covers a broad range of positive changes however, the ways in which different parties define development varies. For example, when central government promotes large scale development at one end of the spectrum, some local governments prefer to promote small scale development at the other end. Between these two variants, a range different interpretations for development is evident. As outlined in chapter 2, the main interest of this research centres on local development which is locally-led and community-oriented and where the development of human resources over physical infrastructure is stressed.⁷⁸⁶

This research proceeds on the assumption that local development is a responsibility of local government since that is where local needs must be met. The *Pradeshiya Sabhas* Act No. 15 of 1987 establishes the significance of people's participation in local development activities. According to the Act, *Pradeshiya Sabhas* (PSs) were established to provide greater opportunities for the people to participate effectively in the decision making processes relating to administrative and development activities at a local level.⁷⁸⁷

⁷⁸⁴ Kularatne, W.G. (n.d.) 'Community Development in Sri Lanka', *Sri Lankan Journal of Librarianship and Information Management*, Vol. 2, No. 1, p. 2 (<http://www.cmb.ac.lk/academic/institutes/nilis/reports/kularatne.pdf>, accessed 17-12-2013).

⁷⁸⁵ Amarathunge, S.P.P.; Rathnayake, R.M.A.K.; Fernando, P.J.S.; Bandara, Y.M.H.P.M. and Gunasekara, W.G.V. (n.d.) 'Conflict of Development, Culture Ahead of Definition: Field Study in Mahaweli System "C" in Sri Lanka', <http://journals.sjp.ac.lk/index.php/icbm/article/view/704>, accessed 10-12-2013.

⁷⁸⁶ Kley Meyer, C.D. (ed) (1994) *Cultural Expression and Grassroots Development: Cases from Latin America and the Caribbean*, Lynne Rienner Publishers, London, pp. 4-6.

⁷⁸⁷ *Pradeshiya Sabhas Act No. 15 of 1987*, p. 1.

The way in which local government views development varies according to the situation within particular areas coupled with political considerations. The availability of natural resources, and the demographic and geographical backgrounds also vary from area to area. Further, the political and administrative influences of central and provincial governments regarding local development, and the ways in which the NGOs and the individuals involved in local development activities cooperate also differ from area to area. To address the issues of local development and people's participation, it is important to understand the situation within the areas, and examine the ways in which local government representatives define development and people's participation. In turn, how local government is affected by national and provincial politics is critical.

This chapter outlines the different perspectives on local development, people's participation and local politics from the research that was carried out in the 12 selected local government bodies, as outlined in chapter 3. This chapter draws on the views of 20 respondents⁷⁸⁸ and on publically available information on the views of local government representatives.

Issues are addressed that emerge from the literature reviewed in chapter 2 aimed at encouraging people's participation in the local policy processes and local development. The chapter identifies gaps in development and people's participation at the local government level in Sri Lanka and looks towards possibilities to fulfil this neglect.

7.2. Features of the selected local government bodies

As mentioned in chapter 3, this research was carried out in the southern and eastern provinces of Sri Lanka. Within these two provinces 12 local government bodies were selected covering three districts of each province and three levels of local government, as shown in Table 7.1. This section outlines the features of each local government body.

⁷⁸⁸ Of the 20, 18 are local government representatives. Also included are one provincial council representative and one community-based organisation (CBO) representative. Of the 18 local government representatives, 11 are from the southern province and seven from the eastern province. Six are municipal council (MC) representatives, five are UC representatives and seven are PS representatives.

7.2.1. Local government bodies: significance and specialities

Table 7.1: Details of the selected local government bodies

| | Local government body | Province | District | Area (square kilometres) | Number of GN divisions | Number of wards | Population | Number of council members |
|----|-----------------------|----------|-------------|--------------------------|------------------------|-----------------|------------|---------------------------|
| 1 | Galle MC | Southern | Galle | 16.5 | 43 | 15 | 90,934 | 19 |
| 2 | Matara MC | Southern | Matara | 12.8 | 41 | 15 | 74,771 | 15 |
| 3 | Batticaloa MC | Eastern | Batticaloa | 76 | 48 | 19 | 89,758 | 19 |
| 4 | Kalmunai MC | Eastern | Ampara | 23 | 74 | 28 | 104,546 | 19 |
| 5 | Weligama UC | Southern | Matara | 6.65 | 13 | 10 | 25,967 | 10 |
| 6 | Hambantota UC | Southern | Hambantota | 10.1 | 2 | 7 | 11,802 | 9 |
| 7 | Trincomalee UC | Eastern | Trincomalee | 7.5 | 19 | 12 | 102,857 | 12 |
| 8 | Kattankudy UC | Eastern | Batticaloa | 6.5 | 18 | 12 | 53,153 | 9 |
| 9 | Baddegama PS | Southern | Galle | 112.8 | 70 | 3 | 80,586 | 17 |
| 10 | Suriyawewa PS | Southern | Hambantota | 167.7 | 21 | 5 | 48,500 | 5 |
| 11 | Kinniya PS | Eastern | Trincomalee | 137.5 | 14 | 9 | 33,945 | 7 |
| 12 | Lahugala PS | Eastern | Ampara | 618 | 13 | 12 | 10,272 | 11 |

GN – *Grama Niladhari*; MC – Municipal Council; UC – Urban Council; PS – *Pradeshiya Sabha*

Source: Budget reports (2011) of the 12 local government bodies

There were only two MCs in each province in 2011 at the time of the field research. Therefore, there was no choice other than selecting the Galle and Matara MCs in the southern province, and the Batticaloa and Kalmunai MCs in the eastern province. These MC areas were affected by the tsunami in 2004, and were the major bodies in receipt of aid and support from NGOs. In addition, Batticaloa and Kalmunai are post-war areas and have also received the aid and support of foreign-funded post-war rehabilitation programmes.

The UCs selected from the southern province were Weligama and Hambantota, both of which received significant aid and support from NGOs in developing local policies and also in developing the UC area following the damage from the tsunami. The eastern province is ethnically diverse with Tamil the majority ethnic group in Trincomalee UC area, while in the Kattankudy UC area a Muslim majority is prominent.

The selected PSs from the southern province are Baddegama and Suriyawewa. These two PS areas have been the site of the large scale construction projects, such as the southern expressway (Galle-Colombo highway) which goes along Baddegama, and also Suriyawewa which is being renovated to facilitate the newly built international cricket stadium. These projects have had a major effect on the lives of people in these areas. Kinniya and Lahugala PS areas from the eastern province were also affected by the tsunami disaster and by the war. Kinniya is a Muslim area while Lahugala is a Sinhala area. The post-war reconstruction projects have had a significant influence on the lives of the people in these areas as well, as will be discussed below.

Table 7.1 indicates the main demographic and geographical differences of the local government bodies. Comparing the MC and UC areas, it is clear that the PS areas are larger than the others. The land area and population together decide the number of local government representatives to be elected for each area and while the high populations have been mostly centred in the MC and UC areas, there are a number of PS areas with significantly higher populations as well (for example Baddegama PS), while some UC areas have significantly smaller populations (for example the Hambantota UC). These differences occur due to geographical location and the available facilities of each area. The numbers of *Grama Niladhari* (GN) divisions and wards⁷⁸⁹ indicate the inconsistency of Sri Lankan administrative and political divisions (see Table 7.1), but the information indicated in the Table 7.1 identifies several differences in each area.

Table 7.2: Special features of the selected local government bodies

| | Local government body | Area specialities | Vision | Mission |
|---|-----------------------|---|---|---|
| 1 | Galle MC | Capital of the southern province, multi-cultural; Sinhala majority and a significant Muslim population, Galle harbour, ancient Dutch fort, tsunami-affected city. | To build a respectable city by supplying high quality utility services to the people who pay taxes to the MC. | To improve all facilities through developing human, material and monetary resources efficiently and effectively to provide public health and utility services to facilitate locals and foreigners who live in the city and visit the city. |
| 2 | Matara MC | Multi-cultural; Sinhala majority and a significant Muslim population, ancient Dutch fort, tsunami-affected city. | To build a commercial city to improve the development of the citizens in the MC area. | To use the entire human and material resources in a sustainable way and to get the people's participation in the development process of the city and to provide welfare and utility services to the people who live in the city and visit the city. |

⁷⁸⁹ *Grama Niladhari* (GN) division is the lowest level administrative division and the ward is the lowest level political division in Sri Lanka.

| | | | | |
|---|----------------|---|--|---|
| 3 | Batticaloa MC | Tamil majority, a significant Burgher and Muslim population and a small Sinhala population, huge lagoon area, ancient Dutch fort, tsunami-affected and war-affected city. | To build a beautiful, tidy, complete and modern city ensuring fraternity and safety. | To create good governance for the prosperity of the people with participatory development projects and healthy environment. |
| 4 | Kalmunai MC | Muslim majority, the second largest population is Tamil, a few Sinhala people, the most populated area in the Ampara district, indicates high density of population, tsunami-affected and war-affected city. | To build up Kalmunai municipality as the best MC in Sri Lanka through implementing sustainable development activities. | To achieve excellence in providing citizen-centred services to the public/customers by optimising the use of available resources through a competent, motivated and dedicated team. |
| 5 | Weligama UC | Multi-cultural; Sinhala majority and a significant Muslim population, fishing harbour, tsunami-affected area. | To build a tourist city based on the beautiful beach. | To contribute to social and national development through improving public utility services using material and human resources of the UC area, and to provide a better life for the people in the area. |
| 6 | Hambantota UC | Multi-cultural; Sinhala majority and a significant Muslim population, area belongs to the dry zone, salt-mixed soil, salterns, many historical places, tsunami-affected area, large scale construction projects are significant. | To build a beautiful tourist city towards a prosperous country. | To build an equal society through people's participation and to provide a good service to the people by improving health, welfare, utility services and roads. |
| 7 | Trincomalee UC | Multi-cultural; Tamil majority and significant Sinhala and Muslim populations, Trincomalee bay, one of the best natural harbours in the world, ancient Dutch fort and many historical places, tsunami-affected and war-affected area. | To build a tourist city in 2014 with all relevant infrastructure facilities. | To build Trincomalee as a beautiful tourist city through the improvement of road development, drinking water supply, waste management, infrastructure facilities, and people's unity. |
| 8 | Kattankudy UC | Highest population density area in Sri Lanka, a Muslim area, lagoon area, tsunami-affected and war-affected area. | To establish good infrastructure and to keep the city green and clean. | To achieve the following goals: environmental sanitation of the town; enhanced opportunities for better livelihood; supply of clean water; develop infrastructure; peace and harmony; gender equality; discipline and order of the society; build-up an efficient administration; implement schemes to increase the revenue of the council; flood control; coastal conservation; increase leisure and recreation facilities; and promote Islamic culture in the area. |
| 9 | Baddegama PS | Sinhala majority and a significant Tamil population who work in plantation estates, many village areas, paddy fields and plantation estates especially tea and rubber plantations, one entrance of the southern expressway has been situated in the | To be the excellent PS in Sri Lanka. | To improve the facilities of the people to obtain an independent life style and to live in respect and dignity. |

| | | | | |
|----|---------------|---|--|--|
| | | area. | | |
| 10 | Suriyawewa PS | Prominent Sinhala majority, agricultural area, many lakes and streams, hot springs, international cricket stadium. | To build the area through courage. | To develop the area and to improve the citizens' life according to an appropriate plan by supplying administrative, health, physical, utility and welfare services through using the human, material and financial resources of the PS. |
| 11 | Kinniya PS | Prominent Muslim majority, lagoon area, tsunami-affected and war-affected area. | To make Kinniya a beautiful place through developing all sectors. | To undertake sectoral development and to enhance people's participation. |
| 12 | Lahugala PS | Prominent Sinhala majority and fewer Tamil people, people's names indicate a mixture of Sinhala and Tamil, a well-known national park and an elephant sanctuary, Ampara-Pottuvil road along Lahugala connects Arugam bay, a well-known beach, many village areas and grain-cultivated lands, war-affected area. | To build a self-sufficient and eco-friendly area through preserving ancient heritage and obeying the social, cultural and religious values, to attract local and foreign tourists. | To develop the area to achieve a good economic level through improving infrastructure, reconstructing reservoirs, providing equal facilities to all ethnic, religious, cultural groups and to tourists visit the area to see the ancient places and sanctuaries. |

Source: Budget reports (2011) of the 12 local government bodies

Table 7.2 more closely scrutinises a wide variety of area specialities of the selected local government bodies, and suggests that not only the areas but also the potential for development varies in each local government body. The vision and mission statements of each local government body are the main criteria in understanding the potential for development. The most important and available detailed documents on each local government body are their annual budget reports.

When considering the three districts of the southern province, Galle is the provincial capital, and the Galle MC area is prominent due to the Galle harbour, the ancient Dutch fort and the scenic beauty of the beach. The Galle MC area is multi-cultural with a Sinhala majority and a significant Muslim population. The vision and the mission of the Galle MC indicate the aspiration for city development. The Matara MC area has similar characteristics to those of the Galle MC area, with its beautiful beach and a Dutch fort, and many other ancient places. The area is also multi-cultural with a Sinhala majority and a significant Muslim population. For the Matara MC the major vision and mission relates to increased development for the people. Obtaining people's participation in developing the MC area is a significant policy feature.

In the southern province, the Weligama UC is special for several reasons one being that the whole UC building was washed away by the tsunami and replaced with a building in a different location after donor aid flowed into the area. The area is multi-cultural with a Sinhala majority and a significant Muslim population. The fishing harbour and beautiful beach are prominent scenic attractions with the vision of the UC being to improve tourism in the area highlighting the aim to contribute to national development. It is also the vision of the Hambantota UC to promote tourism in the area. The mission highlights the idea of building an equal society based on the importance of people's participation following the tsunami which brought vital aid to this area. The population of the area consists of a Sinhala majority and a significant Muslim population. Owing to the dry weather conditions and the less populated flat areas, salterns have been situated in the area. Through the salterns people have started small industries such as packing iodised salt for local markets. Because of the salt-mixed soil there is no major cultivation in the area with fishing being the main source of income for the people in the UC area.

Regarding the southern province, the vision and the mission of the Baddegama PS do not present their views of development or put forward any special characteristic about their potential, yet there are many socio-economic issues to be addressed. There is a Sinhala majority and a significant Tamil population in the area working in the tea and rubber plantation estates. Agriculture, especially paddy cultivation, is prominent in the area. Similarly, the vision and the mission of the Suriyawewa PS, does not have any special view about development or people's participation. Although Suriyawewa is in the dry zone, it is an agricultural area with some water reservoirs to supply water for agricultural needs with hot springs providing a tourist attraction. These area specialities have not been addressed in proposals for local development as yet.

The eastern provincial council and most of the local government bodies in the eastern province failed to function for many years due to the war. After government military forces secured the areas, fresh elections were held in the eastern province in 2008 to elect representatives for the provincial council and for the local government bodies.

In the eastern province, the Batticaloa MC area consists of a Tamil majority and a significant Burgher and Muslim population. There is a small Sinhala population as well. The huge lagoon area and scenic beauty of the city is built into the vision of the Batticaloa MC to create a beautiful city which is safe and united. The mission of the MC highlights good governance procedures and participatory development. The Kalmunai MC area is the most populated area in the Ampara district. The majority of the area is Muslim and there are a large number of Tamils and fewer Sinhalese. The vision of the MC notes implementing sustainable development, with the mission suggesting using available resources to provide services to the public.

In the eastern province, Trincomalee, the capital of the eastern province, consists of a Tamil majority and significant Sinhala and Muslim populations. The natural harbour, the ancient Dutch fort, and the scenic beauty of the beach have increased the importance of the area. Therefore both the vision and mission of the Trincomalee UC aims to build an infrastructure to promote it as a tourist city. Kattankudy UC area has the highest population density in Sri Lanka with no land space available for agriculture or any expansion. The Muslim population is dominant in this area. The vision and the mission of the Kattankudy UC directly addresses the needs of the people living in the area.

In the eastern province, the Kinniya PS area is almost totally Muslim-populated. It is the biggest PS area in Trincomalee district. The scenic beauty of the area is prominent because of the lagoon areas and the beach. The vision and the mission of the PS is to develop all sectors but it does not mention what they are. The mission also suggests enhancing people's participation. The Lahugala PS area consists of a large land area with a national park and well-known elephant sanctuary. The Sinhala majority is prominent and there are also some Tamils. The Ampara-Pottuvil road was reconstructed after the war and this road along Lahugala connects Arugam Bay, a well-known beach. Therefore the tourist attraction of the area is high. The vision and the mission of the Lahugala PS aim to protect the environment and to develop tourism.

Although the visions and missions of each local government body cover a wide range of subjects, a common feature of these statements is development of the city or area through improving the public services and facilities provided by each local

government body. Other than the promotion of tourism in some areas, there is no evidence in these statements of specific plans to address particular area needs such as ethno-cultural diversities, agricultural needs or small scale industries. Some of the statements refer to obtaining people's participation in development. For the purpose of this thesis it is necessary to investigate whether the vision and mission statements of the local government bodies are merely rhetorical or real. An important part of this research is to address the local development and the people's participation in the selected areas.

7.3. Local development, people's participation and local politics: an overview

The aim of this section is threefold. First, it provides a detailed overview of the perspectives of local government representatives on local development, and discusses the contradictions and problems attached to development with regard to the southern and eastern provinces. The discussion proceeds to consider the views of people's participation in local governing processes. Finally, this section focuses on the political influences of the central and provincial governments on local government, and on the ways such influences affect local development and people's participation in the selected areas.

7.3.1. Local development: different perspectives

An underlying assumption of this research is that local government is best placed to address the demographic and geographical specialities of local areas when promoting local development. However, local government representatives have different perspectives on local development. This section examines the various perspectives with the goal of obtaining insights into development issues in the southern and eastern provinces.

7.3.1.1. Southern province

In a number of local government areas in this province, central government-led large scale construction projects are the drivers of development. An example of this is the Hambantota UC which has seen large-scale infrastructural development in the form of the construction of a new harbour and an international conference centre. According to the chairman of the Hambantota UC, these initiatives are expected to lead to rapid development in the city. Already, he suggests, the

improving infrastructure and facilities in the area, such as roads, markets and libraries, have made a major contribution to the city's development.⁷⁹⁰

Other local government areas, such as the Galle MC, have looked upon the new infrastructure as a source of direct income. New construction and reconstruction work⁷⁹¹ was highlighted as the pathway to development by the mayor when he commented:

The Galle MC area is going through rapid development processes to reduce expenses and gain income. Through these plans we now have additional earnings and we can use them to improve utility services further. (Respondent: Mr Methsiri De Silva, Mayor (UPFA), Galle Municipal Council.)

Improving the income of the council through renting buildings and providing public utility services is important.⁷⁹² A similar view was expressed by the chairman of the Weligama UC who, in his 2011 budget message noted development achievements over the last five years, with a new town hall and facilities, a supermarket, other markets and shops, and a beach park. There had also been reconstruction work including a playground, street lights and many roads.⁷⁹³ He also commented specifically on the economic potential for income generation through rental properties and the supply of utility services to the people. Noteworthy is that centrally-led initiatives tend to ignore local knowledge which can lead to poorly planned projects that waste scarce resources and result in few local benefits.⁷⁹⁴ Two examples of government wasting funds and resources on large scale construction projects include the harbour project and the building of a new airport in Hambantota. Hambantota is situated in the dry zone where rainfall occurs for one month each year, leaving the area with serious water shortage problems. The population in the area is low compared with the other two districts in the province (see Table 7.1) and most of the people are poor. The harbour project was planned with a view to develop Hambantota as the country's future capital.⁷⁹⁵ Although there was no demand from the people in the area, or even the

⁷⁹⁰ *Budget Report – Hambantota Urban Council* (2011) p. 1.

⁷⁹¹ These include construction projects such as the new Galle central bus stand, a fish market, other buildings, and the reconstruction of roads, the erection of street lights and many other utilities.

⁷⁹² *Budget Report – Galle Municipal Council* (2011) pp. 1-6.

⁷⁹³ *Budget Report – Weligama Urban Council* (2011) pp. i-vii.

⁷⁹⁴ 'Tsunami Reconstruction and Rehabilitation Programme' (n.d.) <http://www.acdi-cida.gc.ca/acdi-cida/ACDI-CIDA.nsf/eng/NAT-215111822-M5J>, accessed 21-06-2013.

⁷⁹⁵ Cassim, N. (2013) 'Future of Hambantota as a Hub: Progress so far and Unfolding New Opportunities', <http://www.ft.lk/2013/09/13/future-of-hambantota-as-a-hub-progress-so-far-and-unfolding-new-opportunities/>, accessed 27-11-2013.

wider country, the present Executive President of Sri Lanka is from Hambantota, and he is widely understood to be behind the decision to construct the new harbour.⁷⁹⁶ The harbour is being built, but some have argued that the Galle harbour would have been better if it had been renovated, or that the well-known Trincomalee natural harbour would meet the needs of the country. Instead the government has spent, and continues to spend, millions of dollars building Hambantota harbour.⁷⁹⁷ The plan is flawed given the existence of significant bedrock deposits which prevent ships reaching the harbour.⁷⁹⁸ Similar criticisms have been levelled at the project to build a new international airport in Mattala, Hambantota. The site for the airport is in a reserved forest area.⁷⁹⁹ An article in a leading national newspaper, commenting on this development, stated:

Putting an airport right near a dedicated wildlife sanctuary and distant from large human populations is not the greatest idea. It will, guaranteed, disrupt the wildlife, and if the area does become a hub, that will disrupt and uproot them more. This might be necessary if there were no alternatives, but there are alternatives. Air traffic to Jaffna would be a guaranteed earner and many other regions (Anuradhapura, Matara) are projected to grow into major cities soon.⁸⁰⁰

The Suriyawewa PS in the Hambantota district has also had a large scale project involving the building of an international cricket stadium, but it has been built a long distance from the developed areas where there is a population of supporters. The majority of the poor in the Hambantota district do not have a culture of watching cricket matches and in fact struggle to afford day to day meals. Again, these examples are evidence of a poorly designed development strategy that has not been informed by local knowledge or the needs of the people.

Much of the centrally-led infrastructure development is oriented towards investment in the tourism sector and the promotion of sports events facilities. Central government has stated that it is attempting to promote tourism in Sri

⁷⁹⁶ 'Why Hambantota?' (2011) <http://www.thesundayleader.lk/2011/09/04/why-hambantota/>, accessed 13-05-2013.

⁷⁹⁷ *Ibid.*

⁷⁹⁸ In building the harbour the Colombo-Kataragama road was submerged to accommodate the new entrance channel. A new road, 21kms longer than the old road, was built with four lanes through a reserved forest. The forest lands near to the new road have been sold to various companies to build hotels, conference halls, office buildings and many other constructions.

⁷⁹⁹ The wild life has been disturbed from this construction and the airport does not have the environmental approval yet ('Bird Attack on Sri Lankan Flight to Mattala' (2013) <http://srilankaoneislandtwonations.tumblr.com/post/45608637295/bird-attack-on-srilankan-flight-to-mattala>, accessed 17-05-2013).

⁸⁰⁰ 'Why Hambantota?' (2011).

Lanka by improving infrastructure,⁸⁰¹ expanding the capacity of the hotel sector, refurbishing existing facilities and building new hotels. Existing coastal tourist resorts as well as new resorts are being positioned for high spending tourists. For this purpose, investments by internationally reputed hotel companies have increased.⁸⁰² The President, who also holds the post of Minister of Finance, is playing a key role in driving these initiatives, reflecting the central government's view that large scale tourism represents the ideal pathway to development.

Clearly, a mismatch exists between large scale construction projects being pursued by the central government and the smaller scale tourism industry practices of local government bodies. The Hambantota UC has interpreted tourism needs differently requiring not large scale industry but small scale, local projects. An official document of the UC captures this:

Tourism has helped to improve the people's lives in the UC area. Local and foreign tourists pass the Hambantota UC area when they travel along the Colombo-Kataragama road to visit the reserved forests and sanctuaries, and the religious and historical places. People sell food items to these tourists and earn money. Some people have small huts to sell these things to the tourists.⁸⁰³

According to local respondents, the rapid development of infrastructure in Hambantota with the use of foreign-funded large scale construction projects has not benefitted these local tourist operators. For example, the people in the area have remained poor and are no longer able to sell small things such as sweets, casual food, king coconuts and fried fish along the road. Huts have become prohibited near the main road with the poor losing income as well as forest areas to feed their cows, and no land for cultivation. This researcher observed that a number of schools in Suriyawewa PS area have very poor facilities and do not have water and electricity. The conditions of the interior roads are very poor, but the main road which has been constructed to reach the international cricket stadium has four lanes. The chairman of the Suriyawewa PS pointed out the needs of the area as follows:

In the area there are many problems related to lands, water, electricity, roads, and the selling of the agricultural harvests. Although it is not easy to solve these problems, the PS needs to address and find solutions for these problems. For a long time, people in the area have suffered from these problems. We need to

⁸⁰¹ Budget Speech – 2013, pp. 14-15.

⁸⁰² *Ibid.*, pp. 36-38.

⁸⁰³ *Hambantota Urban Council Area Details – 2008-2009*, p. 4.

make a plan to solve these problems using the resources in the area. (Respondent: Mr Nandasiri Ranathunga, Chairman (UPFA), Suriyawewa *Pradeshiya Sabha*.)

In sum, it is clear that the government's large scale construction projects in promoting tourism and a sports economy are not addressing the needs of the poorer communities.

The southern expressway from Galle to Colombo⁸⁰⁴ is another large scale project which has affected local people adversely. Although the highway entrance roads have been built along the villages, including the Baddegama PS area, the interior roads of the area are in poor condition and have not been repaired or maintained. The area has not been developed to accommodate the needs of locals and the people in the area do not get any advantage from the highway project. A representative of the Baddegama PS noted the current situation and the actual needs of the area.

No development is seen in the area. The Baddegama PS area remains in the same undeveloped position. There are many children without parents in the area. They need support for their education. They also need support to fulfil their other personal and social needs. The disabled people in the area need help as well. As a local government we have to look after these people. (Respondent: Mr Manjula Liyanage, Representative (UNP), *Baddegama Pradeshiya Sabha*.)

As well as noting the lack of development, this statement also indicates that there are local government representatives who aspire to play a greater role in meeting the needs of their specific communities. However, local government has been unable to influence these projects not as a result of a lack of interest in being involved in the development of such plans but because there are questions about whether local government bodies have the capacity to address the issues.

7.3.1.2. Eastern province

Central government-led large scale construction projects promoting tourism is also characteristic of the development focus in much of the eastern province. The representatives of the Batticaloa MC were largely supportive of the large scale construction projects that have been undertaken in the area since the war. According to the deputy mayor of the Batticaloa MC, the area has gained from these initiatives.⁸⁰⁵ The mayor referred to large scale construction projects in her

⁸⁰⁴ The government has plans to extend it from Galle to Matara, and from Colombo to the Katunayake airport.

⁸⁰⁵ Respondent: Mr George Pillai, Deputy Mayor (UPFA), Batticaloa Municipal Council.

message that accompanied the MC budget report of 2011, in which she thanked the provincial chief minister and the Economic Development Minister for developmental support.⁸⁰⁶ The Batticaloa municipal commissioner commented that these were already generating revenue for the council:

New avenues of increasing the revenue of the council by lease and rent of shops and tourism development, without burdening the tax payers with increased taxes, are opened with the beautification of the beach, and construction of the new bus stand and business complex. We must strive to get the maximum revenue out of these new assets to increase the service provided by us to the tax payers.⁸⁰⁷

Large scale construction projects are therefore seen as positive initiatives and comments by members of the Trincomalee UC indicate that they were hopeful such projects would be conducted in their area. The chairman of the Trincomalee UC stated:

I believe in major development. I accept the central government's large scale construction projects. The defence secretary's⁸⁰⁸ authoritarian approach to development work is good and it should be extended to Trincomalee as well. Otherwise it is difficult to satisfy all as people reject things without thinking about the benefits. (Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council.)

While there is advocacy, statements from other representatives of the Trincomalee UC indicate strong support for including local people in decisions about development projects in the area.⁸⁰⁹

The chairman of the Kinniya PS has a goal of responding quite specifically to the particular social needs in his area, which are greatest in education and employment.

There are many youngsters in the PS area that have passed the G.C.E. advanced level examination. If we can provide opportunities to them, these youngsters can be used as the future base of local development. At present most of them are jobless. We as a PS want to help them develop their future as well as to develop the area. We are searching for investors who can start industries in this area. I expect that through investments like this, these youngsters will be able to get jobs and then the area and the people will be developed. (Respondent: Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*.)

⁸⁰⁶ *Budget Report – Batticaloa Municipal Council* (2011) p. vi.

⁸⁰⁷ *Ibid.*, p. viii.

⁸⁰⁸ This refers to defence secretary Gotabaya Rajapaksa.

⁸⁰⁹ Respondent: Mr N. Noormohamad, Representative (UPFA), Trincomalee Urban Council and Respondent: Mr S. Sanon, Representative (UNP), Trincomalee Urban Council.

Although the expectation of the Kinniya PS chairman is to avoid unemployment, a document tabled in Parliament by MP M.A. Sumanthiran⁸¹⁰ reveals that much of the government and donor focus on infrastructure projects does nothing to assist local communities. With soaring levels of unemployment, issues of hunger and malnutrition have become a serious concern.⁸¹¹ This reveals that the local communities in the area do not get job opportunities or benefits from large scale construction projects.

A feature of central government involvement in post-war development in the eastern province is the large role played by the armed forces. Related to this is the question of land redistribution, and this has become a major problem, with the traditional agricultural lands of the people having been confiscated by central government and handed over to military personnel for major projects. According to MP Sumanthiran, large sections of eastern province beach front land have been parcelled out to companies which are headed by military officers and, interestingly, the military has established a string of restaurants.⁸¹² The local people are therefore very much at risk of losing their livelihoods due to the loss of their lands and lagoon areas where they cultivate and fish.⁸¹³ The chairman of the Lahugala PS commented on this as follows:

The Lahugala area is special due to its tourist attractiveness.⁸¹⁴ But this area is war-affected and still under the influences of government military forces which are in the area. The lands used by villagers in Panama for their agricultural cultivations were forcefully taken by the military and now it is prohibited to enter these lands because of army fences and boards declaring 'No Entry'. Other than this, the fishermen also face problems when they fish in their usual fishing areas. The navy gun boats anchored near the shore and the traditional fishermen were not allowed to fish in those areas. (Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*.)

⁸¹⁰ MP M.A. Sumanthiran represents TNA.

⁸¹¹ 'Situation in North-Eastern Sri Lanka: A Series of Serious Concerns', a document tabled in Parliament on 21st October 2011 by M.A. Sumanthiran, MP (TNA), www.dbsjeyaraj.com, accessed 23-11-2011.

⁸¹² An entire military tourism industry catering to southern visitors is run by the military establishment. The navy uses state resources to run ferry services for the southern tourist industry. Military personnel also run various quasi-commercial enterprises such as shops and salons that are highly irregular and impact negatively on the local economies. Furthermore with the access and advertising support of corporate entities in the south and the unfair benefits of highly subsidised cost structure through the use of state infrastructure the military is distorting and suppressing any attempt at economic recovery in the north and east (*ibid.*).

⁸¹³ *Ibid.*

⁸¹⁴ See Table 7.2.

These reflections raise questions about the central government's large scale projects and the taking of land. Many signs declaring "ENTRANCE PROHIBITED – This land is a property of the Ministry of Defence" have appeared in the province. Locals now cannot enter their historically owned lands as commented on by MP Sumanthiran:

People in Panama allege that officials from the Ampara divisional secretariat have forcibly taken over 850 acres of land belonging to the Panama villagers. The inhabitants of this village comprise both Sinhala and Tamil communities and their main source of income is derived through farming and fishing.⁸¹⁵

A CBO leader who has fought to protect the agricultural lands of the people said:

During the war, the military forced people off their cultivated lands. People obeyed these rules because of the war. But the situation has worsened since the war. The people did not get permission to return to their lands which they had previously cultivated. The villagers started a movement to protect Panama. I showed leadership and people protested against the arbitrary involvement of the central government who robbed the villagers of their cultivated lands. (Respondent: Rev. Panama Chandarathana Thero, the Chief Priest of Panama Buddhist temple, the Principal of the Panama school, and the Leader of the movement to protect Panampaththuwa.)

The document tabled in Parliament by MP Sumanthiran refers to this issue and says that, villagers in Panama were prevented from resettling after the war by the Sri Lanka navy.⁸¹⁶ Some of the lands have been used for large military camps for the army, navy and the air force. These new military camps have been called deployment camps and the locals suspect the government plans to build hotels on them. The following statement indicates this and the need to give greater consideration to people's needs in local development.

We found that the government had given 5,000 acres of lands to a Korean company. We don't know the exact aim of the government, but know they wanted to improve tourism and these lands might be used to build hotels and to entertain tourists. The roads have been reconstructed to fulfil this aim and we can see that things are going in the wrong direction. It is not a matter of improving tourism, but the government must listen to the ideas of the people. This development process is unsustainable. The villagers cannot bear this kind of development. Panama is a traditional village with many rituals. If tourism and huge construction projects come directly to the villages, the lives of the people may be badly affected. Development should advance through the people according to the people's needs. Otherwise there is no meaning from these huge construction

⁸¹⁵ 'Situation in North-Eastern Sri Lanka: A Series of Serious Concerns' (2011).

⁸¹⁶ 'Issues and Problems Facing People of the Northern and Eastern Provinces', a document tabled in Parliament on 7th July 2011 by M.A. Sumanthiran, MP (TNA), www.dbsjeyaraj.com, accessed 28-11-2011.

projects. (Respondent: Rev. Panama Chandarathana Thero, the Chief Priest of Panama Buddhist temple, the Principal of the Panama school, and the Leader of the movement to protect Panamapaththuwa.)

By appropriating the limited economic opportunities that might otherwise be used by local residents to bring income and revenue to the fragile local communities, the military is maintaining and reinforcing the cycle of poverty.⁸¹⁷ Local people have been continuously losing their sources of income generation. According to MP Sumanthiran, severe restrictions are placed on members of fishing communities by resulting in a drastic change to their means of livelihood. These communities are unable to pursue their traditional livelihood.⁸¹⁸ A CBO leader stated that the locals have to get permission from the military personnel to fish in the lagoons and the sea.

The traditional fishermen have lost their rights to fish in the Panama coastal area. They now have to get permission from the navy to fish. The navy issues a special identity card for them. People everywhere are arbitrarily ruled by the military. (Respondent: Rev. Panama Chandarathana Thero, the Chief Priest of Panama Buddhist temple, the Principal of the Panama school, and the Leader of the movement to protect Panamapaththuwa.)

Land use issues have important dimensions. The reserved forest areas in the eastern province have been cleared and huge projects started. For example, 11,600 acres of the Somawathiya national sanctuary have been given to the Dole company to cultivate bananas,⁸¹⁹ with the military being involved in preparing the land for banana cultivation.⁸²⁰ In addition, the military has taken several thousand acres for cultivation without due process.

The resettlement process since war continues in the northern and the eastern provinces however the armed forces are forcibly, and often without any explanation, taking over public or private property and land, in areas where people were returning to after being displaced because of war.⁸²¹ Many of the internally-

⁸¹⁷ 'Situation in North-Eastern Sri Lanka: A Series of Serious Concerns' (2011) *op.cit.*

⁸¹⁸ *Ibid.*

⁸¹⁹ 'Dole Admits Growing Bananas in Somawathiya Area' (2011)

http://www.lankatruth.com/english/index.php?option=com_content&view=article&id=207:dole-admits-growing-bananas-in-somawathiya-area&catid=42:smartphones&Itemid=74, accessed 10-05-2013.

⁸²⁰ This project was later stopped by the Dole company in response to the protests of international environmental organisations against building new plantations in a tropical forest area and elephant habitats in Sri Lanka ('Partial Success in Sri Lanka: Dole Withdraws from National Park' (2011) <http://www.rainforest-rescue.org/achievements/3890/partial-success-in-sri-lanka-dole-withdraws-from-national-park>, accessed 10-05-2013).

⁸²¹ 'Situation in North-Eastern Sri Lanka: A Series of Serious Concerns' (2011).

displaced persons (IDPs) have been relocated to remote areas in the interior where there are no facilities such as health, sanitation, education and transport. The military is also taking part in all activities at the community level including meetings to discuss local issues.⁸²²

Clearly, local communities have been neglected and their voices compromised by government-sponsored military involvement and large scale construction projects. These projects have failed the needs of the local communities including farmers and fishermen with the poor helpless in the face of large scale construction projects. According to MP Sumanthiran, reports indicate that the heavy military control and presence in these areas has resulted in psychological stress on local communities.⁸²³

It is evident that the people working against the arbitrary involvement of the central government and military forces have been threatened. According to Panama Chandarathana Thero, his own life is in danger because he gives leadership assistance to the movement to protect Panampaththuwa.⁸²⁴ This priest lives in the Panama Buddhist temple where it was observed that the main gate of the temple was locked. As it was abnormal to see a temple gate locked, this researcher asked the priest about this. He said he had been getting many anonymous threatening phone calls, including death warnings because he works to protect people's agricultural lands against the government and military forces.

While donor agencies have supplied funds to reconstruct the areas which were heavily damaged in the war the main goal of these projects has been to develop infrastructure facilities in the eastern province, with most of them being handled by the Ministry of Economic Development. Significant amounts of foreign funds have been redirected to this ministry which has retained control of them. The chairman of the Lahugala PS reported that this has also led to the misuse of funds.

The main roads were reconstructed by the central government but the quality of them is not satisfactory. There is huge corruption. Only 45 per cent of the funds were used for road development and the other 55 per cent disappeared through central governmental authorities especially the Minister of Economic Development.⁸²⁵ These roads will be destroyed soon due to their bad quality.

⁸²² *Ibid.*

⁸²³ *Ibid.*

⁸²⁴ Respondent: Rev. Panama Chandarathana Thero, the Chief Priest of Panama Buddhist temple, the Principal of the Panama school, and the Leader of the movement to protect Panampaththuwa.

⁸²⁵ Basil Rajapaksa holds the post of Minister of Economic Development.

(Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*.)

In terms of both the southern and eastern provinces, it is significant that there are variations in the views of local government representatives' understanding of local development. Addressing local development through dimensions such as environmental protection, education for children, employment for youth, welfare for the needy, the needs of fishermen, cultivators and small scale employees, and sustainable usage of resources is important and are key issues which have emerged among respondents. Comparing the southern and eastern provinces, several differences are apparent. The local communities in the eastern province have been greatly affected by the large scale construction projects and by the heavy military involvement. Local government bodies have become powerless through central government decision making. Some of the CBOs such as the movement to protect Panampaththuwa argued against the arbitrary attempts of the government to grab people's agricultural lands with threats made on the life of the leader of this movement. Thus, there is a need for significantly more powerful CBOs in these areas. In southern and eastern provinces there are many unaddressed issues relating to people's needs in different areas. There are two dimensions to the problem: first, large scale construction projects of central government never addresses the needs of local communities; and second, despite their powerlessness to control the projects which impinge on the local communities, some local government representatives continue to believe that local development can be achieved through these large scale construction projects.

7.3.2. Encouraging people's participation

As Sisk notes, there is a new appreciation that local government is much more than administrative bodies that collect taxes and deliver essential services such as education, clean water, sewers, transportation, or housing.⁸²⁶ To Sisk, local government is the level of democracy at which the citizen has the most effective opportunity to participate actively and directly in decisions made for all of society.⁸²⁷ Although some of the local government vision and mission statements highlight the importance of people's participation in local policy processes and

⁸²⁶ Sisk, T.D. (ed) (2001) *Democracy at the Local Level: The International IDEA Handbook on Participation, Representation, Conflict Management, and Governance*, Stockholm, Sweden, p. 1.

⁸²⁷ *Ibid.*

local development, it can be seen that securing people's participation is not easy. The following section examines the views of local government representatives on people's participation, and explores some of the attempts made to obtain people's participation in local policy processes and local development.

7.3.2.1. Southern province

Most local government bodies do not have effective links with the people in such areas. When considering most of the local government bodies in the southern province, there is little evidence of people's participation in local policy processes towards local development. Although the mission of the Hambantota UC mentions people's participation (see Table 7.2), according to one respondent the practical situation is very different.

People's participation is very low in the UC area. The people do not participate in the UC work. There is no proper relationship between the CBOs and the UC. Also, no proper mechanisms to obtain people's participation exist. (Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council.)

In other local government areas, there have been attempts to obtain people's participation. The chairman of the Suriyawewa PS stated:

We expect to build a four-year plan after obtaining ideas from the people. To obtain people's ideas and to meet their needs we are conducting group meetings in the villages. However the PS does not have a direct relationship with the CBOs and also we are not maintaining a data base on CBOs in the area. (Respondent: Mr Nandasiri Ranathunga, Chairman (UPFA), Suriyawewa *Pradeshiya Sabha*.)

The chairman of the Baddegama PS, while referring to the construction and reconstruction work in the area, talked of the importance of people's participation in local development and ways they encouraged people's participation.

Aside from many barriers we have established CBOs in every GN division in the area to obtain people's participation in identifying development needs. Through this process we try to obtain people's proposals on area development and to supply the people's needs. (Respondent: Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*.)

Reference to the CBOs in these three statements reflect the link between people and local government bodies.

Some local government representatives noted the difficulties of achieving people's participation in local development. In the Weligama UC, the situation of the area and the people's attitudes changed after the tsunami and this has become

a specific problem to be addressed by the UC. A representative of the Weligama UC stated:

After the tsunami it took a long time for reconstruction to obtain and to re-settle the people. After the tsunami, people received support from the government and especially from non-governmental donors. Because of this people still have a dependency mentality and are not interested in becoming involved in development work. There is a need to change the attitudes of the people. (Respondent: Ms K.H. Thakshila Damayanthi, Representative (UPFA), Weligama Urban Council.)

Development initiatives are of little benefit if they do not connect with the people.⁸²⁸ The following statement of the former mayor of the Matara MC, Upul Nishantha, gives prominence to the relationship which the MC had built with the people in the area.

Development should lie with the people. For example, when people who have lived in individual houses receive flats, they should know the different living conditions applied to flats. When they get flats without the knowledge of these spaces problems occur. Huge development projects are not well matched to a country like Sri Lanka. The main key to sustainable development of a country is local government. (Respondent: Mr Upul Nishantha, former Mayor,⁸²⁹ Matara Municipal Council.)

To obtain the people's participation in city development, Matara MC created 15 *Purawesi Sabhas* (citizen committees)⁸³⁰ in the 15 wards of the MC area. This has built a path to solve problems between the MC area and the people. The former mayor of the Matara MC said they had established citizen committees to encourage people's participation. He added: "This was very effective and people have adopted the idea that they should work for the success of their city."⁸³¹

The establishment of citizen committees⁸³² gave the community power to make decisions for their ward in development activities, service needs, wider

⁸²⁸ 'Tsunami Reconstruction and Rehabilitation Programme' (n.d.).

⁸²⁹ He represented the UPFA during his period as the mayor, but later joined UNP. He contested the 2011 local government election and was elected as a representative of the Matara municipal council representing the UNP.

⁸³⁰ Literal meaning is citizens' councils. But the documents refer to *Purawesi Sabhas* as citizen committees.

⁸³¹ Respondent: Mr Upul Nishantha, former Mayor, Matara Municipal Council.

⁸³² Each citizen committee contained an elected member of the municipal council as the political representative, and each committee elected 16 members as an executive committee, eight of them nominated by the community and eight by the municipal council. This decision was made to ensure inclusion of minorities, and the exclusion of groups such as business community, professionals and religious leaders ('CIVICUS Complete Report' (n.d.) <http://www.fslga.org/by-laws/civicus-complete-report/index.html>, accessed 05-05-2011). Ward coordinators were appointed to each citizen committee and designated as community service facilitators. These ward

community needs, and welfare. A constitution clearly defines the roles and responsibilities of the citizen committees.⁸³³ In the beginning some people were sceptical about the process of the citizen committees but over time, people have become engaged and have appointed community leaders to each committee. According to the former mayor of the Matara MC, Upul Nishantha, “it is very difficult to change the traditional attitudes of the people. There is a huge need for a change in attitude.”

The special feature of the citizen committees was that there were no political party divisions in this process. All representatives of the MC equally supported and contributed to this process. The former mayor stated that, “if the political representatives work hard, it is easy to get the people’s support.” An opposition party representative of the Matara MC stated:

The former mayor created citizen committees to fulfil a need for CBOs. This was a great idea. These committees are also continuing the work which some of the NGOs started. When there is a local development project in the area, these committees supply labour and food as well. So when this supply combines with the MC’s labour, the strength and the results achieved can be doubled. (Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council.)

The comments reflect the supportive views of opposition party representatives in the MC regarding citizen committees.

Through citizen committees, people pledged their support for the MC in collection of garbage, and maintaining a clean environment. These committees are also vigilant about the construction of unauthorised structures and other obstacles to good health and sanitation. They organised *Shramadana*⁸³⁴ once a month to clean the MC area, creating a good social network among neighbours. The citizen committees held regular meetings with the MC officials, mayor and elected members to update the outcomes of the committee meetings, and developed their own mechanisms to raise funds to develop the city.⁸³⁵ These committees became participants in the participatory planning and budgeting process implemented by

coordinators were all females attached to the municipal council who were working as officers in charge of the community service centres of the municipal council.

⁸³³ Under the constitution a citizen committee can summon any municipal council official, provincial and central government officers, in seeking to resolve issues related to their wards (*ibid.*).

⁸³⁴ The literal meaning of the word *Shramadana* is sharing of one’s time, thought and energy for the welfare of all. In short, *Shramadana* means a gift of labour.

⁸³⁵ ‘CIVICUS Complete Report’ (n.d.).

the Matara MC from 2010 onwards. Citizen committees are a good example of how people's active participation in local policy processes can promote locally-led development.

The successful implementation of citizen committees shows that people do participate in local government activities if given due space and recognition. Furthermore, citizen committees show that people need autonomy in the decision making process, without the occurrence of political interference. The success story of citizen committees indicates that local government can attract resources from various institutions, voluntary organisations, expert groups, and volunteers by establishing participatory, accountable and transparent governing systems.⁸³⁶ However, behind the success story of citizen committees is a need for strong leadership (this is discussed below) and the assistance of government and non-government organisations.⁸³⁷

7.3.2.2. Eastern province

As discussed earlier, following the war, and in the post-war environment a large and on-going level of military involvement is present in people's lives with people's participation in local policy processes becoming a distant memory. It is also evident that large scale construction projects being undertaken by the central government ignored needs at the local level. Nonetheless, messages from the chairman and the secretary of the Kattankudy UC in the UC's 2011 budget report provide evidence of people's participation in UC's annual budget preparation. According to the chairman:

Discussions were held with the people in every GN division as a prelude to the preparation of this budget. These estimates will be a guide for us to ensure continuity of the activities of the previous years, and to embark on new activities in the future.⁸³⁸

And according to the secretary:

People of Kattankudy can now identify and prioritise their needs. They can obtain the financial resources and prepare budgets. This practice provides an opportunity for voters themselves to participate in local development. This is a special feature of exercising people's rights and is a significant democratic advance. It is our

⁸³⁶ *Ibid.*

⁸³⁷ The Federation of Sri Lankan Local Government Authorities (FSLGA), the World Alliance for Citizen Participation (CIVICUS) and the Asia Foundation provided support in this.

⁸³⁸ *Budget Report – Kattankudy Urban Council (2011) p. 2.*

fervent hope and desire that we can progress towards development and good governance with the support and participation of people as well as with the dedicated service of our staff.⁸³⁹

These statements reflect the formation of a people-centred view of local development. Furthermore, the budget report provides a detailed list of project activities planned by the UC together with the people to implement them in 2011. This list includes major 14 sections⁸⁴⁰ and several sub sections providing a good example of local government's attempt to identify the actual needs of the people and to address local development through people's participation.

In his message to the council's 2011 budget report, the former chairman of the Kinniya PS gave a different view on people's participation which is as follows:

Let me first thank you the voters of this PS area for electing me as the first chairman of this council by casting your valuable votes with the expectation that this council would fulfil your needs by providing extended services under my chairmanship. Having this in mind we embarked on the task of preparing a budget after identifying your needs and problems. We present this budget as a development-oriented one prepared by the representatives chosen by you.⁸⁴¹

This statement reflects that as local government representatives have been elected by the people, they should represent the people's needs in the council, and this signifies that there is no need to obtain people's direct participation in local policy processes. However, there is no guarantee that local government representatives will represent the actual needs of the people at all. The above examples of the Kattankudy UC and the Kinniya PS reflect two different views of democracy: first, the participatory democracy which strives to create opportunities for people to make contributions to decision making; and second, representative democracy where people vote for representatives who then decide policy initiatives.⁸⁴²

In summary, the local government representatives identify CBOs as appropriate links to use in obtaining people's participation. A dependency mentality and the traditional attitudes of the people work as barriers, limiting participation and

⁸³⁹ *Ibid.*, p. 1.

⁸⁴⁰ The major 14 sections are: 1) preservation of the urban environment; 2) livelihood improvement; 3) purified drinking water supply; 4) local government infrastructure development; 5) activities towards promotion of peaceful co-existence; 6) gender equality; 7) inculcate a sense of discipline in the community; 8) initiate projects to earn permanent income for the council; 9) build Kattankudy as an efficient urban council; 10) control the occurrence of annual floods; 11) coastal community protection; 12) better sports and recreation facilities; 13) promote culture and arts; and 14) promotional activities for development of school education (*ibid.*, pp. 13-15).

⁸⁴¹ *Budget Report – Kinniya Pradeshiya Sabha* (2011) p. 1.

⁸⁴² See Beetham, D. and Boyle, K. (1996) *Democracy: 80 Questions and Answers*, National Book Trust, India.

suggesting there should be a mechanism to drive people towards participation in local policy processes. Area-specific and people-centred development through obtaining people's participation is a significant issue in local government bodies such as the Matara MC and the Kattankudy UC. If local government bodies can provide opportunities, people are actively willing to participate in local policy processes.

7.3.3. Local politics

The politicisation of the local government system in Sri Lanka has been a common feature, according to Bigdon and Hettige, who state that when one party proposes a project, the opposition blocks it, or the divisional secretariat will not allow it, since it is from the opposition and the divisional secretariat which represents the government. This political behaviour by local government leaders undermines the effectiveness of the local government system.⁸⁴³ As established earlier, the prominent issue in local politics is the influence of central and provincial governments. These influences undermine and limit the powers of local government. The following section outlines attempts by central and provincial governments to control local government and emerging local leadership. This section also focuses on some of the contradictions between governing political parties and opposition political parties at the national, provincial and local levels of government.

7.3.3.1. Southern province

Effective local government leadership can be identified as an important factor in local development. The example of citizen committees indicates that the Matara MC has had a positive view of people-centred development, although these development attempts have changed since the resignation of the mayor. In this MC, the loss of a mayor committed to an inclusive approach to local decision making has resulted in a decline in the level of local participation in planning and a recentralisation of power. A representative of the Matara MC stated:

Citizen committees are still continuing but are not as effective as before because we lost the leadership of the former mayor. The former mayor spent his whole

⁸⁴³ Bigdon, C. and Hettige, S.T. (2003) 'Key Issues of Good Local Governance', *Local Governance and Conflict Management in Sri Lanka-Final Report*, Sri Lanka Institute of Local Governance and Berghof Foundation for Conflict Studies, p. 95.

time developing the MC area. (Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council.)

There is no doubt that the former mayor of the Matara MC worked to develop the MC area in a democratically inclusive way. He decentralised his power base and worked hard to overcome the challenges in the Matara MC area in a way that involved including the local population in decision processes. In the 2010 Presidential election he gave his support to General Sarath Fonseka against the present President Mahinda Rajapaksa. As a result of this support, in March 2010 he received a charge sheet from the southern provincial chief minister Shan Wijelal De Silva⁸⁴⁴ alleging that he had committed several transgressions contrary to the Municipal Councils Ordinance.⁸⁴⁵ However by filing a writ application⁸⁴⁶ in the southern provincial high court of Galle, mayor Upul Nishantha sought an order of a stay in relation to the inquiry against him and the decision to suspend his duties as mayor.⁸⁴⁷ Although mayor Upul Nishantha won the case he resigned from his post in December 2010 until the investigation regarding him was complete.⁸⁴⁸ This incident suggests that when the local leaders work hard and receive popularity, central and provincial government politicians see it as a challenge to their image, popularity and future in politics.

⁸⁴⁴ Several attempts by this researcher to interview the southern provincial chief minister were unsuccessful. His personal secretary recommended this researcher interview the chief minister's legal advisor because the chief minister is always busy with many programmes and therefore had no time to meet researchers.

⁸⁴⁵ 'CA Refuses Order against Matara Mayor' (2010) <http://www.lankika.com/?p=7569>, accessed 14-12-2011.

⁸⁴⁶ In his application the mayor informed the court that he was appointed to the post at the 2006 local government election and he had been politically victimised as he had supported the opposition candidate, General Sarath Fonseka, at the last Presidential election. He stated his strong support for the former cabinet minister, Mangala Samaraweera (Mangala Samaraweera is a former minister in both Chandrika Bandaranaike Kumaratunga's and Mahinda Rajapaksa's UPFA cabinets. In 2010 he joined UNP criticising the Rajapaksa government), and he openly supported General Sarath Fonseka at the election rallies. From that time he was subjected to various harassments (*ibid.*).

⁸⁴⁷ Subsequent to this writ application, on 6th May 2010, the respondent chief minister made an order suspending him from functioning in the office of mayor with immediate effect, and directed deputy mayor Deegoda Gamage Yasaratne to replace him. But on 19th May 2010 the Galle high court judge issued an interim order staying the operation of chief minister's decision to suspend mayor Upul Nishantha and appointing anyone else to the said post. Challenging this order, the chief minister filed an appeal and stated that the mayor of the Matara municipal council had obtained the said order by suppressing and misrepresenting the material facts and stated that the provincial high court judge erred when she made the said order. When the case was supported before the appeal court, the court directed the petitioner chief minister to withdraw it (*ibid.*). The order was delivered hours after deputy mayor Yasaratne took oaths as the new mayor of Matara ('Court Issues Order Suspending Matara Mayor's Removal' (2010)

http://www.colombopage.com/archive_10A/May20_1274333715JV.php, accessed 14-12-2011).

⁸⁴⁸ 'Matara Mayor Resigns' (2010) <http://www.adaderana.lk/news.php?nid=11203>, accessed 08-05-2013.

Soon after the resignation of mayor Upul Nishantha, the deputy mayor was appointed as the new mayor but the control of the MC had been taken over by the Urban Development Authority (UDA) under the direction of the Ministry of Defence. Following this, there has been an increase in the level of involvement of military forces in the Matara MC. It has been observed that the military forces had started collecting garbage and carried out most of the construction work in the area, such as preparing land for new buildings and parks using the heavy vehicles from the war. This military influence was not acceptable to the staff of the MC or the people in the area. These actions point to the ways central and provincial government has become more involved in controlling local government bodies. The following respondent emphasised this situation.

The local government bodies do not have a wide range of powers because of the provincial councils. Also the UDA has been involved in many of the MC projects recently. The system does not run smoothly because of these influences. At present the UDA works under the Ministry of Defence with army personnel becoming directly involved in the matters of the MC. The elected council members have no power to operate. We feel that we do not have the power to make decisions and work for the people in our own area. (Respondent: Mr Jayantha Pathirana, Representative (JVP) Matara Municipal Council.)

Central and provincial governments are seen by some as taking the view that local leadership should be aligned with the major political agendas of those in power without reference to the specific local needs of areas. A representative of the Matara MC highlighted this as follows:

The elected members of the MC are the most suitable people to make decisions and to plan projects for the area because they know what the needs of the people in the area are. There are other authorities who do not care for our ideas and they work according to their desires without listening to our ideas. We also can't sit in on their decision panels. This means that decisions are arbitrary. We are the people who are accountable for the matters of the MC area. Moreover we cannot be accountable if we do not know about the decisions which the higher authorities make. We have been put into a uncompromising position. (Respondent: Mr Jayantha Pathirana, Representative (JVP) Matara Municipal Council.)

Central and provincial governments' influence on local government worsens when the local governing party is different from the central and provincial governing parties. The following two statements by the opposition party representatives of the Galle and Matara MCs reflect this.

There is politicisation everywhere. When the provincial government and the local government are run by different political parties, the problems become worse.

Local government does not get sufficient funds and the opportunities to appoint local government staff become limited because of political reasons. The reason being is that local government staff appointments need the recommendation of the provincial council. (Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.)

When the local government is headed by a different political party other than the central or provincial governing party, council does not get funds either from the central or provincial governments. There are many examples of provincial councils' political influences. For example, the Tissamaharama PS⁸⁴⁹ failed to get funds from the provincial council because the JVP governed the PS at that time. (Respondent: Mr Jayantha Pathirana, Representative (JVP) Matara Municipal Council.)

Even if the local governing party is the same as the central and provincial governing parties, the opposition party representatives of the local government face ill-treatment most of the time. The opposition party representatives of the Galle and Matara MCs mentioned that there are no opportunities for them to be involved in the major development projects like *Maga Neguma*,⁸⁵⁰ *Jathika Saviya*,⁸⁵¹ *Gama Neguma*⁸⁵² and *Divi Neguma*.⁸⁵³ The following statements provide evidence for this.

The council members of the other political parties do not get the opportunity to be involved in major development projects like *Maga Neguma*, and *Jathika Saviya*. The local government legal procedures do not treat each political party representative differently although it is the council members of the governing party who get central government funds. The other council members remain powerless and do not have funds to serve the people. (Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.)

The other political party representatives do not get a chance to work on the central government projects at the local level. For example, the central government programmes such as *Maga Neguma*, *Jathika Saviya*, *Gama Neguma* and *Divi*

⁸⁴⁹ Tissamaharama *Pradeshiya Sabha* is in the Hambantota district, southern province. It was the only *Pradeshiya Sabha* won by the JVP in the 2006 local government elections. But in 2010, the chairman of the *Pradeshiya Sabha* was allegedly removed from his office by the southern provincial chief minister following recommendations of an appointed commission of inquiry against the chairman. This commission was appointed by the chief minister.

⁸⁵⁰ Rural road development programme conducting by the central government Ministry of Ports and Highways.

⁸⁵¹ A central government programme envisioned to develop infrastructure in the villages, especially the war-affected villages. It is aimed to give roads, water, electricity, education, transport and housing to such villages through this programme. This is conducted by the President's office.

⁸⁵² A programme conducted by the Ministry of Economic Development aiming to uplift the life of every single family in villages. The ministry says that the *Gama Neguma* has a participatory approach and people of the village are involved in developing their own village ('*Gama Neguma*' (n.d.) http://med.gov.lk/english/?page_id=1263, accessed 09-05-2013).

⁸⁵³ A programme initiated by the Ministry of Economic Development to establish one million domestic economic units.

Neguma do not seek the involvement of politicians from other political parties. (Respondent: Mr Jayantha Pathirana, Representative (JVP) Matara Municipal Council.)

These statements reveal how some local government representatives of non-governing political parties face ill-treatment. It is evident that all the opportunities and benefits, such as handling the contracts of construction projects, remain with the council members representing the central and provincial governing party. These party affiliations create divisions between the local representatives and this affects the unity of local government. This problem can be further illustrated through examining the committee system in the local government bodies.

As identified by the 1999 Commission of Inquiry, the committee system operating in local government bodies is a very important element of management.⁸⁵⁴ Although the law provides for the appointment of various committees to assist the administration of local government bodies, in every local government area there are implementation problems arising from the existing law. Since political input has been uppermost in the minds of the politicians in power, adequate representation has not been the case in committees, even though the opposition groups or representatives have deserved representation.⁸⁵⁵ An opposition party representative of the Matara MC stated:

There are legal procedures to work through in the committees without political bias and we have been appointed to follow them. But the ideas of the governing party get prominence. There is a need for more legal procedures to make these committees stronger. (Respondent: Mr Jayantha Pathirana, Representative (JVP) Matara Municipal Council.)

⁸⁵⁴ The committees are called standing committees in municipal councils whilst in urban councils and *Pradeshiya Sabhas* they are called committees. The Municipal Councils Ordinance stipulates that a standing committee on finance and not less than two standing committees should be appointed. The Urban Councils Ordinance does not specify the number of committees to be appointed nor does it make it compulsory to appoint committees. The *Pradeshiya Sabhas* Act too does not make the appointment of committees compulsory, but it states that in the appointment of committees, four committees should be appointed for the following subjects: 1) finance and policy planning; 2) housing and community development; 3) technical services; and 4) environment and amenities. Except for the standing committees operating in the municipal councils, committees in the urban councils and *Pradeshiya Sabhas* function as advisory committees. While outsiders cannot be appointed to standing committees in municipal councils, the committees in urban councils and *Pradeshiya Sabhas* may consist of residents. Under the law, the chairmen of *Gramodaya Mandalas* in the area can also be appointed to committees of *Pradeshiya Sabhas* (*Report of the Commission of Inquiry on Local Government Reforms 1999* (Sessional Paper No. I – 1999) pp. 63-64).

⁸⁵⁵ 'Country Paper: Sri Lanka' (n.d.)

<http://www.unescap.org/huset/lgstudy/country/srilanka/srilanka.html#top>, accessed 29-12-2011.

This observation supports the assertion that the committee system in local government bodies is failing, because of the impact of strong party affiliations. Even in cases where members of these committees were appointed, the ideas of the political opponents and the disadvantaged groups were by-passed.⁸⁵⁶

The problems get worse when the local leadership is affiliated with the political interests of the central and provincial governments. According to the comments of respondents, most of the time the political connections between local government heads and political leaders in higher branches of government are aimed at securing profitable contracts and candidacy to contest future provincial councils or parliamentary elections. An opposition party representative of the Baddegama PS stated:

Most of the council members work for their own self-interested success not for the people. A lot of corruption and misuse of resources is happening. Always the success or the destruction of the PS remains in the hands of central and provincial governments and on their decisions. (Respondent: Mr Manjula Liyanage, Representative (UNP), Baddegama *Pradeshiya Sabha*.)

A member of the southern provincial council added:

As with national politicians, most of the local politicians are also corrupt. They only think about profits. If we read their leaflets distributed and posters pasted during local government elections we can see how corrupt they are. For example, when building concrete roads, they give the contracts to their henchmen and get a big share for themselves. (Respondent: Rev. Baddegama Samitha Thero, Representative (UPFA), Southern Provincial Council.)

These statements indicate the ways in which local government representatives can follow central and provincial government agendas for their personal gain. National political parties have long been influencing local government by making national political issues the mainstay when canvassing votes around local government elections. The local issues such as water and electricity supply, education, unemployment, health and sanitation, transport, livelihood and agriculture have been for too long been neglected and the local communities remain voiceless. In such circumstances, they have no way of expressing needs. Instead, national politics emerge at the local government level as major issues. For example, in the 2011 local government election campaign, the UPFA continually

⁸⁵⁶ *Ibid.*

raised the war victory and paid little attention to local issues. The UPFA won the election by a large majority.⁸⁵⁷

7.3.3.2. Eastern province

The eastern provincial council is newer than the southern provincial council, but the responses of the local government representatives are almost similar in both provinces regarding provincial councils. The local government representatives in the eastern province, who were interviewed in this research, did not have positive feedback regarding provincial politics. The following statements demonstrate this point.

I am not participating in the provincial council meetings. These meetings are useless. They force us to do the work according to their criteria. But their criteria are not matched to the area. They are not concerned our ideas. We are the ones who know the area and people well. They have to ask us. But the system goes the other way around. It is good to be in my office and serve people rather than listening the useless talks by provincial ministers. (Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council.)

The provincial council is useless and also it is an extra barrier. We have enough power to work but the provincial council does not allow us to work on our own. They receive all the staff and luxury facilities. But they do not do anything. They don't want to work. During their time in office they only try to earn as much as they can. That's all they do. As local government representatives we get very few facilities but we want to work for the area and the people. (Respondent: Mr S. Sanoon, Representative (UNP), Trincomalee Urban Council.)

In fact, some local government representatives saw the provincial council as a barrier to their work.

We have enough power but we cannot work because of the other institutions especially the provincial council. It is always a barrier to our work. They do not allow us to work independently. We have to work according to their criteria and we do not have a say. There is no need for provincial councils. It is easier to deal with the central government directly as before. We hope we can get more aid and facilities without disturbances from another useless institution. (Respondent: Mr N. Noormohamad, Representative (UPFA), Trincomalee Urban Council.)

This view confirms that some local government representatives still have hopes for central government. But the problem here is that the central government controls the provincial councils and tries to fulfil its aims through provincial councils. The political aims of central government become easier when the

⁸⁵⁷ See 'Local Authorities Elections' (2011) http://www.slelections.gov.lk/local_authorities2011/province.html, accessed 08-07-2013.

provincial councils are also governed by the same central governing political party. For example, MP Sumanthiran reports that the eastern provincial council provided assistance to the central government-sponsored land confiscation attempts handled by the military.⁸⁵⁸

In the 2012 eastern provincial council election no party obtained an overall majority. Out of 37 seats in the provincial council, the numbers of seats obtained by the political parties were: UPFA – 14; TNA – 11; SLMC – 7; UNP – 4; and NFF – 1.⁸⁵⁹ The TNA invited SLMC to join them to obtain a majority and the UNP declared their willingness to join. But the central government forced the SLMC provincial council members to join the UPFA instead.⁸⁶⁰ In this way, the opportunity to form a coalition of the minority parties to govern the province was lost. As a consequence the position of central government was strengthened while the opportunity to build a minority party coalition provincial government was disabled.

The involvement of central and provincial governments in local issues resulted in local politics changing. As mentioned earlier, land confiscation issues have been directly connected with local politics in the Lahugala PS area. The chairman of the Lahugala PS explained how this was happened.

These incidents increased people's anger toward the UPFA. In the recent local government election,⁸⁶¹ the UNP won and obtained seven seats. The UPFA obtained only four seats in the PS. Five UNP council members were elected representing the Panama area.⁸⁶² The UPFA has only one member representing Panama. (Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*.)

This statement reflects how people responded to land confiscation in Panama at the local government election process. Tensions were clearly evident between the governing and opposition parties on these issues. The following statement of the opposition party leader of the Lahugala PS reflects this.

The Buddhist priest in the Panama temple is motivating people to protest against the government. There is a movement to protect Panama. Most of the CBOs work

⁸⁵⁸ 'Issues and Problems Facing People of the Northern and Eastern Provinces' (2011).

⁸⁵⁹ 'Provincial Council Elections' (2012) <http://www.slections.gov.lk/2012PPC/eppc.htm>, accessed 14-05-2013.

⁸⁶⁰ Sampanthan, R. (2012) 'ITAK Strongly Condemns SLMC for Betraying and Undermining the Democratic Verdict of Eastern Voters', <http://dbsjeyaraj.com/dbsj/archives/11052>, accessed 20-11-2013.

⁸⁶¹ This election was held in October 2011.

⁸⁶² The Lahugala *Pradeshiya Sabha* chairman, Rassaiya Chandrasena also represents Panama area.

with the priest and also the UNP won the Lahugala PS in the local government election this time due to these influences. The priest is an agent of the *Sirikotha*.⁸⁶³ (Respondent: Mr J.S.D.M. Ravin Nirosan Kumara, Opposition Leader and former Chairman (UPFA), Lahugala *Pradeshiya Sabha*.)

This response by the former chairman of the Lahugala PS clearly reflects anger against the CBO movements in the area that worked to protect the lands. His major criticism is directed at the role of the priest in the Panama temple. This response also indicates the unconditional support by the former chairman towards the central government's decisions, and less concern for the people's problems at the local level. However, the priest rejected this criticism.

I don't have any connection with political parties. In this era, every force against the central government receives a bad name, blame and ill-treatment. Even the lives of the people who work against the central government's injustice are in danger. (Respondent: Rev. Panama Chandarathana Thero, the Chief Priest of Panama Buddhist temple, the Principal of the Panama school, and the Leader of the movement to protect Panampaththuwa.)

The responses of the representatives of the Lahugala PS provide more evidence about the different treatment of central and provincial governments toward local government when the local governing party is different from the central and provincial governing parties. The following statement of the former chairman of the Lahugala PS confirms this.

The PS cannot work alone without the help of the central government. In my period in office, the central government gave huge support to Lahugala PS because we represented the same central governing party (UPFA). The President Mahinda Rajapaksa and the Minister Basil Rajapaksa personally looked after this area and supported the people. Now the local governing party has changed. The UNP chairman does not receive any support from the central government. Therefore the development in the area has been stopped for now. I hope the people understand this. (Respondent: Mr J.S.D.M. Ravin Nirosan Kumara, Opposition Leader and former Chairman (UPFA), Lahugala *Pradeshiya Sabha*.)

The new chairman of the Lahugala PS reported that the central government and the provincial council were not giving any support to the PS. This reflects the partial reactions of the central and provincial governments regarding local government bodies under different political parties.

When considering the southern and eastern provinces, there is little difference in the experience of local body politics. Political party affiliations clearly interrupt local government and people's participation in local development. In summary,

⁸⁶³ The UNP headquarters situated in Colombo.

central government has taken control of provincial governments, with these then following the central government's agenda.⁸⁶⁴ When the local governing party is different from the central and provincial governing party, local government bodies do not receive support either from the central or provincial governments. Also, the representatives elected to local government bodies from political parties other than the central, provincial or local governing parties do not receive funds, and opportunities to address their projects or the needs of local communities. Even if the local leadership has been elected from the same central and provincial governing party, when such leadership does not conform to the agendas of central and provincial governments, or if they become popular, national and provincial politicians act against these local leaders.

The above sections on local development, people's participation and local politics, reflect the central and provincial government influences on local government in the southern and eastern provinces of Sri Lanka. These influences are seen in various ways. The central government-sponsored large scale construction projects directly affect local communities, especially their traditional income sources. Such projects have not provided any benefit for local government or local communities. It is evident that there are possible ways for local government to obtain people's participation in local development. But some of these attempts by local leaders have been interrupted and disabled by higher-level politicians who find local leaders' agendas oppose central and provincial government agendas. The nature of local politics discussed above reveals that the central government acts as an ultimate controller of the local government mechanism.

7.4. Summary

Overall, this chapter argues that central government has largely neglected local government and the needs of local communities. While it is clear that most of the local government representatives have positive expectations about the large scale construction projects conducted by the central government, some local government representatives claim that local development can only be achieved through the large scale construction projects favoured by central government. This situation creates a major gap in addressing the needs at the local level by local

⁸⁶⁴ At present, eight of the nine provincial councils are governed by the UPFA. The northern provincial council is governed by the TNA.

government bodies and acts against addressing needs by compromising people's participation. In both the southern and eastern provinces, local government representatives have aspirations to promote local development through educational achievement, increasing employment opportunities, sustainable use of lands and resources and environmental protection. These views build a positive trend towards finding solutions to address local needs through local government initiatives. Citizen committees in Matara MC provide an example of successful participation by people in local development. Although there are several views on local development and people's participation, there has been no proper assessment of, or agreed way, to address or implement area-specific and people-centred local government policies towards fulfilling needs.

A significant feature outlined in this chapter has been that most local government representatives elected have represented the central and provincial governing party, the UPFA, on development without considering the actual local situations. Local politics have been highly affected by central and provincial government power and influence and by the political party affiliations of local politicians. Where local leadership has worked to achieve local development and people's participation, it has been rejected by central or provincial government. With such reactions to the creative and independent local leaders, most local government bodies have come to accept the central government's development plans. These findings indicate that the reasons for the contradictions and complications regarding local development and people's participation are mostly related to local politics rather than to the systems structural issues around local government which are discussed in chapter 5. This suggests that structural issues are not the sole reason for the limitations local government face in Sri Lanka.

The next chapter explores the reasons for the varied and complex views associated with the implementation problems of local government policies concerning local development and people's participation. From this analysis, new ways to address the needs of local communities can be developed.

Chapter 8

Problems in local government and possible solutions: NGOs as a support of local government

8.1. Introduction

As discussed in chapters 4 and 5, there are a number of repercussions associated with local government development and decentralisation in Sri Lanka. The constitution's 13th amendment to decentralise power to provincial councils has not yet been fully implemented and, instead, there has been a recentralisation of power in some instances making those provincial councils dependants of central government. Under the 13th amendment, local government is subject to provincial councils, and the provincial chief minister has official powers to hold the provincial ministership of local government. As outlined in chapter 7, this situation has resulted in conflict between local government and provincial councils when provincial councils have attempted to interfere in local government matters, and to control local leadership. There are close connections between provincial councils and central government, especially when members of the same political party head both central and provincial governments. In such situations, provincial councils are seen as acting mostly as central government's agents rather than as separate provincial governing bodies, which has implications for the powers of local government.

Several local government representatives interviewed identified provincial councils as barriers to development and people's participation at the local level. A major complaint of local government representatives concerns their inability to work for the area due to a lack of power, funding and resources. Furthermore, as mentioned in chapters 4 and 5, some of the legal procedures and established administrative bodies, such as divisional secretariats, have at times taken over the powers and functions of local government resulting in local government facing political limitations, conflicts of interest and an overlap in responsibilities.

This chapter examines these issues and extends the discussion developed in chapter 7 on the possibilities to fulfil the existing gaps within local government that affect development and people's participation at the local level. It draws

specifically on the comments of 28 key respondents in central, provincial and local government. Of the 28, 19 were political representatives⁸⁶⁵ and nine were administrative officials.⁸⁶⁶

The aim of this chapter is twofold. Firstly, to examine the perspectives of respondents by focusing on the problems identified in local government in Sri Lanka. Secondly, this chapter examines the reasons for such problems, and the proposals to solve them. The proposal to obtain NGO support to solve problems in local government is a major consideration in this chapter. The chapter, therefore, addresses the issues that emerged from the literature reviewed in chapter 2 regarding the possibilities and opportunities for NGOs to be involved in and support local government in Sri Lanka.

8.2. Problems in local government: perspectives

This section outlines the different perspectives of national, provincial and local political representatives and administrative officials, and scholars in terms of problems in local government under three main areas: 1) powers and functions; 2) funding and staffing; and 3) politico-administrative relations.

8.2.1. Powers and functions

As outlined in chapter 5, the powers and functions of local government are limited in Sri Lanka for several reasons. First, laws governing local government specify and delimit its functions meaning local government bodies can only perform those functions specified in law.⁸⁶⁷ Local government does not have autonomous powers and is not sovereign in its sphere of activities.⁸⁶⁸

Second, the functions allocated to local government are limited and focused on environmental management and social services. Roads, sanitation, health, water

⁸⁶⁵ Of the 19 political representatives, 17 were local government representatives, one was a provincial council representative and one was a member of parliament. Of the 17 local government representatives, there are six municipal council representatives, four urban council representatives and seven *Pradeshiya Sabha* representatives. They represent a number of political parties such as UNP, UPFA, JVP and TNA. Of the 17 local government representatives, 10 were from the southern province, and seven from the eastern province.

⁸⁶⁶ Of the nine administrative officials, three were from local government, four were from district and divisional secretariats, and two were from the Ministry of Local Government and Provincial Councils.

⁸⁶⁷ *Report of the Commission of Inquiry on Local Government Reforms 1999* (Sessional Paper No. I – 1999) p. 29.

⁸⁶⁸ *Ibid.*, p. 30.

supply and solid waste management have been the primary responsibilities of local government bodies since their inception. Other activities such as education, agriculture, employment generation and poverty alleviation are not provided for under these laws.⁸⁶⁹

Third, other government authorities such as government-owned boards, corporations or statutory bodies, and, in the post-war period, the military have taken over many of the powers and functions allocated to local government, leaving local government increasingly dependent on those authorities to meet the needs of their electorates. Local government policies, operational systems and management in this context are more likely to be influenced by central government interests,⁸⁷⁰ constraining local government further and reinforcing its relatively weak functional position.

Fourth, many of the powers that, under the 13th amendment, were to be decentralised have not been transferred to the relevant bodies at provincial and local levels. As discussed in chapter 4, the TNA's recent demand for the full implementation of land and police powers to the control of provincial councils has not resulted in central government relinquishing these powers. In what follows, the respondents reveal the various dimensions of these limitations and the political implications arising from this failure to transfer power.

The mission of the southern provincial council's department of local government⁸⁷¹ is charged with ensuring a robust local government system in the province, and achieving this through providing guidance, advice and assistance to local government bodies to work efficiently and economically, and in compliance with national policies for the well-being of the public in the area.⁸⁷² This close connection with central government has resulted in provincial councils tending to neglect local government. The mission of the local government department in the eastern provincial council centres on guiding, facilitating and supporting local government in policy formulation, and institutional and programme development to deliver quality services in a responsible, accountable and participatory

⁸⁶⁹ 'Country Paper: Sri Lanka' (n.d.)

<http://www.unescap.org/huset/lgstudy/country/srilanka/srilanka.html#top>, accessed 29-12-2011.

⁸⁷⁰ *Ibid.*

⁸⁷¹ The ministries of provincial councils are known as departments.

⁸⁷² 'Southern Provincial Council – Department of Local Government' (n.d.)

<http://www.spc.gov.lk/urban.php>, accessed 28-11-2011.

manner.⁸⁷³ As with the southern province no direct connection with the central government is made in the mission statement.

Although the mission of the southern and eastern provincial councils acknowledges assisting local government, a major complaint of respondent local government representatives centred on the way provincial councils had become barriers to effective local government and community development. Some depicted the provincial councils as white elephants,⁸⁷⁴ and referred to the system of provincial councils as a big burden.⁸⁷⁵ Comments from a number of local government representatives in the southern province capture these views. One said: “Provincial councils are not supportive of local governance. They put up barriers to local government. These institutions are extra burdens on the country.”⁸⁷⁶ Another said: “Provincial councils consume a lot of funds and resources but nothing useful is happening. They are big barriers between the central government and local government bodies.”⁸⁷⁷

The respondents from the eastern province voiced a widely held view:

The provincial council is useless. It does not concern itself with the needs of local government or people. The provincial council does not care about our ideas. They never ask us or listen to us when doing things. The provincial council wastes people’s money. (Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council.)

We do not get help from the provincial council to develop the area or to help the people. The provincial councils are useless. When we try to go through the procedures to get approval from the provincial council, huge delays occur. (Respondent: Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*.)

When provincial councils were established, the previous direct relationship between central government and local government ended and provincial councils were to become intermediary bodies. A number of respondents, however, stated that this had not occurred as intended. Placing local government under provincial councils had not improved local government.

⁸⁷³ ‘Eastern Provincial Council – Department of Local Government’ (n.d.) <http://www.ep.gov.lk/CLGindex.asp>, accessed 27-05-2013.

⁸⁷⁴ Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.

⁸⁷⁵ Respondent: Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*.

⁸⁷⁶ Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council.

⁸⁷⁷ Respondent: Mr Jayantha Pathirana, Representative (JVP), Matara Municipal Council.

Provincial councils put up big barriers to the progress of local government bodies. When the provincial councils were established, the direct relationship between the central government and local government changed. (Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.)

Decentralised power is very limited and there are no sufficient resources to work independently from government. Constant influences are coming from central government and from the provincial council. Provincial councils always disturb our work without helping us. There is no need for provincial councils in Sri Lanka. (Respondent: Mr Manjula Liyanage, Representative (UNP), Baddegama Pradeshiya Sabha.)

Each of the local government representatives, from all political parties, agreed that provincial councils had not acted as intermediaries but had become barriers to effective communication between central government and local government. As discussed in chapters 4, 5 and 7, central government today controls provincial councils driving them to carry out self-interested political agendas. In practice, central government has not decentralised power to the provincial councils.

Alternatively the views of the eastern province local government representatives have revealed a willingness to connect with central government. In this area, most local government representatives did not have a sense that the provincial councils were powerless because central government had kept provincial councils under direct control. The reference to provincial councils as 'useless' bodies can be understood in the sense that they tend, merely, to follow central government policy, without reference to specific provincial needs.

These arguments lend weight to central government attempts to reduce the role of, or even abolish, provincial councils. In fact, local government criticism of provincial councils was described by a member of the southern provincial council as an excuse for central government to abolish provincial councils. He commented:

Most of the local politicians talk is against provincial councils. This is a trick by central government to clear a path to abolish provincial councils. I call this trick a coup. The central government does not like to decentralise power. (Respondent: Rev. Baddegama Samitha Thero, Representative (UPFA), Southern Provincial Council.)

This statement suggests that central government can refer to the dissatisfaction of local government representatives with provincial councils as supporting its decision to abolish provincial councils.

Although powers have been granted to provincial councils through the constitution, the non-transference of those powers in a practical sense is identified

as a major problem in the literature on local government in Sri Lanka and also by the respondents. A member of parliament highlighted this issue, as follows.

The problem is that, when the power has been decentralised through the 13th amendment, some of the decentralised powers have not been transferred to the provincial councils by central government. (Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.)

As discussed earlier, provincial councils were proposed as a solution to the ethnic conflict in the northern and eastern provinces, but they have not proved to be a solution and are now seen as problematic. The respondent MP further added:

Provincial councils were established to solve the ethnic problem and not to decentralise power to all provinces. But provincial councils were established in all provinces. Therefore much has been spent to maintain provincial councils. Most of the provincial councils work to fulfil their political desires, and not to develop the area. Therefore most of the people reject provincial councils. They see provincial councils as forcefully established bodies without caring for the exact needs. (Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.)

In sum, the attempt to come up with a solution to the ethnic conflict through decentralising power to the northern and eastern provinces has not been a success.

An important reason for this failure has been a lack of clarity in the existing legal powers and procedures set down for provincial councils. There are separate acts governing provincial councils and local government bodies. According to the constitution, no government, at any level, can exceed its power. Clause 4.3 in the 9th schedule of the 13th amendment indicates limits: “It will be open to a provincial council to confer additional powers on local authorities but not to take away their powers.”⁸⁷⁸ It was expected that provinces would prepare and pass statutes to transfer legally the official activities of local government bodies. Despite the law, local government has become a dependent of both central and provincial government. The respondent MP gave examples on this.

If a local government needs land for local development purposes, they cannot obtain it directly. The local government has to borrow it from the central government or from the provincial council. The powers of local government are limited. The dissolving powers of local government have been vested in provincial councils. Therefore local government are suppressed dependants. Local government is afraid to act against the central government and provincial councils for this reason. (Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.)

⁸⁷⁸ 13th Amendment to the Constitution of the Democratic Socialist Republic of Sri Lanka-1978, 14th November 1987, p. 19.

According to the law, provincial councils are not designed as a control of local government instead, local government bodies, are independent with separate laws.

Some respondents expressed the view that provincial council powers were designed for administrative supervision only.

Provincial councils have power only for administrative supervision which means provincial public service. Local government bodies are independent bodies because they have separate laws to continue their mechanisms. But the provincial councils identify local government bodies as their local agents. This is the problem. The political influences and challenges always come through the provincial councils. Most of the local government representatives do not like having to face these challenges. They have a fear of charge sheets. The only one who faced these challenges successfully has been Mr Upul Nishantha, a former mayor of the Matara MC. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

As discussed in chapter 7, a former mayor of the Matara MC faced a number of problems under the provincial chief minister. The Matara MC example reveals there are ways to contest the political influence of provincial councils, however most local government representatives do not challenge the central and provincial governments claims against decentralising power which, in law, is allocated to local government.

Despite the imposed limitations of decentralisation, some local government representatives in the southern province saw opportunities to work within the existing power structures. But they also pointed out that even though they had input, there were other problems which undermined local government effectiveness.

MCs have powers and this power is more than enough to work. But the central governing political party corrupts the local government bodies. Nobody talks against this even when they see the failures. Therefore success has been hard to achieve. (Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.)

As discussed in chapter 7, this comes through political party affiliations. The important point in the above statement confirms that the powers of local government are set in law. A representative of the Hambantota UC noted: “We have enough power but we do not have sufficient resources.”⁸⁷⁹ Another respondent noted: “Local government bodies can do many things within their

⁸⁷⁹ Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council.

power structures. But there is no unity among the political representatives.”⁸⁸⁰ Although this indicates problems such as insufficient resources and disunity among political representatives, these views show that in some instances there remain opportunities for local government to work.

In this context, it is important to examine the reasons behind complaints about a lack of power. One major reason is the lack of knowledge local government representatives have about legal procedure and power, as one respondent noted: “Most of the political representatives do not have a proper knowledge base about acts, statutes and the other legal procedures related to local government.”⁸⁸¹

Another respondent said:

The major problem in the Sri Lankan decentralisation policy is that most of the political representatives do not have a proper and clear knowledge about legal procedures. They do not know their legal powers and their range of powers. There is a need to give practical knowledge to them about the existing laws and regulations. (Respondent: Mr Upul Nishantha, former Mayor, Matara Municipal Council.)

On this account, although there are pre-existing powers, local government representatives lack the knowledge to exercise them effectively. This view is shared by other respondents, including the following.

Most political representatives have no knowledge of local government legal procedures. They have been elected by the people due to their popularity. People are not concerned about the political or legal knowledge of these political representatives at all. (Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council.)

Further, most local government representatives lack the capability to write development proposals, as the following respondent stated.

There are many valuable ideas but there are no exact plans towards implementation. The local leaders should come forward and make plans. But most of them do not have a proper working knowledge of writing proposals and obtaining funds and technology. (Respondent: Mr H.G.K. Jagath Kumara, PHI Officer, Matara Municipal Council.)

This lack of policy knowledge is not only a problem for local government representatives but extends to the provincial level as well. One respondent noted the consequences of this deficiency.

⁸⁸⁰ Respondent: Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*.

⁸⁸¹ Respondent: Mr Manjula Liyanage, Representative (UNP), Baddegama *Pradeshiya Sabha*.

Most provincial and local political representatives do not know about local government mechanisms. For example, health and education are two major subjects of the provincial councils. But the provincial ministers do not have proper knowledge about these subjects. Therefore the central government uses this as an excuse to get involved in these matters. (Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.)

The poor knowledge among provincial and local government representatives in terms of their powers and functions creates an opportunity for central government to become involved in provincial and local government matters. It also means that upper level politicians can block the opportunities of lower level politicians to gain knowledge. One respondent highlighted reasons for this.

Some higher level politicians do not like it when the lower level politicians and officials receive knowledge of their powers. This is because when these lower level politicians obtain a good knowledge about their powers and responsibilities, the higher level politicians do not get a chance to fool them and to force them to work according to their criteria. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

The lack of knowledge results in the failure to interpret laws effectively, and leads to an unwillingness by local government heads to decentralise power within local government. Some respondents highlighted the need to re-interpret the existing laws and activities of local government and to widen their capacities.⁸⁸² Another respondent noted: “Power should be decentralised in a positive way. The appropriate lower level officials should receive instruction to make decisions and to act independently.”⁸⁸³

The 40th and 188th articles of the Municipal Councils Ordinance⁸⁸⁴ suggest decentralising power to lower levels. But most local government heads resist decentralisation, as the following respondent stated.

Local government heads try to keep all their powers and to work individually. This is very unfair. Only two local government bodies in Sri Lanka practically implemented decentralisation of power. They are Matara and Pathadumbara.⁸⁸⁵ When the power has been decentralised, it is evident that the political representatives and administrative officials were fearful of these powers. This is the way that the system has been structured. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

⁸⁸² Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.

⁸⁸³ Respondent: Mr H.G.K. Jagath Kumara, PHI Officer, Matara Municipal Council.

⁸⁸⁴ Article 40 is on the general powers of a municipal council and article 188 is on the application of municipal fund.

⁸⁸⁵ A *Pradeshiya Sabha* in Kandy district, central province, Sri Lanka.

In some areas local government has achieved positive results by exercising the powers they have. A former mayor of the Matara MC practically implemented the decentralisation of power within the council. He said:

Today's situation is that the leaders are centralising even the simple ground level powers also. I tried to do my best to change this centralisation. Although it is not easy, I tried to change the whole physical structure of the MC and also the attitudes of my staff members. I achieved good results through this. There are many local government laws which most people do not know. I have decentralised powers to the other political representatives and administrative officials of the MC. I believe that people who are unable to take a risk or a challenge cannot make any changes. (Respondent: Mr Upul Nishantha, former Mayor, Matara Municipal Council.)

There was no response from the eastern province interviewees about exercising existing local government initiatives without considering the powerful influence of central and provincial governments. Although there are detractors of provincial councils, in the main, local government representatives and the people still pin their hopes on the provincial and local levels of government because, compared to other provinces, the eastern provincial council and the local government bodies are more recent with some respondents pointing out the war is the reason for this.

The northern and eastern provinces did not have active political bodies for a long time due to the war. The people did not have access even to central government. Therefore, when new provincial council and local government bodies were established there, people and also the politicians felt that the new political bodies were good and helpful. Also through these bodies, they received a link to central government. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

According to some respondents, the situation is different in the south. People in the south have access to all levels of government and did not have any special need for provincial councils.⁸⁸⁶ This statement again reveals the inappropriate application of provincial councils across the entire country.

In summary, most local government representatives still believe that if they have a direct relationship with central government, without provincial councils as intermediaries, they will receive more benefits. In addition, the impotency of the provincial councils is a result of the non-transference of decentralised power to the provincial councils by central government. There are few differences between the responses of local government representatives in the southern and eastern

⁸⁸⁶ Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.

provinces regarding provincial councils. Although there are certain working limitations to local government law, local government does have some autonomy to work on its own. But the most significant problem stems from local government representatives lacking the knowledge about the procedures and processes of legal jurisdictions.

8.2.2. Funding and staffing

Local government becomes dependent when it lacks the funds, resources and staff to implement policy. This dependency on provincial councils for financial support and guidance fails when provincial council support is not forthcoming. According to the ADB, local government in Sri Lanka has been largely dependent on grants received from provincial councils to meet their recurrent expenses, with the balance coming from their own revenue.⁸⁸⁷ Most local government bodies are unable to meet operational and maintenance costs of existing assets as a large portion of their funds are allocated to pay for salaries and administration.⁸⁸⁸

The limitation of revenue earnings by local government is a significant issue. As mentioned in chapter 5, there is a variety of funding sources available for local government. But there is a lack of taxation revenue, especially for the PSs, with local government not owning enough properties and is thus not able to provide many services. Additionally, when local government services such as water and electricity supplies are taken over by other agencies, this leaves local government with very limited opportunity for earning financial income.

As well as depending on funds from the centre, local government also depends on the administrative bodies through which government funds are channelled. Funding, such as that made through the decentralised budget,⁸⁸⁹ is often channelled through district and divisional secretariats which disempowers local government of certain disbursements. Although members of parliament are keen on the construction of new facilities such as markets, playgrounds, and roads, another problem emerges when the decentralised budget does not provide funds

⁸⁸⁷ Few MCs and UCs are able to generate 70 per cent of their own revenue and they rely for the remaining 30 per cent on support from central and provincial governments ('Country Paper: Sri Lanka' (n.d.)).

⁸⁸⁸ *Technical Assistance Report* (2005) Asian Development Bank, <http://www.adb.org>, accessed 02-01-2011.

⁸⁸⁹ A fund allocated to parliament members as well as to provincial council members to carry on area development. This fund is allocated through the annual budget.

for the maintenance of such facilities. Local government is thus saddled with maintenance of facilities they did not ask for and for which they are not funded.⁸⁹⁰ It has also been pointed out that the district and divisional secretaries, who are supposed to be neutral civil servants, often succumb to the demands of members of parliament and, in many cases, have built facilities knowing that local government did not have adequate capacity to maintain these.⁸⁹¹ According to Bigdon and Hettige, not only the members of parliament, but also the international donor organisations cooperate more often with the divisional secretariats than with local government, which contributes to a further strengthening of the divisional secretariat while at the same time pushing the elected local bodies to an even more marginalised position.⁸⁹²

Local government dependency impacts on staffing and related matters. As outlined in chapter 5, after the implementation of the 13th amendment, the administrative officials of local government bodies were absorbed into the provincial public service, where they were subjected to the procedures of the provincial public service commission and therefore transferable between local government bodies.⁸⁹³ As all recurrent establishment costs are borne from allocations made by the finance commission⁸⁹⁴ under block grants,⁸⁹⁵ provincial councils, and through them local government, are required by the central government to decide on cadres, job descriptions and recruitment procedures which is a time consuming process.⁸⁹⁶ This situation has resulted in local government facing a shortage of suitable experienced administrative officials. The report of the 1999 Commission of Inquiry forewarned that a competent work force is a must for a systemic and efficient supply of services, and that the non-

⁸⁹⁰ 'Country Paper: Sri Lanka' (n.d.).

⁸⁹¹ *Ibid.*

⁸⁹² Bigdon, C. and Hettige, S.T. (2003) 'Key Issues of Good Local Governance', *Local Governance and Conflict Management in Sri Lanka – Final Report*, Sri Lanka Institute of Local Governance and Berghof Foundation for Conflict Studies, p. 94.

⁸⁹³ 'Country Paper: Sri Lanka' (n.d.).

⁸⁹⁴ The finance commission is the mechanism through which the financial allocations are made to the provincial councils in Sri Lanka.

⁸⁹⁵ A grant from a central government that a local government can allocate to a range of services.

⁸⁹⁶ First, the needs are studied and proposals are submitted to the Ministry of Local Government which then submits the proposal for staff revision to the cabinet. The normal procedure is to direct the salaries and cadre committees of the central government to study the proposal and submit the proposal back to the cabinet with a recommendation. Upon approval by the cabinet, recruitment procedures are applied. Generally, administrative officials for all-island services are recruited by the central government, whereas the provincial public service commission takes responsibility in recruiting civil servants for other services ('Country Paper: Sri Lanka' (n.d.)).

availability of approved cadres and lack of knowledge on the part of the available staff affected the quality of local government services.⁸⁹⁷ Although there is a huge demand for trained officials, the government does not have sufficient training programmes or the technical capacity to train new officials.

The important point made by respondents was that without sufficient funding, local government is unable to plan for local development. If local government cannot afford the costs of maintenance and salaries it is unable to respond to people's needs at the local level. Most southern province respondents highlighted the problem regarding the lack of funding. As one said, "there are many needs but no funds to fulfil them."⁸⁹⁸ Another made the same comment: "There are not many funds for the PS."⁸⁹⁹ Another pointed out: "We don't have sufficient funds and staff to fulfil the needs of the PS area."⁹⁰⁰

Problems of staffing at the local government level are linked directly to the lack of funding allocated to local government. The statements of some respondents reveal this.

The central government pays salaries for the permanent staff of local government. Therefore the central government does not allow appointing more staff for local government. So local government appoints temporary staff members and the salaries have to be paid using local government income. For these reasons, local government does not have extra money to spend on local development projects. (Respondent: Mr Jayantha Pathirana, Representative (JVP), Matara Municipal Council.)

As mentioned earlier, local government can generate revenue and obtain funds in many ways, but respondents pointed out that local government revenue sources and funds had been taken over by the provincial councils.

The provincial councils are parasites that squeeze all nutrition from local government. Earlier local government collected taxes and also received court charges. But now the taxes and court charges are collected by the provincial councils. We have requested these funds several times but the provincial council does not release these to us on time. Even if we obtain them, we do not receive the full amount of money which belongs to local government.⁹⁰¹ The provincial council invests that money according to their preferences. These investments

⁸⁹⁷ Sessional Paper No. I – 1999, p. 73.

⁸⁹⁸ Respondent: Mr Manjula Liyanage, Representative (UNP), Baddegama *Pradeshiya Sabha*.

⁸⁹⁹ Respondent: Mr M.D. Indika Thushara, Opposition Leader (JVP), Suriyawewa *Pradeshiya Sabha*.

⁹⁰⁰ Respondent: Mr Nandasiri Ranathunga, Chairman (UPFA), Suriyawewa *Pradeshiya Sabha*.

⁹⁰¹ Local government sends an agent to the court to represent and to find out the amounts of the court charges which belong to local government. So they find that the provincial council does not release these funds to local government.

hardly help local government. Now local government only receives the PHI charges and the trade license charges. (Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.)

The provincial councils have taken control of funds which previously belonged to local government and therefore local government always has to beg for funds from the provincial council. Also the court fines are not received as full amounts. Therefore it is difficult to plan development projects. These funds belong to us and we need them for our work. (Respondent: Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*.)

In the final analysis, both provincial and local government depends on central government. By taking revenue and funds belonging to local government, the provincial councils have compromised local government's capacity to be involved in local development. Criticism by senior administrative officials and national politicians confirm this conclusion. Many believe the provincial council take-over of local government revenue streams and funding is a breach of the constitution because according to clause 4.3 of the 9th schedule of the 13th amendment, the provincial councils do not have the power to appropriate local government resources. Senior administrative officials confirmed this anomaly in their responses.

Local revenue, such as court charges and stamp duties, has been transferred to the provincial councils using two statutes. Although this action was in breach of the constitution, nobody came forward to fight against that. The provincial councils are supposed to pay that money to local government quarterly. But this never happens. They use these funds according to their interests and neglect the local needs. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

National politicians were also aware of the take-over of local government revenue sources and funds by provincial councils.⁹⁰² A further reason for this take-over by provincial councils relates to provincial taxes in the provincial fund⁹⁰³ which central government has taken over. One respondent said: "Recently the laws have been changed. Now the central government takes over the provincial taxes as well."⁹⁰⁴ In turn, the provincial councils seek funds from local government to fill the gap left by losing provincial taxes.

⁹⁰² Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.

⁹⁰³ The provincial fund consists of: a) all taxes imposed by the provincial council; b) all grants made to such provincial council in respect of the province by the government of Sri Lanka; c) all loans advanced to the provincial council from the consolidated fund of Sri Lanka; and d) all other receipts of the provincial council (*Provincial Councils Act, No. 42 of 1987*, p. 6).

⁹⁰⁴ Respondent: Mr L.H.A.C. Kumara, Assistant Director-Planning, Weligama Divisional Secretariat.

The local government representatives of the eastern province also highlighted local government's lack of funds.

We are the authoritative institutions to collect taxes. But the amount of taxes is not enough to conduct proper development. We need funds. We have many plans to develop the area. As we all work as a group, we provide Rs.7 lakhs to each representative annually without considering their political party affiliations. This amount comes through the UC's annual income. But this is not enough to fulfil the many needs in the area. (Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council.)

Again this indicates a lack of local government income and the difficulties in generating funds and conducting development programmes without the necessary resources. Respondents agreed that the amount of funds received by local government was insufficient for development.

We are not able to serve people because we do not have funds. For example, we only receive Rs.7 lakhs annually from the UC. To build a road length of 2kms we have to spend Rs.2 lakhs. This example shows our poor working capacity. All this happens because of a lack of funds. (Respondent: Mr S. Sanoon, Representative (UNP), Trincomalee Urban Council.)

Kinniya is the biggest PS area in the Trincomalee district. But we don't have sufficient income to develop the area. The PSs especially receive fewer funds than MCs and UCs. There are many needs and new ideas to develop the area. But we don't have funds. Also we don't have many resources to collect taxes. The people in the area are poor. (Respondent: Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*.)

While the Trincomalee UC provides at least Rs.7 lakhs to its representatives annually the PS funding situation is worse. The Kinniya PS chairman's response reveals that the PSs have more funding problems than the MCs and UCs because the PS areas do not collect enough tax revenue and do not have the infrastructure to earn a sufficient income. This point is further elaborated by the chairman of the Lahugala PS.

We have several plans to develop our area and to solve people's problems. The main problem is the limited amounts of funds we receive. The people are poor. There are a few shops with very poor facilities. These people cannot pay taxes to the PS and therefore the income level of the PS is very low. (Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*.)

The problem of funding stems from the lack of coordination among the national, provincial and local level development plans, as the chairman of the Trincomalee UC confirmed.

We request funds from members of parliament and also from the provincial council. But they are not providing funds to the UC. They do their own work independently in the area without connecting with the UC. Anyway, there is no problem if they work positively for the area. But only a few members of parliament work for the area. (Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council.)

National and provincial politicians neglect local needs when administering funds for development projects. The chairman of the Kinniya PS supplied evidence for this.

We do not get funds from the provincial council or from central government at all. In recent floods many people in the area were severely affected. But we did not receive any money to help people recover. We had to manage our limited funds to help people. (Respondent: Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*.)

Often funds fail to reach local government directly because of significant problems such as delays or reduced funds passing through several institutions, as the following respondent noted.

For example, think of a big piece of ice. When it passes through many hands it melts and becomes very small. That is what happens to funds as well. When funds pass through several institutions, local government receives very little. We cannot work with such small amounts of funds. (Respondent: Mr N. Noormohamad, Representative (UPFA), Trincomalee Urban Council.)

Also, proposals prepared by local government have to pass through complex processes and be approved by higher level institutions. There are constant delays and most of the time approval never comes, as the following respondent stated.

We do not have direct access to the investors. We can write proposals and get the support of all the political representatives of the PS, but we are not sure about the result because these proposals pass through several authorities and they might or might not be approved. If approved we may have to wait for a long time to obtain the funds. There are barriers everywhere. All the systems are not friendly to the lower levels of government. (Respondent: Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*.)

According to the chairman of the Lahugala PS, political affiliations are connected to the distribution of local government funding. He claimed that, “we receive some funds from the province specific development grant. But the amount of this fund depends on provincial council’s political affiliations with the local government.”⁹⁰⁵ As noted in chapter 7, the Lahugala PS’s governing party is the UNP, and it differs from the central and provincial governing party, the UPFA.

⁹⁰⁵ Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*.

Clearly, this relationship matters when obtaining province specific development grants.

Frequently, local government is unable to make use of the funds allocated to it because of the negligence and failures of provincial councils. One senior administrative official stated:

There is a grant called a ‘criteria-based grant’⁹⁰⁶ that provides Rs.1.5 million to each local government. This comes to local government through the provincial councils. This grant does not reach local government on time. Because of political influences, provincial councils do not release this grant on time. When the grant has been released at the end of the year, there is no time to start and complete development or construction projects. Therefore there is a need to make use of this grant without returning it and without doing any work. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

As mentioned earlier, the lack of funding also affects the salaries and allowances of local government representatives and staff. The MC representatives receive a very small allowance of Rs.7,500 and the mayor receives only Rs.12,000. Compared to the salaries of the provincial council members, these amounts are very small.⁹⁰⁷ Given this lack of funds, local government staff become frustrated and discouraged, the result being that many lack motivation. The following respondent provided examples for this.

There are very good workers but they do not have a proper training, guidance, facilities or encouragement. They work with very few resources. For example, we use broken vehicles to collect garbage. The labourers do not have boots and gloves. But they work hard to keep the city clean. As PHI officers attached to the MC, we can do a lot of things if we get a small push. We don’t have facilities and funds. (Respondent: Mr H.G.K. Jagath Kumara, PHI Officer, Matara Municipal Council.)

Further, the limitations on taxes and fines set out in earlier acts and statutes do not match the current economic situation. The need to increase tax revenue and fine rates has been pointed out by some local government representatives as economically important.

Most of the acts are out of date. Especially the mentioned amounts of the taxes and fines are small. For example, the bicycle tax is still Rs.5. Compared with today’s economic changes, this amount is very small. There is a need to amend

⁹⁰⁶ This is allocated on the basis of population, per capita income or poverty levels, unemployment, health and nutrition, education, level of economic development, and inadequacy of current development activities in a local government area.

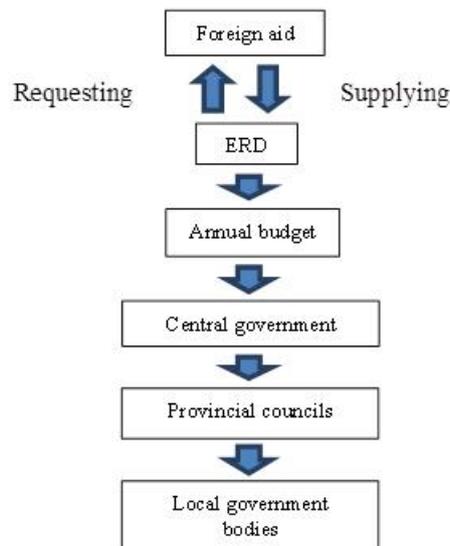
⁹⁰⁷ Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.

these expired acts. (Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council.)

These failures and delays affect the whole system of local government income generation. The responses of the eastern province's local government representatives are similar to those from the southern province. From all these responses it is clear that the central and provincial governments have neglected local government.

One respondent advised that foreign grants should go to the lower levels of government through the External Resources Department (ERD).⁹⁰⁸ The ERD works to obtain foreign aid to fill the gaps in the annual budget by going to the foreign countries and requesting foreign aid through proposals.⁹⁰⁹ The aid flow is shown in Figure 8.1 and indicates the complexity of the processes whereby foreign aid gets to local government.

Figure 8.1: Aid flow



Source: The information provided by respondent: Mr L.H.A.C. Kumara, Assistant Director-Planning, Weligama Divisional Secretariat.

There are some exceptions regarding this funding process. A former mayor of the Matara MC, Upul Nishantha, noted that the mayor has powers to obtain direct support from external organisations such as NGOs.⁹¹⁰ Another respondent agreed on this point.

⁹⁰⁸ Respondent: Mr D.P. Hettiarachchi, Retired Additional Secretary, Ministry of Local Government and Provincial Councils; and Consultant, EML Consultants.

⁹⁰⁹ Respondent: Mr L.H.A.C. Kumara, Assistant Director-Planning, Weligama Divisional Secretariat.

⁹¹⁰ Respondent: Mr Upul Nishantha, former Mayor, Matara Municipal Council.

The MCs especially have direct access to foreign aid. Also local government can access NGOs directly. But many local government representatives lack knowledge of local government powers. NGOs however, are always interested in helping local government. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

This again highlights the lack of knowledge local government representatives have about their legal powers.

Another way local government can obtain direct foreign aid is through 'sister city' programmes, as noted by one respondent.

There is a system which is called 'sister cities'. Here a local government builds connections with a local government in a foreign country to obtain aid. Also local government can go through this process via an NGO. (Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.)

This system is a mutual relationship built between local government and a foreign counterpart. For example, the Galle MC has a long term relationship with the Velsen municipality in the Netherlands. Through this relationship, the Galle MC has received significant aid and facilities from the Velsen municipality⁹¹¹ (see chapter 9).

In summary, the lack of funding is a major problem for local government. The staffing problems also exacerbate the funding problem as local government is unable to afford the staff it needs. Local government, especially the PSs, do not have sufficient resources to generate income. Local government dependency on central and provincial governments for funding and staff recruitment is highlighted as a major problem. The take-over of revenue sources belonging to local government by the provincial councils is another problem with funds and aid for local government often delayed and reduced as they pass through central and provincial government hands. Sometimes resources never reach local government coffers because the central and provincial governments use these funds and aid according to their political agendas. Local government development proposals also get delayed and neglected when they go through central and provincial government authorities. Local government representatives report that most of their proposals never receive approval. Sometimes these delays are connected to the political affiliations which central and provincial governments have with certain local government bodies. Construction projects under the direction of other

⁹¹¹ Respondent: Mr Methsiri De Silva, Mayor (UPFA), Galle Municipal Council.

authorities in the local government areas are an extra burden in terms of maintenance for local government when the facilities were never sought in the first place. Although local government still has powers and ways to obtain direct foreign aid, many local government representatives are not aware of how to access procedural powers.

8.2.3. Local level politico-administrative relations

As discussed above and in chapter 5, there are a number of overlaps and contradictions between political and administrative bodies at the local level in the exercise of their powers. First, the relationship between local government and administrative bodies such as district and divisional secretariats is very weak. Second, there are poor relationships between local government and central government authorities who are involved in local development. Examples include the Urban Development Authority (UDA), the Ceylon Electricity Board (CEB), and other institutions mentioned in chapter 5. According to Hettige, in rural areas local government bodies have been marginalised in the development process due to the increasing significance of other political and administrative actors associated with national politics and the wider processes of development.⁹¹²

As outlined in chapter 7, large scale construction projects conducted by central government in local government areas have neglected the voices of local government bodies related to the actual needs of the people. For Hettige, the area of authority of the divisional secretariat often overlaps with that of the PS. The expected outcome of the establishment of divisional secretariats was to facilitate the integration of the local administration with the elected local body so that local level development and other activities could be better coordinated. In reality, the PSs and the divisional secretariats have functioned largely independently of each other.⁹¹³ According to Fernando, the situation changed drastically after the introduction of provincial councils as divisional secretariats continued to function as the arm of central government without much concern for the provincial

⁹¹² Hettige, S. (2008) 'Local Democracy: The Sri Lankan Experience', in D.N. Gellner and K. Hachhethu (eds) *Local Democracy in South Asia: Microprocesses of Democratisation in Nepal and its Neighbours: Governance, Conflict and Civic Action*, Vol. 1, Sage Publications, India, p. 435.

⁹¹³ *Ibid.*, p. 429.

councils or the PSs. The public servants at the divisional secretariats, who are central government employees, do not feel obliged to work for the PSs.⁹¹⁴

In addition, the overlapping issues of the existing laws, especially in the development sector, make for on-going problems, given the lack of clear responsibilities for each institution. This makes the coordination between authorities more difficult. Dasanayake notes that there is no uniformity in the way devolved subject matters have been defined in the legislative documents, giving rise to definitive problems when exercising the legislative power.⁹¹⁵ The lack of uniform laws governing local authorities has made legal procedures complicated and unclear. There has been no demand to create a uniform law, and the law-makers are silent on the complexities and overlaps within the existing local government laws.

In the view of the Baddegama PS chairman there is minimal support from central and provincial level administrative officials for local government work.

There are many area officers, technical officers who are attached to central government and provincial councils. They do not work properly but are obtaining big salaries. If there is a possibility for local government to use them, it is good. But this has not happened yet. (Respondent: Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*.)

Given this view, the Baddegama PS chairman hopes to get the support of central and provincial level administrative officials for local government work. To examine the distinctions within the political and administrative bodies in the same area, it is necessary to explore the views of the administrative officials attached to the Baddegama divisional secretariat. The following statement indicates contrasting viewpoints.

There is a good relationship between the divisional secretariat and the PS. The technical officers in both institutions work together on projects. When constructing roads which belong to the PS, we get their permission, and after construction we hand the property back to them. We do not have conflict with them. (Respondent: Mrs H.I.G. Shirani Pushpakumari, Assistant Director-Planning, Baddegama Divisional Secretariat.)

⁹¹⁴ Fernando, L. (2003) 'Local Governance in the Uva Province: Monaragala *Pradeshiya Sabha*', *Local Governance and Conflict Management in Sri Lanka – Final Report*, Sri Lanka Institute of Local Governance and Berghof Foundation for Conflict Studies, p. 54.

⁹¹⁵ Dasanayake, S.M. (2001) 'Provincial Councils System: Some Operational Constraints', *Governance*, No. 1, Vol. 1, Sri Lanka Institute of Local Governance, Colombo-07, pp. 34-36.

This respondent indicates a good working relationship between the divisional secretariat and the PS officials. Obtaining permission from the PS before starting any construction work in the PS area is an important step to productive work relations between the two institutions. However, local government respondents have a different view about the limitations of the politico-administrative relationships, as the following respondent stated.

The relationship between the divisional secretariat and the PS is understandable. But as these two institutions are working independently, we do not have close relations. (Respondent: Mr Nandasiri Ranathunga, Chairman (UPFA), Suriyawewa *Pradeshiya Sabha*.)

A respondent attached to the Suriyawewa divisional secretariat noted: “The relationship between the PS and the divisional secretariat is good. But there is conflict between the political representatives and administrative officials.”⁹¹⁶ These views reveal the contradictions between local political and administrative bodies. The response of the Suriyawewa divisional secretariat official signifies that the institutional relations are functional, but that the personal relations between political representatives and administrative officials are not as good. As they work according to central government agendas, divisional secretariats are less inclined to give attention to local government preferences. Local government representatives, therefore, do not get the support they expect from local administrative bodies.

The politico-administrative relations in the eastern province are different from those found in the southern province. In the eastern province higher administrative officials, such as district secretaries, were former high ranking Sinhala military personnel, whereas the majority of the population was Tamil and Muslim.⁹¹⁷ The military influence has been observed in the Trincomalee given that large amounts of foreign aid are granted primarily to Sinhala villages. This leaves the Tamil and Muslim majority within the area dissatisfied. The chairman of the Kinniya PS expressed his dissatisfaction about this situation: “The main administrative

⁹¹⁶ Respondent: Mr M.K. Pradeep Kumara, Assistant Director-Planning, Suriyawewa Divisional Secretariat.

⁹¹⁷ Formerly, administrative officials had to successfully complete the Sri Lanka administrative service (SLAS) examination to become an administrative official. Currently the executive President has taken the power of appointing administrative officials through the 18th amendment to the constitution and he has appointed former high ranking Sinhala military personnel as higher administrative officials especially in the post-war areas. These retired military officials would try to implement their strict military rule in the administrative sector, which was not practical. They kept army soldiers as their body guards and used army vehicles.

authority, the Trincomalee district secretariat does not provide aid to Kinniya because Kinniya is a Muslim area.”⁹¹⁸ One administrative official attached to the Trincomalee district secretariat viewed it differently, saying: “Some NGOs are partial. Sometimes they make favourable grants to specific ethnic groups. But the district secretary tries to send aid to the Sinhala areas as well.”⁹¹⁹ It is evident that there is some truth in the complaints against the Trincomalee district secretary regarding the ethnic biases in aid distribution in the area.

Another respondent from Trincomalee noted: “The district secretariat works as a separate unit. We don’t have problems or special friendships with them. The relationship is neutral.”⁹²⁰ The problems are not necessarily about personal relations, but about the structure of institutions and procedures which create contradictions and overlaps. One administrative official said:

The systems in this country are very complicated. There are so many institutions and they do not have exact work practices. Some work overlaps. There is no need for elected political representatives. As administrative officials we can handle most of the work. We follow exact procedures. We do not have provincial barriers. We receive power directly from the central government. (Respondent: Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat.)

This reveals the negative relationship existing between the political and administrative bodies. As discussed earlier, an example of problems arising from overlapping power is seen in the local administrative bodies such as district and divisional secretariats which receive direct instruction from central government, while the local government recruits staff from the provincial public service. As the above respondent noted, local administrative officials who have been appointed by central government see themselves as more powerful than the provincial and local government representatives and the administrative officials attached to provincial and local government. This situation creates a lot of divisions and negates any positive impact on tackling the issues.

At every level of administrative division it is evident that central government has its agents: at the provincial level the provincial governor; at the district level the district secretary; at the divisional level the divisional secretary. This means that both the provincial councils and local government bodies are marginalised and

⁹¹⁸ Respondent: Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*.

⁹¹⁹ Respondent: Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat.

⁹²⁰ Respondent: Mr K Selvarajah, Chairman (TNA), Trincomalee Urban Council.

forced to carry out the wishes of central government. Furthermore, it is evident that the control of district and divisional secretariats by central government has created major divisions between the local political and administrative bodies, as the following respondent noted.

The central government is using district and divisional secretariats to control local government, especially to control any local government which does not care for central government agendas. As local administrative bodies, the district and divisional secretariats should work together with local government. Otherwise many difficulties occur. There are overlaps in decisions and development work when there is no proper coordination between political and administrative bodies. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

Despite this, local government has the legal power to control administrative influences when they affect local governance. One respondent noted that, some local government bodies have prepared procedures to control administrative influences by passing regulations, including making it compulsory to obtain permission from the relevant local government before becoming involved in an area project. For example, Dehiwala-Mount Lavinia MC ⁹²¹ implemented procedures with successful results.⁹²² This example suggests that control is possible if the local government knows and exercises its powers of governance well.

In summary, the responses of local government representatives and local administrative officials regarding their politico-administrative relations are inconsistent. Evidence of good mutual relationships or understandings between political and administrative bodies is lacking. The paucity of clear legal provisions on the scope and powers of local political and administrative bodies is identified as a major gap. Moreover, it is evident that as a result of a lack of political will on behalf of central government to decentralise power to the lower levels of government, the central government-controlled local administrative bodies have been significantly strengthened. Although local government has the power to enact procedures to control administrative influences as shown by examples, exercising such power is not common.

⁹²¹ A municipal council in Colombo district, western province, Sri Lanka.

⁹²² Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.

8.3. Possible solutions: NGOs as a support of local government

The previous section revealed a number of problems associated with local government and decentralisation in Sri Lanka. This section analyses the proposals made by respondents to solve problems, focusing on the recommendations aimed at developing more robust local government in Sri Lanka.

8.3.1. Proposals: local level

Most local government representative respondents in the southern province proposed obtaining foreign funds to develop the area and to fulfil the people's needs via NGOs. The following respondents outlined what type of foreign support they needed.

We need more foreign funds and the support of the NGOs to reconstruct the streams and drainage systems in the city. It is good if we can participate in foreign conferences on local government. Then we can obtain experience, training and also benefits. (Respondent: Mr Methsiri De Silva, Mayor (UPFA), Galle Municipal Council.)

If we receive foreign funds there are heaps of things to do. We have a compost plant but we do not have a plastic recycling unit. We never get technological support for these things. The foreign funds and the foreign technological support can help a lot. (Respondent: Mr Manjula Liyanage, Representative (UNP), Baddegama *Pradeshiya Sabha*.)

Obtaining foreign funds and technological support for local government work is important to respondents. As discussed earlier, local government in Sri Lanka has few funds for local development, but if foreign funds and support are obtained then local government can develop the area without depending on central and provincial government. One respondent was clear: "It is difficult to do all the work of a local government without foreign funds. Therefore we absolutely need foreign funds and support."⁹²³

Respondents in the eastern province were also clear about the importance of obtaining foreign funds. One respondent asserted: "We need foreign funds and support to develop the area."⁹²⁴ Not only local government representatives, but also local government administrative officials hope to obtain foreign funds and support for local development. One observed:

⁹²³ Respondent: Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*.

⁹²⁴ Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*.

Our area is very crowded and there is no space to do agriculture or anything which needs much space. To fulfil the people's need we need foreign funds and support. (Respondent: Mr Rahuman, Revenue Supervisor, Kattankudy Urban Council.)

Without space for agriculture and other activities local government cannot attract the revenue needed, so they need external funds. Another respondent noted that they do not have many facilities to serve people. He stated: "If foreign funding agencies can support us, we will be able to provide a better service to the people in the area."⁹²⁵

Foreign sources can provide important knowledge and technological skills. One respondent noted: "We need more training programmes and workshops which are conducted by the foreign-funded agencies. These can provide knowledge for us on local governing procedures."⁹²⁶ The following respondent gave more prominence to the need for training and technological skills rather than funds.

Sri Lankan local government bodies do not need huge amounts of foreign funds but they always need new knowledge-based training and technological skills from foreign countries to overcome the existing challenges. When the donor agencies feel confident about the local government development plans, they trust the local government and donate aid. The strong support of foreign donor agencies is a great gift for the local government. (Respondent: Mr Upul Nishantha, former Mayor, Matara Municipal Council.)

This signifies that even if there are sufficient funds, to achieve success local government needs to understand the proper methods of service provision for development. For this, it needs knowledge-based training and technological skills.

Respondents pointed to their need for aid-related management systems to guide and implement training methods and programmes which the NGOs had started but needed to continue. They also highlighted the need for better methods of fund dispersion and a continuous monitoring system to avoid misuse of foreign funds.⁹²⁷

Local government representatives take the view that with proper guidance and a monitoring system, local benefits will be achieved. Administrative officials have the same view.

⁹²⁵ Respondent: Mr H.G.K. Jagath Kumara, PHI Officer, Matara Municipal Council.

⁹²⁶ Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council.

⁹²⁷ Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council, Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council and Respondent: Mr Padmasiri Ediriweera, Opposition Leader (UNP), Weligama Urban Council.

Work done by the NGOs is good and helpful. But there is a need to continue their work. After the NGO left, there was nobody to continue the guidance they had provided. As the people in the rural areas do not work without any guidance, the programmes and projects which the NGOs started are not continuing. There is no way to maintain or to repair the NGO-funded constructions. (Respondent: Mr M.K. Pradeep Kumara, Assistant Director-Planning, Suriyawewa Divisional Secretariat.)

This respondent proposed the appointment of someone to maintain NGO-funded construction and to oversee on-going projects. In his view, if the NGOs deposited funds into a bank account for future use, then the repairs and maintenance of construction would yield results.⁹²⁸

Eastern province respondents were cognisant of the need for mechanisms to handle funds carefully to avoid misuse. A local government representative said: “We need foreign funds and also a mechanism to handle them properly. When a number of institutions are involved in handling funds, misuse happens.”⁹²⁹ Another respondent said: “We need foreign aid. We are at a big disadvantage if we refuse NGOs. What we need is good mechanisms to deal with the NGOs.”⁹³⁰ These respondents emphasised the importance of having the resources to ensure the projects and programmes developed with the assistance of NGOs could continue. Although most respondents proposed continuous guidance, management systems, and robust mechanisms to handle foreign aid in dealing with NGOs, few mentioned how this could become a reality.

Some respondents proposed that local government was the most suitable for handling the supervision of foreign aid, projects and programmes. One local government representative said: “Foreign aid is always helpful to the PS. But the aid needs to be maintained by the PS by directing them to the most critical areas and needy people.”⁹³¹ Another local government representative spoke of supervision.

We need foreign funds and NGO support because local government is not self-sufficient enough to conduct development projects in the area. But there is a need to supervise the NGO work by the MC. Foreign aid needs to be used carefully to

⁹²⁸ Respondent: Mr M.K. Pradeep Kumara, Assistant Director-Planning, Suriyawewa Divisional Secretariat.

⁹²⁹ Respondent: Mr N. Noormohamad, Representative (UPFA), Trincomalee Urban Council.

⁹³⁰ Respondent: Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat.

⁹³¹ Respondent: Mr M.D. Indika Thushara, Opposition Leader (JVP), Suriyawewa *Pradeshiya Sabha*.

fulfil the most important needs. (Respondent: Mr Jayantha Pathirana, Representative (JVP), Matara Municipal Council.)

NGOs are recognised as having an important role to fulfil together with local government in identifying ways to approach local needs. One respondent mentioned:

If the MC can obtain foreign aid directly and if the NGOs can reach through the MC, good results can be obtained. Now there is a long procedure to obtain foreign aid. Therefore the aid does not reach the most needed and also it is not prioritised according to needs. (Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.)

As with southern province respondents, eastern province respondents proposed that foreign funds should reach local government directly. One issue raised was how to avoid the current long process of obtaining foreign funds.

We like to have foreign funds. We need more foreign funds to serve the people in the area. Also we know that there is a long process to receive them. (Respondent: Mr S. Sanoon, Representative (UNP), Trincomalee Urban Council.)

The chairmen of the Trincomalee UC and the Kinniya PS expressed similar views, as follows.

The foreign funds should come directly to the UC. Then we can use them according to our plans. Otherwise when the funds pass through institutions, we receive less amounts which is not sufficient to develop the area. (Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council.)

We need foreign funds. But when the foreign funds pass through various levels of government and several institutions, the PS receives a very small amount of funds. It is good if the NGOs can access the PS directly. (Respondent: Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*.)

Overall, the proposals of southern and eastern provinces' local government representatives and local administrative officials are strongly in agreement that foreign funds are necessary to develop the area and to provide services to the people. Other than funds, the respondents highlighted the importance of expert knowledge, technology and training from the NGOs. Also they believed that there should be proper plans to use the foreign funds carefully. To continue the projects and programmes started by NGOs, and to maintain the work, local government representatives and local administrative officials looked to the continuous guidance and management of NGOs. Some local government respondents proposed the supervision and maintenance of funds by local government. They also proposed that funds should reach local government directly. The issues for

both southern and eastern provinces were very similar, with the same proposals on funding issues emerging from representatives of different political parties. However, the proposals of the southern province were more informed and detailed than those of the eastern province. Eastern province local government representatives were newly elected and during their short period in office they had not had received much experience in their current positions.

8.3.2. Proposals: national level

Some of the proposals emerging from both southern and eastern provinces were questioned by this researcher in discussion with senior administrative officials and national politicians. These respondents identified the lack of capacity at the local government level as a barrier to their effective liaison with NGOs. Even though local government has direct access to foreign funds, barrier limits were set on the funds received. A senior administrative official stated that, without reliable data bases, local government faces difficulties in obtaining foreign funds and support for projects. He further added:

Normally the NGOs require a systematic data base to provide aid. There are data bases for the national bodies, but at the local level we can't find information to provide information when NGOs request it. For example, the Road Development Authority (RDA) has a detailed data base about the roads under their control which is updated. But the roads in local government areas are always changing. New roads are emerging regularly in these areas. Therefore it is difficult to maintain a data base. But local government should try and prepare data bases. If they have a proper data base, in place local government can obtain direct support from the NGOs. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

It is assumed that local government lacks reliable data bases because they do not have the knowledge or expertise to prepare them or the relevant proposals to obtain funds. Knowledge and guidance is required and NGOs can play a role in providing this.

As with local government representatives, some national politicians believe that there is a need to monitor and guide the work of NGOs and these should be friendly to local government and to NGOs. A member of parliament stated:

Foreign aid and NGOs can provide a positive and satisfactory service for the villages. For example, in the past when we were school boys, the problem of malnutrition was identified. At that time foreign organisations came to the villages and donated milk and food. They did this by building links with

voluntary organisations. This programme was satisfactory. But problem is that when these organisations get involved in local projects, how their work should be monitored and guided. There should be a system established to do this. (Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.)

Not only local government representatives, but also national politicians believe that NGOs can provide advantages for the local level collaboration. However, the above respondent offered no suggestions about how to implement or evaluate a system to monitor and guide NGOs.

According to some respondents, power should be balanced to avoid overlaps and conflict between local political and administrative bodies.

There is a need to balance the power of all authorities. The imbalance of power creates all the problems. District and divisional coordinating committees⁹³² also play a significant role in balancing power. Here they can discuss their work and make decisions to avoid overlaps and clashes. (Respondent: Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council.)

Despite the presence of district and divisional coordinating committees, the responses of the political representatives and administrative officials at the local level, as mentioned earlier, reflect arguments that politico-administrative relations are not being carried out successfully.

As discussed in chapter 5, the recommendations of several commissions and committees on restructuring the local government system in Sri Lanka have not implemented. Respondent senior administrative officials mentioned that even the recently drafted proposals cannot be implemented owing to the political influences and unwillingness of central government. For example, the draft national policy to improve the situation of local government has faced a number of difficulties and challenges. The cabinet did not pass the original policy document and recommended amending some parts of it.⁹³³ The proposal for metropolitan and ward committees was rejected by central government which wanted to add *Jana Sabhas*. Metropolitan committees were aimed at making all

⁹³² District and divisional coordinating committee meetings take place once a month. The district coordinating committees head by a parliament member representing such district. District secretary and many other administrative officials, police officers in charge, heads of the local government bodies, representatives of the community-based organisations (CBOs) and also the NGO officials participate in these committees. In the divisional coordinating committees, the PS chairman and the divisional secretary are the co-chairmen. Other local government representatives, divisional level administrative officials, police officer in charge, CBO representatives and NGO officials participate in these committees.

⁹³³ Respondent: Mr M.L. Sunil Fernando, Advisor, Policy Division, Ministry of Local Government and Provincial Councils.

MCs and UCs in a city work together by discussing plans and problems. Furthermore, these committees aimed to reduce overlaps, as the following respondent stated.

A large city cannot be developed without a metropolitan plan. To establish a metropolitan committee, as the first step we planned to connect 11 local government bodies (MCs and UCs) together in the Colombo district. Here we wanted to consider the Kelani river as the base. In a city, a river can do a lot of things. It beautifies the city and fulfils a lot of people's needs. (Respondent: Mr M.L. Sunil Fernando, Advisor, Policy Division, Ministry of Local Government and Provincial Councils.)

In its rejection central government proposed reducing the number of MCs and UCs in the metropolitan committee with only five local government bodies being added to the metropolitan committee. The proposed ward committees to the PS level required PSs to work together under a joint plan. But this proposal was rejected by central government. A senior administrative official noted:

Finally we had to remove the proposed metropolitan committees and ward committees from the national policy because the central government wanted to replace such committees by adding *Jana Sabhas*. However there are no proper criteria to implement *Jana Sabhas*. These *Jana Sabhas* seem problematic because these institutions do not have a base or a plan. (Respondent: Mr M.L. Sunil Fernando, Advisor, Policy Division, Ministry of Local Government and Provincial Councils.)

Government's documents reveal that *Jana Sabhas* are part of the *Gama Neguma* programme mentioned in chapter 7. *Jana Sabhas* have been named as the principal organisations responsible for the implementation of *Gama Neguma* conducted by the Ministry of Economic Development through the district and divisional secretariats.⁹³⁴ According to government, one *Jana Sabha* will be established in each PS area.⁹³⁵

⁹³⁴ 'Prosperous Village Programme: *Jathika Saviya* and *Gama Neguma* Programme' (n.d.) <http://203.94.76.60/AHF/presentation/3Jathikasaviya-Gamaneguma.ppt>, accessed 04-07-2013.

⁹³⁵ There will be an executive committee, the directing body of *Jana Sabhas*. Secretaries would be appointed to *Jana Sabhas* presumably by government. All government departments, NGOs and CBOs would be represented in *Jana Sabhas*. The members would not be elected; they would be ex-officio. All government employees at village level would be ex-officio members. The chairman of *Jana Sabha* would be the chairman of *Pradeshiya Sabha*. Moreover, *Jana Sabha* would prepare a budget for its area with people's participation. It would approve all new projects within the area of *Jana Sabha*. Even NGO projects would have to be approved by the *Jana Sabha* and included in the budget (Senanayake, R. M. B. (2011) '*Jana Sabhas*', http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=27233, accessed 02-07-2013).

If the *Jana Sabhas* are not to replace PSs and divisional secretariats, then the establishment of another institutional mechanism under the name of *Jana Sabhas* will be an extra burden on the country. Commentators question:

How will the *Jana Sabhas* get funds? They depend only on grants from the central government? Whoever pays the piper calls the tune. Will they be politicised units? How will the secretaries be appointed – on merit on political affiliation? How would the people come in? Will the *Jana Sabha* be an executive and supervisory body or only a planning and budgeting body? Despite the amendment (13th amendment to the constitution), however, the government structure remains centralised; almost all provincial activities are tightly controlled from the centre and the local authorities have limited fiscal and administrative authority. What will be the role of the *Jana Sabhas* within this context?⁹³⁶

These critiques show the difficulties of establishing the proposed *Jana Sabhas*. Although the PS chairman is supposed to be the chairman of *Jana Sabha*, it can be identified that the proposed *Jana Sabha* is mostly connected with central government-led administrative bodies rather than with provincial councils or local government bodies. Critics point out that, “the new *Jana Sabha* system of government looks set to gut the powers of local level state structures in Sri Lanka, strengthening the hands of the Colombo regime.”⁹³⁷ For Gunasekara, the government’s attempt to introduce a local level *Jana Sabha* system is connected with the government’s recentralisation efforts. This system will take over many of the responsibilities of local government. In addition:

As currently discussed, Sri Lanka’s *Jana Sabhas* will be appointed (by whom is not yet known), not elected institutions, and they will be given most of the powers currently enjoyed by provincial councils and local government authorities.⁹³⁸

One respondent noted: “The idea of *Jana Sabhas* is new, but entirely political and opportunistic. The only aim of these institutions is to give appointments to unemployed graduates.”⁹³⁹ Gunasekara also critiques the government’s plan to provide jobs for graduates through implementing *Jana Sabhas* which was one of the SLFP-led UPFA’s election promises. The proposal to enrol 5,000 graduates at village level purely on the recommendation of the SLFP electoral organisers without conducting interviews⁹⁴⁰ reveals that the *Jana Sabha* system is a political

⁹³⁶ *Ibid.*

⁹³⁷ Gunasekara, T. (2011) ‘Rajapakse Devolution’, <http://himalmag.com/component/content/article/4548-rajapakse-devolution.html>, accessed 02-07-2013.

⁹³⁸ *Ibid.*

⁹³⁹ Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.

⁹⁴⁰ Gunasekara, (2011).

project. It would extend the centralisation of authoritative power, and disempower provincial and local levels of government.

Re-activating *Gramodaya Mandalas* is a popular proposal for some writers. As mentioned in chapter 5, *Gramodaya Mandalas* were not abolished but automatically de-activated through changes in local government law. Leitan proposes re-activating *Gramodaya Mandalas* in terms of as ‘bridging institutions’. Because *Gramodaya Mandalas* had constitutional recognition under the 13th amendment they would be suitable for connecting village level groups to the *Pradeshiya Sabhas*.⁹⁴¹ A member of parliament noted:

The government has totally neglected the *Gramodaya Mandalas*. *Gramodaya Mandalas* have not been demolished. But these institutions were de-activated by the government. If the government is willing, these institutions can be re-activated. (Respondent: Mr Joseph Michael Perera, MP (UNP), Gampaha District.)

It was 2005 that the Ministry of Provincial Councils and Local Government⁹⁴² took steps to re-launch *Gramodaya Mandalas*, confirmed in a performance report about their revitalisation.⁹⁴³ A national newspaper reported that the Ministry of Provincial Councils and Local Government re-launched *Gramodaya Mandalas* on 17th June 2005.⁹⁴⁴ Pilot programmes commenced in 11 districts to facilitate the activities of *Gramodaya Mandalas*, and a unit was established under the ministry. The objective of *Gramodaya Mandala* revitalisation programme was to ensure the availability of active community organisation at the village level, which would be useful for rural development. These organisations were expected to work closely with local government bodies in developing their areas. The ministry expected that this initiative would also create a forum for all community organisations to meet and participate in the development process.⁹⁴⁵

However, after 2007 the *Gramodaya Mandala* re-launch took a different direction led by a funding proposal called *Jana Diriya*.⁹⁴⁶ The ministry decided to establish

⁹⁴¹ Leitan, G.R.T. (2004) ‘The Role of Local Government in Citizen Participation’, *Governance*, No. 4, Vol. 4, Sri Lanka Institute of Local Governance, Colombo-07, pp. 54-55.

⁹⁴² Prior to 2006, the Ministry of Local Government and Provincial Councils was called as the Ministry of Provincial Councils and Local Government. The Minister of Provincial Councils and Local Government at that time was Janaka Bandara Tennakoon. He was in the ministership from 2004 to 2010.

⁹⁴³ *Performance-2005 & Future Plans-2006*, Ministry of Provincial Councils and Local Government, Colombo-02, p. 10.

⁹⁴⁴ Kumarasinghe, U. (n.d.) ‘*Gramodaya Mandalas* Re-launched’, <http://www.dailynews.lk/2005/06/18/pol18.htm>, accessed 02-07-2013.

⁹⁴⁵ *Performance-2005 & Future Plans-2006*, p. 10.

⁹⁴⁶ Literal meaning is people’s courage.

this fund to provide investment support from local government bodies to CBOs working at the local level.⁹⁴⁷ In establishing the *Jana Diriya* fund, government amended the *Gramodaya Mandala* Fund Act,⁹⁴⁸ renaming the *Gramodaya Mandala* fund the *Jana Diriya* fund.⁹⁴⁹ In 2009 a *Jana Diriya* division was established in the Ministry of Local Government and Provincial Councils.⁹⁵⁰ However, expectations about the viability of the *Jana Diriya* fund were not realised and it collapsed, as the following respondent noted:

Gramodaya Mandalas still have the constitutional recognition but nobody wants to activate these institutions again. There was a large amount of money in the *Gramodaya Mandala* fund, and we prepared procedures to transfer this fund to start a new programme called *Jana Diriya*. This aimed to help PS areas. But the *Jana Diriya* has been taken over by the Ministry of Economic Development and the President. So the expected results have not been achieved. (Respondent: Mr M.L. Sunil Fernando, Advisor, Policy Division, Ministry of Local Government and Provincial Councils.)

This points to another recentralising attempt by the central government, and as such attempts by the Ministry of Local Government and Provincial Councils to re-launch *Gramodaya Mandalas* have discontinued. Even with renaming the fund, the expected aims of *Jana Diriya* have not been fulfilled. From 2009 there is no evidence of *Gramodaya Mandala* or *Jana Diriya* implementation processes occurring. This reveals that government favours extending its centralisation agenda. In 2010 the Minister of Local Government and Provincial Councils changed. Although reform processes have not been successful because of government disagreements and influence, it is evident that during the period of former minister Janaka Bandara Tennakoon, certain attempts were made to restructure local government aimed at strengthening decentralisation. Instead the government has discontinued these attempts by replacing the Minister of Local Government and Provincial Councils. One respondent highlighted defects in policy implementation, as follows.

We have drafted new local government policy. But still we are not able to implement it. Central government always tries to take over the decentralised

⁹⁴⁷ *Performance-2007 & Future Plans-2008*, p. 18 and *Performance-2008 & Future Plans-2009*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 36.

⁹⁴⁸ The *Gramodaya Mandala* fund was established in 1982 to grant financial and other assistance to *Gramodaya Mandalas* at that time to carry out their work (*Gramodaya Mandala Fund Act, No. 28 of 1982*).

⁹⁴⁹ *Gramodaya Mandala Fund (Amendment) Act, No. 68 of 2009*.

⁹⁵⁰ *Progress Report 2009, Future Plans 2010*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 4.

powers and has become involved in many projects which belong to local government. The Defence Ministry has become involved in local government matters too. For example, they work arbitrarily and forcefully in the Colombo MC area. They do favours without informing the Colombo MC. This is a bad trend. In every way local government is losing its power and becoming helpless and useless. With these actions, the most badly affected are the people. (Respondent: Mr D.P. Hettiarachchi, Retired Additional Secretary, Ministry of Local Government and Provincial Councils; and Consultant, EML Consultants.)

This response further shows the political influences of central government in failing to implement proposals to restructure local government systems and, instead, points to the take-over of the powers at local government level. Another respondent added to this point:

It is very difficult to work under political influences. We have good plans but there are no opportunities to implement them. Everywhere there are restrictions. We want to serve the people by developing policies and implementing them correctly. We are trying to work tactfully with the central government to achieve positive results. (Respondent: Mr M.L. Sunil Fernando, Advisor, Policy Division, Ministry of Local Government and Provincial Councils.)

This indicates that there is still hope for improvements in local government in Sri Lanka. Clearly local government representatives and local administrative officials are focused on obtaining foreign funding, knowledge, technology and guidance. This would then give them sufficient funds to develop key areas and to provide for people's needs. But there are major discrepancies between proposals at the national level and those at the local level. When national level officials complain about the non-implementation of proposals and about the centralisation of power, the local level shows little concern about their lack of power. In turn, respondents at the national level were not concerned about foreign funding and its dispersal at the local level. Despite this the interest at the local level to obtain foreign funds, knowledge, technology and guidance using their remaining legal power is a positive trend.

8.4. Summary

In examining the perspectives of the respondents, this chapter identified three main problem areas pertaining to the Sri Lankan local government. It has not always been the lack of legal power, but rather the lack of knowledge of local government representatives in terms of their power which is the major problem. It is also evident that local government representatives have the potential to obtain

knowledge about legal procedures. Although they complain about the provincial councils, local government representatives realise that they have sufficient power to work if they have the support of funds. Local government representatives were not proposing to amend local government policies but were proposing to abolish provincial councils because the provincial councils had barred local government from obtaining central government funds and had also taken over local government funding sources. Due to the lack of funding, local government representatives and local administrative officials propose obtaining funds from foreign sources and also knowledge, technology and guidance from NGOs to develop the areas and secure people's needs. This is clearly different from the proposals of national level administrative officials and some authors who argue amendments to Sri Lankan local government policies will suffice. Additionally, connecting local political and administrative bodies, implementing a metropolitan plan, re-activating *Gramodaya Mandalas*, and launching the *Jana Diriya* programme found prominence among national policy makers. Within these local-national contrasts, it is evident that there are opportunities in Sri Lankan local government for NGOs to be involved providing support in developing solutions to problems. The next chapter focuses on the ways in which this involvement can materialise and assesses the most suitable direction for NGOs to support local initiatives.

Chapter 9

NGO involvement in local government and local development in Sri Lanka

9.1. Introduction

As outlined in chapter 6, NGO involvement in welfare, development, human rights, relief and rehabilitation in Sri Lanka has developed into a significant issue. The Sri Lankan government has, over time, had both collaborative and antagonistic relations with NGOs. Apart from a small number of municipal councils (MCs) with long-term connections to foreign municipalities, Sri Lankan local government organisation has not had links with NGOs until the disastrous tsunami in December 2004. Prior to the tsunami, obtaining foreign support was an unfamiliar concept for local government bodies in Sri Lanka. When large amounts of foreign funds and resources flowed into Sri Lanka in the post-tsunami period, there were no proper mechanisms at local, provincial, or central government level to manage the aid in an effective way. Additional foreign aid flowed into Sri Lanka in the post-war period from May 2009 and was managed centrally with limitations placed on the role NGOs could play in how it was used. Although NGOs have been required to ensure their work supports the central government agendas some have continued to be involved in local development through various projects and programmes.

Chapter 7 argued that centrally-led foreign-funded large scale construction projects have not effectively addressed local needs. As reported in chapter 8, respondents highlighted the lack of funds, resources, knowledge, technology and guidance available to local government in Sri Lanka. Obtaining support from NGOs to carry on locally-led development and to fulfil people's needs at the local level was the main proposal put forward by respondents. The purpose of this chapter is to outline the key features of the involvement of NGOs in local development and analyse the results. This chapter, therefore, addresses the questions raised in chapter 2 about whether the involvement of NGOs leads to improved forms of local governance and local development, and investigates how NGOs might work more effectively with vulnerable sections of Sri Lankan

society. It explores whether foreign aid can be delivered in a way that does not reinforce dependence or hinders development.

The chapter examines the views of 32 respondents. Of the 32, 14 were local government representatives,⁹⁵¹ 11 provincial, district and local administrative officials,⁹⁵² and seven were officials attached to NGOs. There are three main sections in this chapter. The first section examines the issues and problems related to foreign aid and NGO involvement at the local level through the perspectives of local government representatives and local level administrative officials. The second section examines a number of foreign-funded projects which were conducted at the local level characterised by adherence to central government agendas. The third section examines a number of foreign-funded and recently completed projects implemented at the local government level in the southern and eastern provinces.

9.2. Foreign aid, NGO involvement and local government: issues and problems

The tsunami led to major damage in 70 of 311 local government areas in seven MC areas, 14 UC areas and 49 PS areas in Sri Lanka. Damage was estimated at Rs.2833 million, which is approximately US\$30 million.⁹⁵³ It led to the destruction of many local government buildings and paralysed local government service deliveries. Roads and bridges were destroyed, public markets and shopping complexes were ruined and there was a loss of income from taxes and rates which left local government bodies in a most difficult fiscal situation. Irreparable damage was done to many local government records.⁹⁵⁴

The affected areas received large amounts of foreign aid and a remarkable level of NGO support following the tsunami and, later, the war. Given this situation, there were problems with the effective management and utilisation of aid. These included political interference in the planning, implementation and allocation of

⁹⁵¹ Of the 14 local government representatives, five represent MCs, five represent urban councils (UCs) and four represent *Pradeshiya Sabhas* (PSs). Of these 14, 10 were from the southern province and four from the eastern province.

⁹⁵² Of the 11 administrative officials, seven were from the southern province and four from the eastern province.

⁹⁵³ *Performance-2005 & Future Plans-2006*, Ministry of Provincial Councils and Local Government, Colombo-02, p. 12.

⁹⁵⁴ *Ibid.*

funds; staffing and related problems in project management; excessive conditions imposed by donors; and complex government procedures imposed on NGOs.⁹⁵⁵ The destruction of infrastructure, the disappearance of public records, and the sheer number of donors and programmes created a complex web of aid transactions that were difficult for both donors and recipients to manage.⁹⁵⁶ The risk of poor coordination between many government bodies and NGOs resulted in the reduction and effectiveness of foreign assistance. The reluctance by certain NGOs to engage with government administrative structures was part of this problem.⁹⁵⁷

The problems associated with the government distribution of aid, described above, led to NGOs often being seen as a more efficient means of aid delivery.⁹⁵⁸ However, in the process NGOs were unable to fully bypass government. Some NGO-related literature suggests there should be a collaborative approach involving effective coordination between NGOs, central, local government and community groups.⁹⁵⁹ This literature recognises that, despite their real and perceived inadequacies, local government bodies in Sri Lanka can, and should, play a positive role in such coordination.⁹⁶⁰

The involvement of NGOs in local government and local development is rarely touched on by Sri Lankan scholars. Some authors such as Fernando and Thangarajah have highlighted the importance of NGOs at the local level, and Leitan has proposed building a coordinating mechanism to link NGOs and the other local level organisations with local government bodies towards an effective performance of local government,⁹⁶¹ but these have not been taken further by researchers. This thesis seeks to address that gap.

⁹⁵⁵ Jayasuriya, S.; Steele, P.; Weerakoon, D.; Knight-John, M. and Arunatilake, N. (2005) *Post-Tsunami Recovery: Issues and Challenges in Sri Lanka*, The Institute of Policy Studies (IPS) of Sri Lanka and the Asian Development Bank Institute (ADBI), Tokyo, Japan in collaboration with The Asian Economics Centre, University of Melbourne, Australia, p. 33.

⁹⁵⁶ *Ibid.*, p. 34.

⁹⁵⁷ *Ibid.*, p. 45.

⁹⁵⁸ *Ibid.*, p. 46.

⁹⁵⁹ *Ibid.*, pp. 3, 46.

⁹⁶⁰ *Ibid.*, p. 46.

⁹⁶¹ See Fernando, L. (2003) 'Local Governance in the Uva Province: Monaragala *Pradeshiya Sabha*' and Thangarajah, Y. (2003) 'Local Governance in the Eastern Province: Kaluvanchikudy *Pradeshiya Sabha* & Kattankudy Urban Council', *Local Governance and Conflict Management in Sri Lanka-Final Report*, Sri Lanka Institute of Local Governance and Berghof Foundation for Conflict Studies and Leitan, G.R.T. (2001) 'Sri Lanka's Institutions of Local Governance: Their

The involvement of external organisations in local development in Sri Lanka is highlighted in some writing,⁹⁶² but these only provide descriptions of the completed and on-going local development projects of some of the leading donor agencies such as the Asia Foundation, ADB, WB, UNDP, AusAID and USAID.

The ‘national policy declaration for local government’ which was followed by the ‘national policy on local government’ (Gazette No. 1632/26), mentions one of its aims to obtain the support of international agencies, as follows:

The contribution and support of the national and international resource agencies will be provided, for the purpose of building capacity development and providing necessary computer hardware in line with the applications of new technology.⁹⁶³

There is no expectation in this statement of international resource agencies other than technological equipment and support. The annual performance reports published by the Ministry of Local Government and Provincial Councils contain long lists of foreign-funded projects, which highlight the ministry’s cooperation and partnership with foreign agencies such as the WB, ADB, JICA, UNDP, USAID, EU, FCM and Asia Foundation.⁹⁶⁴ These reports provide brief descriptions of the foreign-funded projects at the local government level but offer no wide analysis. The documents published by certain NGOs on their projects at the local government level provide more detailed information compared to government documents.

Against this background of aid distribution problems and limited literature on NGO involvement at the local government level, this section addresses the perspectives of the southern and eastern province local government representatives and the local administrative officials regarding the ways in which they dealt with foreign aid and NGOs, and the problems which occurred in this process.

Present Status and Possibilities for the Future’, *Governance*, No. 1, Vol. 1, Sri Lanka Institute of Local Governance, Colombo-07.

⁹⁶² See *Overview of the Local Government System: Towards Participatory Democracy in Sri Lankan Society* (2011) Marga Institute, Ethul Kotte, Colombo, p. 32.

⁹⁶³ *National Policy on Local Government* (Gazette No. 1632/26) 18th December 2009, p. 10.

⁹⁶⁴ *Performance-2010 & Future Plans-2011*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 9.

9.2.1. Southern province

Only a very few of the local government areas in the southern province received foreign funds and resources prior to the tsunami. One exception, as mentioned in chapter 8, is the Galle MC which operated a sister-city relationship with the city of Velsen which led to the flow of funds and support from the Netherlands. The sister-city links commemorate the Dutch-related background of Galle,⁹⁶⁵ the ancient Dutch fort and other historical sites which help cement the connection. Some organisations, such as the NAAL, and the ‘Velsen helps Galle’ Foundation, helped in creating connections between the city of Galle and the city of Velsen.⁹⁶⁶ While Galle MC received support from the Dutch government, and after the tsunami, the government of Netherlands extended support to some other Sri Lankan local government areas as well.

Prior to the tsunami, and apart from the sister-city arrangements in Galle, there was no history of foreign funds, resources or development guidance being provided in this area.⁹⁶⁷ Most of the foreign aid that subsequently arrived was aimed at helping those affected by the tsunami and with reconstruction initiatives.⁹⁶⁸ Local government bodies in the province received large amounts of foreign aid following the tsunami, but there were many problems in managing that aid. Working with NGOs and handling large amounts of foreign aid was new to local government bodies, and local government representatives and staff lacked relevant knowledge and management experience, as noted by one respondent. “We were unable to manage the tsunami funds. If the MC had managed these funds properly at that time, we might have achieved more advantages.”⁹⁶⁹

Another noted:

⁹⁶⁵ Respondent: Mr Methsiri De Silva, Mayor (UPFA), Galle Municipal Council and Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.

⁹⁶⁶ *LOGO South Country Programme for Sri Lanka/Solid Waste Management of Local Government Bodies in Sri Lanka* (2006) VNG International, The Hague, p. 5 (http://www.cities-localgovernments.org/committees/cib/Upload/compendium/EN_38_LOGO_South_Country_Programme_Sri_Lanka.pdf, accessed 21-06-2013).

⁹⁶⁷ Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council, Respondent: Mr Padmasiri Ediriweera, Opposition Leader (UNP), Weligama Urban Council and Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council.

⁹⁶⁸ Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council, Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council, Respondent: Mr Padmasiri Ediriweera, Opposition Leader (UNP), Weligama Urban Council and Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council.

⁹⁶⁹ Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.

In the post-tsunami period we were not able to control or organise the aid. At that time we spent more time re-settling the tsunami-affected people. Our offices were washed away and there were no proper plans to obtain aid according to the procedures. (Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council.)

Other respondents added that there was a lack of capacity and opportunity to prepare the proposals and plans needed to obtain additional aid. One respondent noted:

There were no proper development plans for the PS. Many donor agencies came to Suriyawewa and also were willing to provide aid. But the problem was that the PS did not have project plans to show them and therefore the PS missed many opportunities. (Respondent: Mr M.D. Indika Thushara, Opposition Leader (JVP), Suriyawewa *Pradeshiya Sabha*.)

In these situations, a large amount of aid was returned.⁹⁷⁰ Disagreements between the NGOs and government authorities also resulted in the return of aid. Representatives of the Hambantota UC highlighted this issue. According to the deputy chairman of the UC, “the politicians of the area did not agree with the foreign agendas and therefore a lot of aid was returned.”⁹⁷¹ These views were reinforced by the opposition leader of the UC who stated:

Many donor agencies came with their own agendas. Sometimes the political and administrative authorities did not allow them to work totally according to their own agendas. Therefore there were conflicts between the donors and the authorities. (Respondent: Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council.)

These statements signify that in many instances there was a lack of a shared understanding between the NGOs and government authorities at the local level about the exact needs of the areas and where aid should be directed.

Local government representatives expressed dissatisfaction with and suspicion towards NGOs. One respondent said: “After the tsunami, many NGOs came and were involved in the reconstruction work. But we were not satisfied with the quality of their work at all.”⁹⁷² Another respondent noted:

Before accepting them, we needed to select the good and bad NGOs. This is a challenge. Some NGOs had bad objectives. For example, we received an offer of a huge amount of funds from Netherlands. They wanted to establish a kind of farm called ‘Rob’s Garden’. But finally we found that the main aim of this project

⁹⁷⁰ Respondent: Mr S. Mubarak Maulana, Deputy Chairman (UPFA), Hambantota Urban Council and Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.

⁹⁷¹ Respondent: Mr S. Mubarak Maulana, Deputy Chairman (UPFA), Hambantota Urban Council.

⁹⁷² Respondent: Mr Jayantha Pathirana, Representative (JVP) Matara Municipal Council.

was to convert people to Christianity. Therefore we rejected it. (Respondent: Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*.)

Suspensions continued regarding NGOs, particularly the connection between some of the NGOs and religious groups, as indicated in the statement above.

The fact that the foreign aid which arrived in the wake of the tsunami went through dual institutional lines – political and administrative bodies – contributed to complications. As the district secretariats and divisional secretariats are under the direct control of the central government, most of the tsunami aid came through these administrative bodies. As a result, local government was not able to obtain such funds for its own development purposes. A representative of the Galle MC stated the problems they had with the Galle district secretary in the aftermath of the tsunami.

In the post-tsunami period, the district secretary did not support obtaining aid. Most of the aid came through the district secretariat. But most of the time the district secretary neglected and postponed facilitating NGOs. There were many disadvantages due to the failures of such authorities. The aid did not reach the most needy people. (Respondent: Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council.)

In contrast with this perspective from an elected representative, administrative officials stated that they believed they were the most appropriate authorities to handle foreign aid and NGOs.

There are many NGOs which conduct projects in the area. Their funds go through the district secretariat. These funds are different from the funds which reach the MC. We coordinate and manage the funds always. We give guidance and support to the NGOs. It is a part of our job. (Respondent: Ms Rupika Rajakaruna, NGO Coordinating Officer, Galle District Secretariat.)

The divisional secretariat has a better relationship with the NGOs than the PS. There are separate meetings for the NGOs that are involved in major projects in the area. Again there is a monthly committee meeting to discuss the progress of all the projects in the whole district.⁹⁷³ (Respondent: Mr M.K. Pradeep Kumara, Assistant Director-Planning, Suriyawewa Divisional Secretariat.)

These respondents believe local government was marginalised in aid distribution, with the role of administrative officials to the fore rather than local political representatives.

⁹⁷³ This refers to district coordinating committees mentioned in chapter 8.

9.2.2. Eastern province

The eastern province, in contrast with the southern province, attracted much foreign aid in the aftermath of the war. The tsunami struck while the war in the north and east was still underway, and as a consequence many local government bodies were not activated, leading to a greater role by central government-controlled administrative authorities in the control of aid management process.⁹⁷⁴

Following both events, according to eastern province respondents, many NGOs offered support to the eastern province people in order to rebuild the area.⁹⁷⁵ In this province, local administrative bodies received funds to address the needs of specific ethnic groups, given the more multicultural character of the area. For example, the Kalmunai divisional secretariat received funds from local and foreign Muslim associations and from Arab agencies because it is an area with a Muslim majority.⁹⁷⁶

As with the southern province, aid management of the eastern province was also characterised by problems, resulting in what was described as the misuse of funds and resources. A representative of the Trincomalee UC stated:

The UC received foreign funds after the tsunami. But the criteria for obtaining and using them were problematic. Not only the UC but also many government authorities mishandled the responsibility of aid management. Therefore there was misuse of aid. (Respondent: Mr N. Noormohamad, Representative (UPFA), Trincomalee Urban Council.)

However, according to a number of eastern province respondents, NGOs were also partly responsible for the failures in the process of aid distribution and usage. One respondent said: “The NGOs try to work according to their agendas without listening to the government. We cannot trust their work at all.”⁹⁷⁷ Another added that, “some NGOs work well. But most of them use funds for their own benefit and contribute small funds to the needy. Therefore we cannot trust all of them.”⁹⁷⁸ These statements do not reject all NGOs and their work. There were NGOs which worked effectively at the local level as discussed below. Some of the failures of

⁹⁷⁴ Respondent: Mr Mohamad Mussil, Assistant Director-Planning, Kinniya Divisional Secretariat.

⁹⁷⁵ Respondent: Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat and Respondent: Mr George Pillai, Deputy Mayor (UPFA), Batticaloa Municipal Council.

⁹⁷⁶ Respondent: Mr Abul Hassan, Administrative Officer, Kalmunai Divisional Secretariat.

⁹⁷⁷ Respondent: Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat.

⁹⁷⁸ Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council.

NGOs, therefore, did not stop local political representatives and administrative officials from expecting support from the NGOs.⁹⁷⁹

Overall, local government in the southern and eastern provinces received large amounts of foreign aid, but the failures of local government and other government authorities to manage the aid, the lack of knowledge in handling the aid and in working with the NGOs, the institutional complexities, and the disagreements and suspicion towards some of the NGOs made for a complicated and difficult situation. Despite disagreements, dissatisfactions, suspicions and limitations, several NGOs have worked well in local communities.

9.3. Central government and NGO projects

Central government involvement in the provincial and local level construction/reconstruction work has been a prominent feature in the post-tsunami and post-war situations in Sri Lanka. For example, central government established a Task Force to Rebuild the Nation (TAFREN) which is the single coordinating agency to manage tsunami aid and to organise reconstruction. However, there have been problems with its overall effectiveness which some have attributed to political interference. These include the influences of central government ministries on TAFREN's staff appointments and decisions.⁹⁸⁰

The Ministry of Provincial Councils and Local Government noted that the mandate and the mission of the ministry made the reconstruction and rehabilitation of the provincial and local government assets destroyed by the tsunami, a direct responsibility of the ministry and not the provincial or local government.⁹⁸¹

As the parental organisation of the decentralised agencies, i.e. provincial councils and municipal councils, urban councils and *Pradeshiya Sabhas*, this ministry is expected to deliver the wide variety of services related to the rehabilitation and reconstruction of those agencies.⁹⁸²

The same report goes on to note: “Within the parameters of the strategic framework of the national implementation plan for rebuilding the tsunami-

⁹⁷⁹ Respondent: Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council and Respondent: Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat.

⁹⁸⁰ Jayasuriya; Steele; Weerakoon; Knight-John and Arunatilake, (2005), p. 45.

⁹⁸¹ *Performance-2005 & Future Plans-2006*, p. 12.

⁹⁸² *Ibid.*

affected area, the priorities have been decided.”⁹⁸³ In the ministry’s annual performance reports, reference is made to a number of foreign-funded projects which have been implemented by the ministry with or without the cooperation of the other government bodies.⁹⁸⁴ More than 30 projects can be identified which are totally or partly related to the local level in the southern and eastern provinces.⁹⁸⁵ This section describes a number of foreign-funded projects implemented at the local level following central government agendas, and analyses their significance. This section investigates whether working according to central government agendas undermines NGOs in addressing local needs, and the extent to which central government involvement in foreign aid distribution at the local level reinforces dependence and hinders development.

9.3.1. Local Government Infrastructure Improvement Project (LGIP)

The first foreign-funded project was the LGIP, a semi-government project conducted through the Ministry of Local Government and Provincial Councils, which covered the whole country, except the Colombo district, for the period 2006-2011. The ADB provided US\$50 million to implement this project comprising 75 per cent of the total project expenditure. The central government contributed 18 per cent with seven per cent from local government.⁹⁸⁶ As part of its assistance to the local loans and development fund (LL&DF)⁹⁸⁷ needed for implementing the planned LGIP, the ADB supplied technical assistance to strengthen local government infrastructure financing in Sri Lanka.⁹⁸⁸ LGIP targeted the building of provincial council and local government capacities to

⁹⁸³ *Ibid.*, pp. 12-13.

⁹⁸⁴ The annual performance reports from 2005 to 2010 were available at the ministry at the time of the field research.

⁹⁸⁵ A number of the foreign-funded project descriptions are included in the Appendix VI.

⁹⁸⁶ Respondent: Mr Lal Induruwage, Project Director, LGIP, ADB-Sri Lanka.

⁹⁸⁷ LL&DF is a statutory body incorporated by the Ordinance No. 22 of 1916. This institute is one of the oldest financial institutions in Sri Lanka and provides loans at concessionary rates for local infrastructure and revenue generating projects. The fund operates on an annual financial provision allocated through the annual budget estimates of the Ministry of Local Government and Provincial Councils repayable in 25 years at an interest rate of six per cent per annum. By the year 2010, LL&DF has become the foremost financial agency for the improvement of local government infrastructure (*Performance-2010 & Future Plans-2011*, pp. 19-21). To obtain grants and loans from LL&DF, local government has to meet certain criteria, including the capacities for existing revenue generation, performance of existing loan repayment, and the ability to contribute a minimum seven per cent of the project cost (‘Projects with the Assistance of the Asian Development Bank’ (n.d.) *op.cit.*).

⁹⁸⁸ *Technical Assistance Report* (2005) Asian Development Bank, <http://www.adb.org>, accessed 02-01-2011.

strengthen the LL&DF.⁹⁸⁹ Under LGIIP, several components were eligible for financing.⁹⁹⁰ Table 9.1 sets out the ways in which the grants and loans have been distributed to local government bodies.

Table 9.1: Terms of financial assistance to local government bodies

| | Grants (%) | Loans (%) | Local government contribution (%) |
|-------------------------|------------|-----------|-----------------------------------|
| <i>Pradeshiya Sabha</i> | 60 | 33 | 7 |
| Urban Council | 50 | 43 | 7 |
| Municipal Council | 40 | 53 | 7 |

Source: 'Projects with the Assistance of the Asian Development Bank' (n.d.) http://www.pclg.gov.lk/en/sub_pgs/projects_1_4.html, accessed 14-06-2013.

Figure 9.1 shows the LL&DF flow and LGIIP implementation. Analysis of the implementation of LGIIP shows that the donor agency's role was limited, and there was no direct communication between local government and the agency. All project proposals, funding and repayments went through provincial level to the national level ministry. The ministry planned the LGIIP and handled the LL&DF where a project was in line with the central government's development priorities,⁹⁹¹ especially where the pursuit of economic growth through investment in large scale infrastructure was apparent.⁹⁹²

At the provincial level, the CLG had the responsibility of controlling and directing LL&DF (see Figure 9.1). The CLG maintains a data base of local government in the province, including the current needs of local government.

Knowing the needs and also the defects of local government in the area is very important. Also it needed to know the successes and losses of each local government. Various projects related to local government are handled through the CLG's office. For example, the ADB-funded LGIIP reached the appropriate local government bodies through the CLG's office. (Respondent: Mr Saman Pandikorala, Provincial Local Government Commissioner, Provincial Local Government Commission, Southern Province.)

The ministry claims that under LGIIP, there was potential for local government to plan for the improvement of its basic infrastructure and living conditions, and that this project was designed to be decentralised, providing local government with the decision making role to identify, decide and apply for sub-project finance from

⁹⁸⁹ 'Projects with the Assistance of the Asian Development Bank' (n.d.).

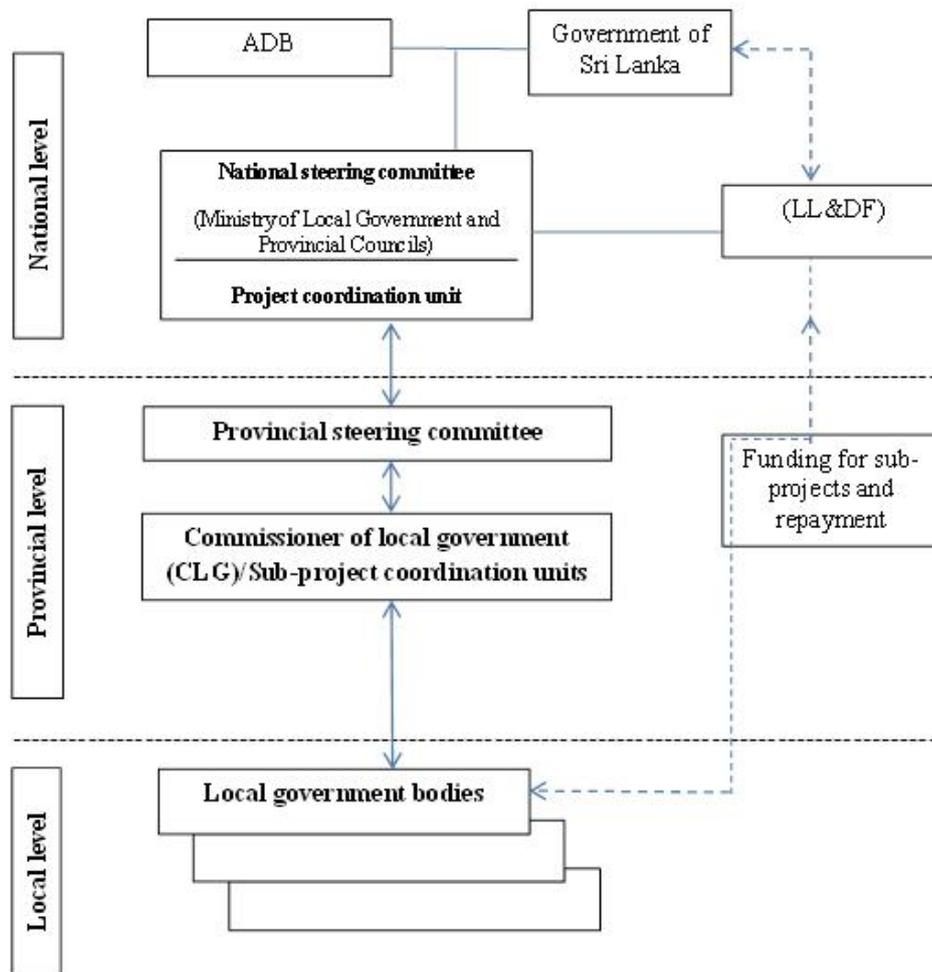
⁹⁹⁰ These include community water supply, roads, drainage and communal sewerage, solid waste management, and basic health clinics, public libraries, and recreational parks (*Technical Assistance Report* (2005)).

⁹⁹¹ Respondent: Mr Lal Induruwage, Project Director, LGIIP, ADB-Sri Lanka.

⁹⁹² 'LGIIP' (n.d.) <http://www.adb.org>, accessed 02-01-2011.

the LL&DF.⁹⁹³ As discussed in chapter 8, most local government representatives and staff said they did not have the knowledge and skills to write proposals to obtain funds, leading to situations where the resources local government received from LGIIP were less than expected. It is not evident that local government made creative decisions to the LL&DF for funding.

Figure 9.1: LGIIP implementation



Source: Information provided by respondent: Mr Lal Induruwage, Project Director, LGIIP, ADB-Sri Lanka.

9.3.2. North East Local Services Improvement Project (NELSIP)

The WB-funded NELSIP has been conducted by two ministries: the Ministry of Economic Development; and the Ministry of Local Government and Provincial Councils. The project is scheduled to be implemented between May 2010 to

⁹⁹³ 'Projects with the Assistance of the Asian Development Bank' (n.d.).

December 2015,⁹⁹⁴ at a total cost of US\$86 million, with US\$50 million from a WB loan, US\$34 million from the Sri Lankan government and US\$2 million from community contributions.⁹⁹⁵ NELSIP is designed “to improve the delivery of local infrastructure services by local authorities in the northern and eastern provinces of Sri Lanka in an accountable and responsive manner.”⁹⁹⁶ The five components of the NELSIP are: 1) infrastructure service delivery; 2) institutionalising accountabilities; 3) building capacities; 4) assessments and evaluation; and 5) project management.⁹⁹⁷ The greatest provision has been allocated to the first component, infrastructure service delivery.

Figure 9.2 indicates the large distance between project planning and implementation. NELSIP has been planned at the national level, and there are certain levels of the project which reach the divisional level. When it reaches local government, questions about whether such a project addresses the actual needs of a local government area and whether local government can implement such a project emerge. Figure 9.2, drawn by the Ministry of Economic Development, does not indicate the donor, the WB.

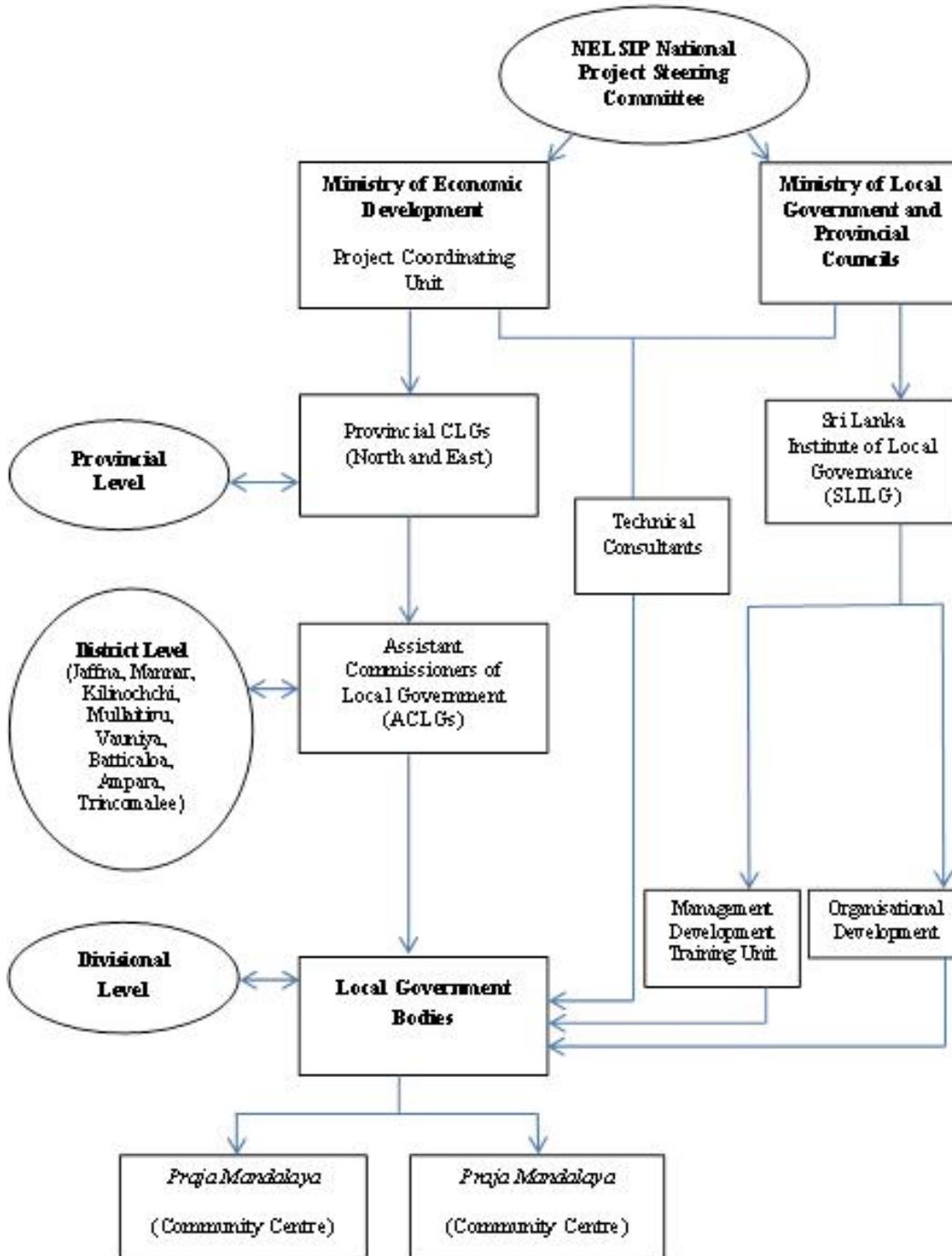
⁹⁹⁴ ‘North East Local Services Improvement Project’ (n.d.) <http://www.worldbank.org/projects/P113036/north-east-local-services-improvement-project-nelsip?lang=en>, accessed 14-06-2013.

⁹⁹⁵ *Draft Project Implementation Plan, North East Local Services Improvement Project (NELSIP)* (2011) Ministry of Economic Development, Sri Lanka, p. 16.

⁹⁹⁶ ‘North East Local Services Improvement Project’ (n.d.) *op.cit.*

⁹⁹⁷ The cost of infrastructure service delivery was given as US\$76 million. This is to improve the quantity and quality of public goods delivered and maintained by the local government bodies. The cost of the institutionalising accountabilities was less at US\$2 million. This is to ensure that the local government bodies undertake public expenditures and deliver local services in a transparent and accountable manner. The cost of building capacities was US\$4 million. This is to strengthen the service delivery systems and capacities of the local government bodies to deliver their mandated services as well as to strengthen the monitoring capacities of the provincial and national level institutions. The cost of assessment and evaluation was US\$1 million. This is to finance monitoring, assessments and evaluation. The cost of project management was given as US\$3 million. This is to support the key agencies at the central, provincial and local levels that are involved in the day to day management of the project (‘North East Local Services Improvement Project’ (n.d.)).

Figure 9.2: Institutional arrangements for NELSIP implementation



Source: Draft Project Implementation Plan, North East Local Services Improvement Project (NELSIP) (2011) *op.cit.*, p. 27.

However, according to its aims, NELSIP is to improve the quality of governance processes, not to build infrastructure, nonetheless, the chairman of the Lahugala PS stated:

NELSIP provides funds for road construction. But their criteria are so complicated because there are many rules and regulations to fulfil before

releasing funds. Our PS applied for a fund from NELSIP but is not sure about obtaining it. (Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala Pradeshiya Sabha.)

This statement indicates that NELSIP is not supposed to follow local government agendas. Even the WB finds gaps in NELSIP implementation. For example, a WB report on NELSIP notes that the progress reports indicated set-backs in the approval and commencement of sub-projects for 2012 in some local government areas. The WB has to discuss the matter with the Ministry of Economic Development and with the provincial councils⁹⁹⁸ because it does not have direct relations with the local government bodies where the projects have been carried on.

9.3.3. Local Governance Project (LoGoPro)

LoGoPro, funded by the UNDP, was implemented through the Ministry of Public Administration and Home Affairs, and the Ministry of Local Government and Provincial Councils. The four-year project (2009-2012) was to expand the capacities of provincial and local government for peace-building, strengthening social cohesion and managing the equitable delivery of public services.⁹⁹⁹ In the post-war period in Sri Lanka, local government in the eastern province was in the process of being re-established, and with newly elected representatives, there was an urgent need to ensure the core functioning of these newly reinstated institutions.¹⁰⁰⁰

Although LoGoPro's aims were connected specifically with local governance, Figure 9.3 indicates the project board does not have any direct link with local government bodies. The project board consists of a number of administrative officials but there are no political representatives. The UNDP's view is that the ministry can guide LoGoPro to help local government, as the project advisor of the LoGoPro stated:

⁹⁹⁸ 'Implementation Status & Results: Sri Lanka – North East Local Services Improvement Project (NELSIP)' (2012) http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/SAR/2012/12/16/090224b081811555/1_0/Rendered/PDF/Sri0Lanka000No0Report000Sequence005.pdf, accessed 14-06-2013.

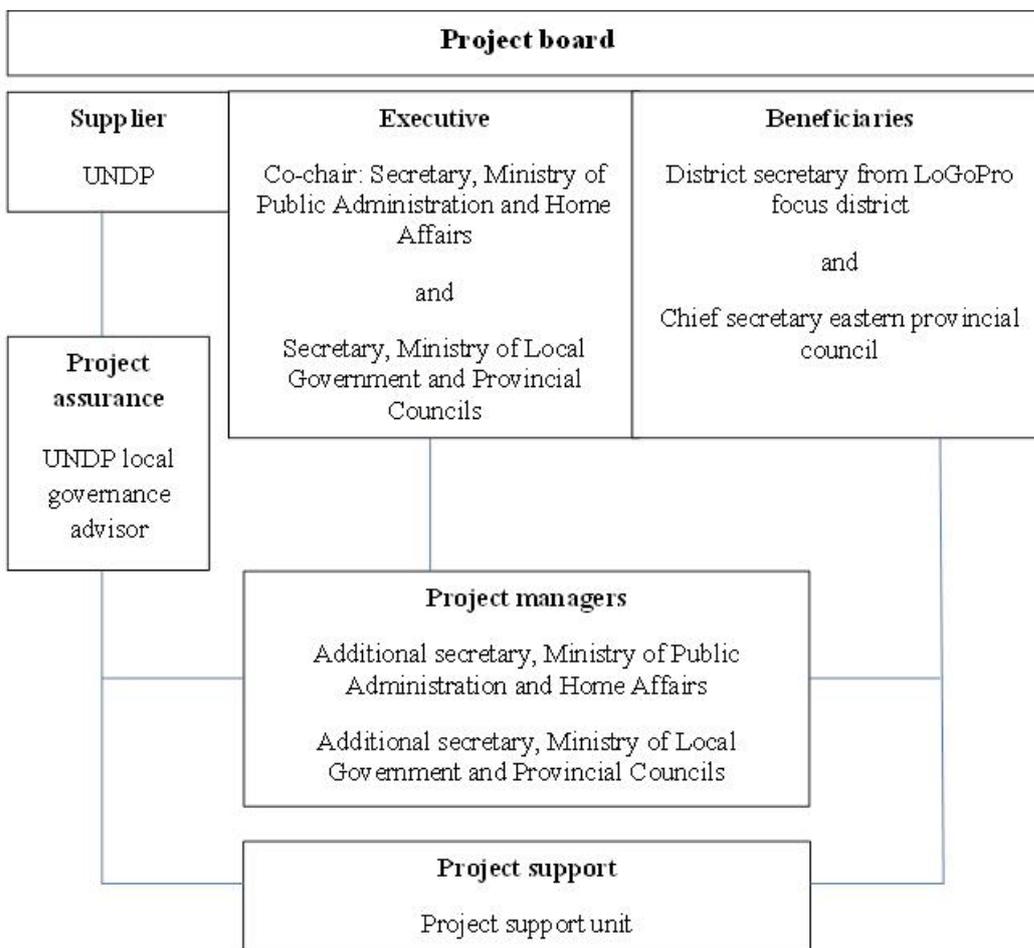
⁹⁹⁹ *LoGoPro Sri Lanka: Project Document* (2009) UNDP, p. 1 (http://www.undp.org/content/dam/undp/documents/projects/LKA/00050761/LoGoPro_11_05_09.pdf, accessed 17-06-2013).

¹⁰⁰⁰ *UNDP-Local Governance Project* (2009) <http://www.undp.lk>, accessed 02-01-2011.

LoGoPro is to promote local government. I believe that reaching local government through the ministries is fine. Such ministries can guide NGOs to help local government bodies that need aid. (Respondent: Mr Rajendrakumar Ganesarajah, Local Governance Advisor, Local Governance Project, UNDP-Sri Lanka.)

This research notes that through LoGoPro, two local government bodies have received infrastructure facilities such as a community meeting hall¹⁰⁰¹ and a market.¹⁰⁰² These are infrastructure although the purpose of LoGoPro is to enhance governance. This reveals a mismatch between governance aims and project implementation at the local level.

Figure 9.3: LoGoPro organisation structure



Source: *LoGoPro Sri Lanka: Project Document (2009) op.cit.*, p. 34.

¹⁰⁰¹ Respondent: Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*.

¹⁰⁰² Respondent: Mr A.R. Subair, Secretary, Kinniya *Pradeshiya Sabha*.

9.3.4. ART GOLD¹⁰⁰³ Sri Lanka (AGSL)

This programme promotes area-based development through mobilising international resources, and through channelling specialised technical resources by activating thematic networks of cooperation for human development and universities associated with the programme.¹⁰⁰⁴ This programme was implemented by UNDP with the cooperation of the Ministry of Local Government and Provincial Councils. This was financed for five years (2006-2011) mainly by the Spanish Agency for International Cooperation.¹⁰⁰⁵

Central government plays the lead role in coordinating the programme through its membership in the project board and as a beneficiary and chair of the national coordinating committee¹⁰⁰⁶ (see Figure 9.4). The southern province has been the main partner in this programme.¹⁰⁰⁷ Local working groups were established, guided and supervised by the southern province working group and the national coordinating committee with the support of the AGSL project team.¹⁰⁰⁸ Although the AGSL project is on governance and local development, this structure means that the AGSL mostly connects with the central government-controlled administrative bodies rather than with the local government bodies.

A major concern of the AGSL has been to develop infrastructure in the local government areas such as market places, pre-schools and government offices.¹⁰⁰⁹ For example, a pre-school has been established in the Suriyawewa PS area through the UNDP's ART GOLD programme.¹⁰¹⁰ But, as mentioned in chapter 7, the Suriyawewa PS area lacks key facilities such as water, electricity and proper interior roads. Had there been good coordination among local working groups and the provincial and national level bodies involved in AGSL, then establishing a

¹⁰⁰³ In this programme, ART stands for support to territorial and thematic networks of cooperation for human development, and GOLD stands for governance and local development.

¹⁰⁰⁴ *ART GOLD Sri Lanka Programme* (2008) Ministry of Local Government and Provincial Councils, p. 2

(<http://web.undp.org/geneva/ART/resources/Brochure%20ART%20Sri%20Lanka.pdf>, accessed 31-03-2013).

¹⁰⁰⁵ *Performance-2008 & Future Plans-2009*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 25.

¹⁰⁰⁶ The national coordinating committee is responsible for policy decisions, supporting the provincial and local working groups, promoting the project activities at national level and the outreach to international partners (*ART GOLD Sri Lanka: Project Document* (n.d.) UNDP, p. 27).

¹⁰⁰⁷ *Performance-2008 & Future Plans-2009*, p. 25.

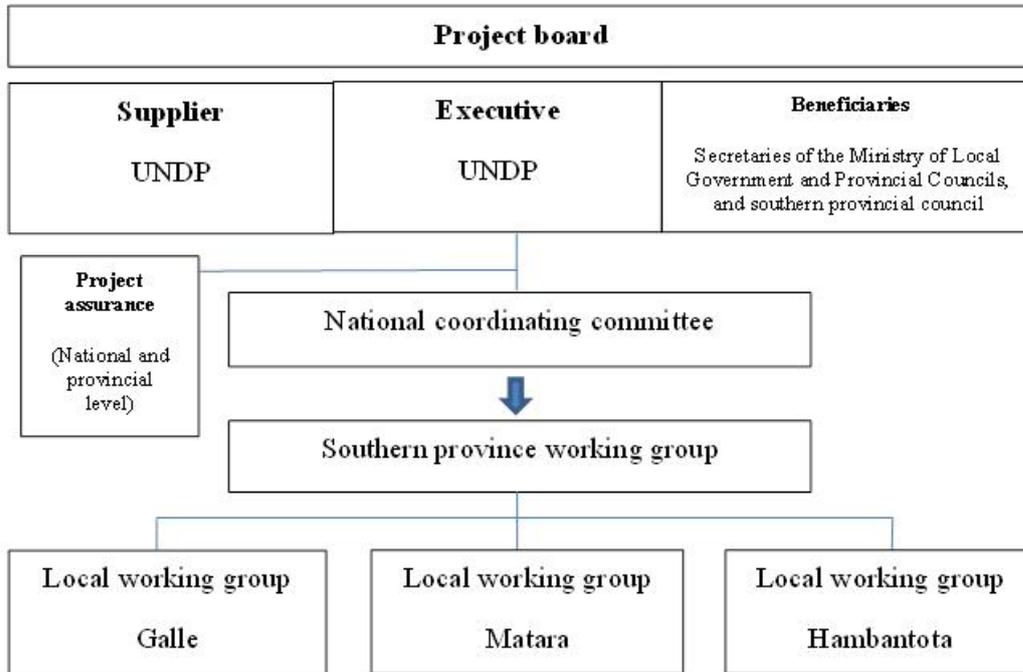
¹⁰⁰⁸ *ART GOLD Sri Lanka: Project Document* (n.d.), pp. 26, 29.

¹⁰⁰⁹ *Performance-2008 & Future Plans-2009*, p. 25.

¹⁰¹⁰ Respondent: Mr Nandasiri Ranathunga, Chairman (UPFA), Suriyawewa *Pradeshiya Sabha*.

pre-school would not have been the main priority in the Suriyawewa PS area for the AGSL. Instead, the basic lack of infrastructure services would have been addressed.

Figure 9.4: AGSL implementation structure



Source: 'UNDP ART GOLD Sri Lanka: A Territorial Approach to Development and Partnership' (n.d.)
http://www.crpm.org/pub/agenda/626_atelier_8_samarasinghe_amarasiri_pnud_sri_lanka.pdf,
 accessed 17-06-2013.

9.3.5. Discussion

Overall, the foreign-funded projects as outlined in this section were aimed at enhancing local governance and local development. A number of problems can be highlighted when assessing these projects in terms of the ways in which the NGOs are involved at local government level and in analysing whether their project aims match with local needs, or indeed, how far the aims have been successfully achieved in terms of the extent to which they address the local development needs. The neglect of NGO project aims at the implementation stage by central government ministries was a common problem. Critically, when projects were planned by central government ministries, and implementation strategies put in place either through central government-controlled administrative bodies or provincial councils, local government or local communities cannot be involved in such projects. Therefore the needs of communities at the local level were often not

identified. The distance between the project planning and implementation stages resulted in a lack of coordination between the local needs and the project outcomes. While some local government areas needed aspects of infrastructure, the projects were not prioritised in order to meet needs.

The responses of local government representatives revealed their lack of knowledge of the objectives of the major foreign-funded projects. This type of aid delivery reinforces the dependence of local government on central government and serves to undermine NGO efforts to address local needs and, therefore hinders local development. Such an approach to local government leads to a strengthening and centralisation of authoritative power.

As discussed in chapter 8, central government's argument is that there is no capacity at local government level to deal with foreign aid and NGOs. Further, local government representatives reported that they lacked experience on foreign aid management and did not have the knowledge and capacity to prepare development proposals and plans to obtain aid. While they expected to obtain such experience and knowledge this was not available. Clearly, lack of capability at the local government level should not be an excuse for the central government to control foreign aid and NGO projects according to its political agendas. Central government needs to equip local government officials to deal with foreign aid and NGO projects in terms of locally-led and community-oriented development. As evidenced in the above discussed projects, when there is no direct relationship between NGOs and local government, NGOs have to follow central government preferences without considering local needs. If NGOs can connect directly with local government bodies, these NGOs will be able to develop local government competency in preparing development proposals and plans, identifying the actual needs at the local level, and managing aid. A real change must be instituted around capacity development aimed at enhancing local government and local development.

9.4. Local government and NGO projects

In interviews with local government representatives there were reports of effective support coming from NGOs, which had successfully provided infrastructure facilities and material aid. This support is summarised in Table 9.2.

Table 9.2: Involvement of NGOs in local government: A summary

| | Local government | Poverty reduction / livelihood support | Disaster management | Waste management / environmental protection | Infrastructure development / material aid | Policy planning / management training |
|----|-------------------------|---|---|--|--|---|
| 1 | Galle MC | WACAP conference on poverty reduction – Netherlands, Practical Action | Conference on disaster management – New Delhi, India, Plan to control floods – Asian city development education institution, Philippines | CIFAL low carbon city training in Jeju island, South Korea, Caritas SED Galle, FCM/MCP, VNG, German aid, EU, HELP-O, Practical Action | NAAL, UNICEF, FCM/MCP, USAID, HELP-O, Practical Action, German and Italian aid, UN-HABITAT, Melbourne city council-Australia | Asia Foundation, UN-HABITAT |
| 2 | Matara MC | WACAP conference on poverty reduction – Netherlands, Save the Children | ADPC | EU, JICA, ADG, VNG | NAAL, USAID, UNDP, FCM/MCP | FCM/MCP |
| 3 | Batticaloa MC | | | UNDP, UN-HABITAT, NECCDEP | NELSIP, UN-HABITAT, PTCRRMP, WASSER, WB, ADB | GIZ, PIDT, Asia Foundation |
| 4 | Kalmunai MC | | WASSER | EU | WASSER, EU, UNOPS | Asia Foundation, FCM/MCP, WASSER |
| 5 | Weligama UC | | | WB, Red Cross Society, IUCN | ADB, FCM/MCP, Caritas SED Galle, IFAD, SPREAP | USAID, Asia Foundation, ICMA, EML consultants |
| 6 | Hambantota UC | | | Energy Forum-Netherlands, VNG, CORDAID | VNG, Melbourne city council-Australia, USAID, CCF, TAARP, SPREAP | Asia Foundation |
| 7 | Trincomalee UC | | | | NELSIP, FCM/MCP, NECORD, USAID, Dutch aid | AusAID, Asia Foundation |
| 8 | Kattankudy UC | | | | UNICEF, WASH, UNDP, USAID, PMGG | Asia Foundation |
| 9 | Baddegama PS | | | | FCM/MCP, ADB | Asia Foundation |
| 10 | Suriyawewa PS | CARE | | | CARE, UNDP-ART GOLD, JICA South CAP, Asia Foundation | CARE, Asia Foundation |
| 11 | Kinniya PS | | | JICA | GTZ-PIP, PIN, FCM/MCP, UNDP-LoGoPro, ADB/JFPR, NELSIP, CBG | PIN, USAID-SuRG, Asia Foundation |

| | | | | | | |
|----|-------------|--|--|-----------------|--|-----------------|
| 12 | Lahugala PS | | | Asia Foundation | Asia Foundation, UNDP-LoGoPro, GTZ, NECORD, CADREP | Asia Foundation |
|----|-------------|--|--|-----------------|--|-----------------|

Source: The information provided by the 12 local government bodies.

The data presented in Table 9.2 indicates that issues such as poverty reduction, livelihood support, and disaster management are not seen as responsibilities for local government. As noted in chapter 7, most of these local government areas were affected by the tsunami, but there is little evidence that foreign-funded disaster management support was delivered to local areas through local government bodies. Instead, most NGO projects, and the funds for them went to the central government-controlled administrative bodies. The long lists of NGOs provided by the district secretariats¹⁰¹¹ show evidence of this, for example, Table 9.2 indicates that NGO support for poverty reduction, livelihood support and disaster management was not distributed in the Hambantota UC. The Hambantota district secretariat is identified as overseeing the distribution of NGO foreign aid such as BRAC-Sri Lanka and OXFAM-Australia for livelihood support, FORUT for poverty reduction, and Practical Action for disaster management.¹⁰¹² Furthermore, as shown in Table 9.2, Trincomalee UC and Batticaloa MC did not oversee NGO funds or receive support for poverty reduction, livelihood support and disaster management. Instead, the Trincomalee district secretariat oversaw the distribution of foreign aid for livelihood support from many NGOs, including Save the Children, Caritas-EHED, UMCOR, ZOA Refugee Care-Netherlands, World Concern and IOM.¹⁰¹³ The Batticaloa district secretariat also oversaw the distribution of foreign support from NGOs for livelihood support and disaster management: ACTED, ZOA Refugee Care-Netherlands, BRAC-Sri Lanka, OXFAM-Australia, OXFAM GB and IOM for livelihood support, and World Vision for disaster management.¹⁰¹⁴

As discussed above, NGOs are required to follow directives from central government and go through its administrative bodies rather than through local government. According to Thangarajah, in most cases, NGOs are explicitly

¹⁰¹¹ Some of these lists have been included in the Appendix VII.

¹⁰¹² Details provided by the NGO coordinating office, Hambantota district secretariat.

¹⁰¹³ Respondent: Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat.

¹⁰¹⁴ Details provided by the NGO coordinating office, Batticaloa district secretariat.

instructed by the central government to work through the administrative system beginning with the district secretary and divisional secretary. This means that NGOs have been reluctant to be involved with entities such as the PSs.¹⁰¹⁵ The problem here is that the central government-controlled administrative bodies give prominence to the agendas of central government rather than local government. Because central government political agendas predominate there is less likelihood of creative decisions on aid distribution. For example, through directing NGOs to provide infrastructure, central government has been able to capture aid and use it to fulfil its aims in particular areas, such as developing large scale tourism industries rather than the development of local communities. A further problem is that in general the bureaucratic officials in such administrative bodies are not from the same area and lack knowledge about local needs in the areas in which they work.

Some NGOs are aware of defects in centrally-led development and have found ways to connect directly with local government to carry-out their projects. For example, CIDA acknowledged that international partners faced circumstances over which they had little control when dealing with a highly centralised approach and sought to overcome the disjunction between lower levels of government and community organisations.¹⁰¹⁶ This resulted in CIDA working directly with local government. What follows is an outline of a number of recently completed and on-going projects which directly connected local government levels.

9.4.1. Federation of Canadian Municipalities – Canada/Sri Lanka Municipal Cooperation Programme (FCM/MCP)

Under this programme the FCM provides assistance to local government, especially to rehabilitate the service delivery systems of tsunami-affected local government bodies in the southern and eastern provinces.¹⁰¹⁷ The involvement of the FCM began with the signing of a memorandum of understanding with the Ministry of Local Government and Provincial Councils.¹⁰¹⁸ This was part of the tsunami reconstruction and rehabilitation programme of CIDA, with many sectors

¹⁰¹⁵ Thangarajah, (2003), p. 90.

¹⁰¹⁶ 'Tsunami Reconstruction and Rehabilitation Programme' (n.d.).

¹⁰¹⁷ *Performance-2007 & Future Plans-2008*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 18.

¹⁰¹⁸ *Ibid.*

cooperating including employment, economic well-being and micro-finance, governance, housing, and the environment.¹⁰¹⁹

FCM was one of the few organisations that worked with local political representatives.¹⁰²⁰ FCM's participatory mechanisms like the community support fund (CSF),¹⁰²¹ association building, and mid-term planning systems and procedures¹⁰²² have had significantly positive results in local government areas. In this way communities are able to influence the order of priorities for rural infrastructure by submitting proposals and contributing 50 per cent of the project costs in the form of labour. Evidence for the success of FCM/MCP was found in the Matara MC. A respondent stated:

FCM/MCP worked with the people and therefore they received full support of the people. Most funds were saved due to the people's labour. For example, when we received funds from FCM/MCP to construct 75km rural roads, we could complete an additional 25km as well because we could save money by using people's labour. (Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council.)

Moreover, FCM/MCP provided good guidance to local development work in the Matara MC area. They provided opportunities to the Matara MC staff to go on foreign work tours to Canada for training programmes. As a consequence, the staff gained knowledge of working in local government and received useful advice on processes and procedures from the Canadian experiences.¹⁰²³

9.4.2. City of Munich, Germany – WASSER¹⁰²⁴ Project

Under this partnership between a Sri Lankan local government and the city of Munich, Germany, assistance was offered to the tsunami-affected cities of Batticaloa and Kalmunai.¹⁰²⁵ At the request of the special commissioner of the Kalmunai MC, and with the facilitation of the national technical advisor of UN-

¹⁰¹⁹ 'Tsunami Reconstruction and Rehabilitation Programme' (n.d.).

¹⁰²⁰ *Ibid.*

¹⁰²¹ The CSF has been used mostly for road construction. Without contractors, road building became cheaper, local ownership and maintenance better, real estate values improved and, with it, an improved tax base for local government. The CSF model provoked a re-consideration of policies with respect to the size of road eligible for municipal attention (see *ibid.*).

¹⁰²² *Ibid.*

¹⁰²³ Respondent: Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council.

¹⁰²⁴ The term WASSER means water in German.

¹⁰²⁵ Kalmunai experienced the highest death toll and property damage in Sri Lanka ('Completed Projects: Kalmunai Municipal Council' (n.d.)

<http://www.kalmunaimc.org/ProjectsCompleted.html>, accessed 10-11-2011).

HABITAT, the mayor of Munich agreed to assist the Kalmunai MC.¹⁰²⁶ The combination of foreign and Sri Lankan local government officials in policy planning leads to successful development plans.¹⁰²⁷ The city of Munich also prepared a proposal for the EU to implement the WASSER project acting as the overall project coordinator and serving as a direct link to the EU. The Batticaloa and Kalmunai MCs integrated the participatory planning approaches for strategy development and forged ahead with implementation of the project.¹⁰²⁸

The objectives of the WASSER project include planning and setting-up of sewerage systems in tsunami-affected areas and the provision of drinking water supplies for the poor and tsunami-affected people.¹⁰²⁹ As a result the MCs' capabilities was enhanced in the field of environmental planning, and environmental management of information systems, setting-up of a cadastre for utility planning, and adopting information for risk assessment and disaster mitigation purposes.¹⁰³⁰ Moreover, because this project established a relationship between a well-developed city and a city in a developing country, the Kalmunai MC believed this would open new doors for its needs and concerns to be voiced the outer world.¹⁰³¹

The WASSER project has been a remarkable success in educating the local community about conserving water, and assisting poor families in meeting their drinking water problems, and for highlighting the services rendered by the municipal administration. Through the WASSER project, improved community participation has been achieved.¹⁰³² Another important achievement was the establishment of networks and linkages with local communities. WASSER created the opportunity for local government representatives, staff and community volunteers to meet together and discuss the needs and problems of the area.

¹⁰²⁶ *Ibid.*

¹⁰²⁷ *Ibid.*

¹⁰²⁸ 'The Project Partners of the WASSER Project' (n.d.) <http://www.wasser-muenchen.de/cms/index.php?id=36>, accessed 27-06-2013.

¹⁰²⁹ In the Kalmunai municipality more than 50 per cent of the people use shallow wells to drink water which is polluted by the open dumping by the cess pits. Therefore WASSER brought timely assistance to Kalmunai at the critical point of water pollution. Another project funded by the EU, the Environmental Remediation Programme (ERP), supported WASSER. Under the ERP the garbage-dumped open water bodies are cleaned ('Completed Projects: Kalmunai Municipal Council' (n.d.)).

¹⁰³⁰ *Ibid.*

¹⁰³¹ *Ibid.*

¹⁰³² *Ibid.*

Furthermore, after the tsunami, the capability of the municipal technical staff was poor and WASSER has helped to build competence.¹⁰³³

9.4.3. Asia Foundation – Local Economic Governance (LEG) Project and Transparent Accountable Local Governance (TALG) Programme

The Asia Foundation works with the private sector and local government bodies to improve local service delivery, administration and accountability, and facilitates private-public dialogues that provide a forum for local government and business leaders to discuss the impediments to economic growth in their localities and provinces.¹⁰³⁴ The Asia Foundation's LEG project is designed to improve the overall business environment and to promote local economic development in Sri Lanka. In 2007 the Asia Foundation constructed an economic governance index¹⁰³⁵ for local government which has helped to identify and facilitate understanding of government-influenced constraints to economic growth and to indicate the influence of economic governance on business behaviour.¹⁰³⁶

Under the LEG project, and with the collaboration of AusAID, the Asia Foundation has established a mobile service assessment on tax collection in the Trincomalee UC area. Designed to start a conversation between the UC and the tax payers, it aimed at increasing transparency and people's participation in UC matters. A booklet on the 2011 budget summary was printed and distributed to tax

¹⁰³³ The technical capacity of the staff involved in the WASSER project and staff training has increased. Top management have received exposure to international standards in report preparation, communication using IT and presentation skills (*ibid.*).

¹⁰³⁴ *Policy Advocacy Handbook* (2008) Asia Foundation, <http://www.localgovernance.lk>, accessed 02-01-2011.

¹⁰³⁵ The Asia Foundation's local economic governance indexes analyses local business environments, measures the quality of local economic governance, assesses progress through a set of quantitative and qualitative indicators, and supports policy reforms. Local economic governance indexes list indicators against which municipalities, districts, or provinces can be measured and ranked, and highlight local variations in the business environment. These indexes demonstrate that in regions, provinces, or municipalities, governance improvements can have a large impact on business expansion and employment. This index shows that even though structural conditions such as the quality of infrastructure in a locality tend to dominate the business environment, improvement in economic governance can substantially alter the business environment. It was expected that the improvement in certain areas of economic governance, such as reduction of informal charges, transparency, and participation can have an important impact on the overall business climate in the country ('Measuring Economic Governance at the Local Level: The Experience of the Asia Foundation in Indonesia, Vietnam, Cambodia, Sri Lanka, and Bangladesh' (2009) Asia Foundation, <http://asiafoundation.org/publications/pdf/41>, accessed 24-11-2011).

¹⁰³⁶ *Ibid.*

payers in the area with important information about tax obligations and permit procedures.¹⁰³⁷

The USAID-funded TALG programme sought to help local government bodies make key political institutions more responsive to citizen input, improve service delivery, provide post-tsunami emergency recovery assistance, and increase the rule of law to protect and empower vulnerable groups.¹⁰³⁸ Through this programme (March 2005 – September 2007), the Asia Foundation¹⁰³⁹ provided technical assistance and training to local government in 35 areas affected by the tsunami and/or by the war within the country.

The TALG programme developed a number of training modules and guide books as part of its institutional strengthening programme for local government in Sri Lanka¹⁰⁴⁰ to cater for the demand within local government and mobilise funds from external sources for priority social, environmental, economic and infrastructure projects.¹⁰⁴¹ In the post-tsunami rehabilitation process funding agencies were eager to fund local reconstruction and rehabilitation work, however few appropriate funding proposals came forward from local government bodies.¹⁰⁴² Consequently, it became evident that for fundraising to be effective, there was a need to increase the knowledge around project proposal writing.

The successful implementation of the TALG programme has enabled mid-term and short-term planning to be incorporated in local government management processes.¹⁰⁴³ Among the local government bodies in this research, Weligama UC

¹⁰³⁷ *Budget Summary-2011: Trincomalee Urban Council*, prepared by the Trincomalee Urban Council with the technical and financial support of the Local Economic Governance (LEG) Programme, implemented by Asia Foundation and funded by AusAID in association with the Department of Local Government of Eastern Province.

¹⁰³⁸ 'Country Overview: Sri Lanka' (n.d.) <http://asiafoundation.org/country/overview/sri-lanka>, accessed 25-05-2011.

¹⁰³⁹ In the TALG programme, the Asia Foundation's main counterparts were the Ministry of Local Government and Provincial Councils, and the SLILG. The ICMA and EML provided additional technical assistance and support.

¹⁰⁴⁰ *Guide to Proposal Writing for Local Authorities* (2008) Asia Foundation, Ministry of Local Government and Provincial Councils and SLILG, Sri Lanka, p. 1.

¹⁰⁴¹ The Asia Foundation expects that such training modules and guide books can be used to improve the ability of local government to write successful proposals and to acquire the funds needed to implement their medium-term development plans and other priority projects to improve the delivery of services to citizens and promote development in their communities. For example, the manual for writing a funding proposal is designed to empower persons to be successful in obtaining funding grants. The manual focuses on the relationships with funding agencies, organisations and persons in a collaborative and participatory approach at all levels of government. This manual assists in the preparation of strong and fundable proposals (*ibid.*, pp. 5, 7).

¹⁰⁴² *Ibid.*, p. 5.

¹⁰⁴³ *Performance-2007 & Future Plans-2008*, p. 17.

experienced successful results from the TALG programme, as the following respondent noted.

The Asia Foundation gave very good guidance about developing project proposals. After developing project proposals, it was very easy to obtain foreign funds because then the UC already had a proposal to show the donors. However it was a difficult task to collect people's ideas. They only explain their ideas. They do not even write their ideas down. Therefore during the TALG programme we were very busy collecting ideas. It was a new experience. We collected people's ideas and wrote all of them up then edited and organised those ideas in a way in which they could be implemented. (Respondent: Mrs Nirosha Kumari Herath, Community Development Officer, Weligama Urban Council.)

The participatory planning process helped local government identify the high priority needs of its citizens with TALG effectively encouraging local government staff and others to become involved in making project proposals. The Asia Foundation helped in preparing a four-year plan for the Weligama UC. Under the four-year plan, 16 proposals were written for 16 projects,¹⁰⁴⁴ with the UC implementing all of them.¹⁰⁴⁵

Suriyawewa PS also provides evidence for the success of the Asia Foundation's guidance on policy planning and suggests that local government can achieve people's participation without much difficulty. The chairman of the Suriyawewa PS noted:

The Asia Foundation's involvement in policy planning was remarkable. They have given guidance for policies according to rural people's needs. They have organised people to participate in policy planning by raising people's needs and related issues. We have received a good working knowledge about policy planning through this. (Respondent: Mr Nandasiri Ranathunga, Chairman (UPFA), Suriyawewa *Pradeshiya Sabha*.)

According to the Asia Foundation, the planning and managerial capabilities of local government improved giving them a stronger role in socio-economic development and in planning for their areas by strengthening coordination between local and central government officials at the community level.¹⁰⁴⁶ The Asia Foundation supported the Ministry of Local Government and Provincial Councils in developing a national policy on local government with the expectation

¹⁰⁴⁴ Some of the projects are: construction of two public fairs, an urban council building, meeting halls for fishermen, a library, children's parks, parking place for three wheelers, solid waste management, a compost yard development and the purchase of tractors.

¹⁰⁴⁵ Respondent: Mrs Nirosha Kumari Herath, Community Development Officer, Weligama Urban Council.

¹⁰⁴⁶ 'Local Governance Programmes' (2010) Asia Foundation, www.asiafoundation.org, accessed 06-20-2011.

that this would broaden the scope of local government and endow it with additional functions, powers, and resources. The Asia Foundation works with the ministry to prepare an action plan to implement such national policy.¹⁰⁴⁷

9.4.4. USAID – Democracy and Governance Programme: Supporting Regional Governance (SuRG)

USAID’s Democracy and Governance Programme started in 2007 to support provincial and local government in particular areas aimed at strengthening their capacity in planning, budgeting and in ensuring transparent and participatory planning processes. SuRG (2008-2011) is one of many democracy and governance programmes to facilitate post-war transformation in the eastern province. Beginning in 2007 it centred on increasing citizen engagement in provincial and local government, strengthening inter-community reconciliation procedures and promoting social equity. USAID was awarded a contract to ARD for implementation of its SuRG in March 2008.¹⁰⁴⁸

SuRG has identified a range of training needs for local government, including participatory planning, governance, proposal development, project management, office management, accounting, finance, leadership and legislature programmes. SuRG aims to improve the knowledge and skills of elected representatives and staff to fulfil their core functions, increase public participation in decision making, increase transparency and accountability of local government functions, and enhance the public sector environment.¹⁰⁴⁹ SuRG has provided technical assistance to all selected local government bodies in the eastern province through workshop level training. Capacity building within selected local government bodies is provided through workshops, mentoring, technical assistance and training. The programme manager of the SuRG noted: “Under this programme we have already trained hundreds of officials and councillors within selected local government bodies, including the CLGs and ACLGs.”¹⁰⁵⁰

SuRG has a language training programme which targets the local government sector. Under this, 40 language teachers from 38 local government areas have

¹⁰⁴⁷ Respondent: Mr Jayantha Wickramanayake, Senior Technical Advisor – Local Government Policy Planning, Asia Foundation, Sri Lanka.

¹⁰⁴⁸ Respondent: Mr Abul Kalam, Programme Manager, SuRG of USAID.

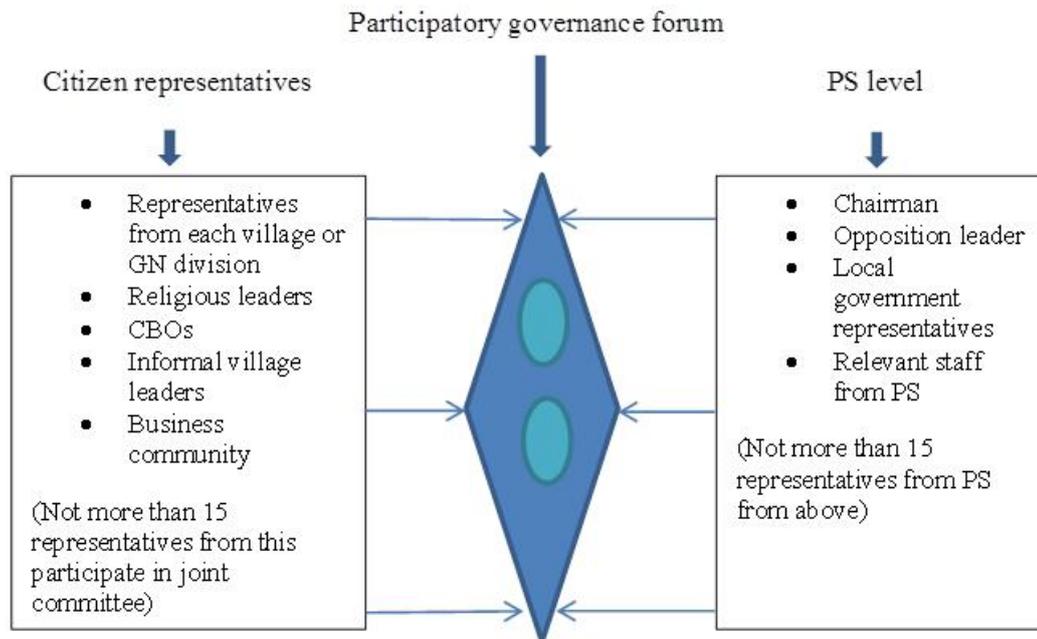
¹⁰⁴⁹ *Ibid.*

¹⁰⁵⁰ *Ibid.*

been trained. Local government officials learn Tamil or Sinhala through this programme.¹⁰⁵¹

SuRG assists local government to build participatory governance forums and works to engage directly with the local level by encouraging citizens to participate in local government policy processes. Figure 9.5 shows the composition of these forums.

Figure 9.5: Citizen engagement mechanisms of SuRG: An informal structure



Source: Details provided by respondent: Mr Abul Kalam, Programme Manager, SuRG of USAID.

As discussed in chapter 7, Kattankudy UC, one of the local government bodies for SuRG, has developed a wide range of plans to implement in 2011 with the assistance of SuRG.

9.4.5. CARE International – livelihood support projects

CARE International operates small scale projects in villages which provide support for people’s lives by developing socio-economic programmes to improve conditions in the rural communities. The duration of this project is five years with its direct involvement in the project implementation lasting two years. The project includes 110 villages in three divisions in Hambantota district: Suriyawewa, Hambantota and Tissamaharama. From its area office in the Hambantota district, CARE addresses rural development through a community participatory approach

¹⁰⁵¹ *Ibid.*

using the theory and practices of community governance.¹⁰⁵² The team leader of the project stated:

We see that it is not enough to focus on only one sector. For example, if livelihood development is the major component, we also have to improve people's social and economic development as well. Therefore the support we provide differs such as improving the income level or developing the infrastructure. (Respondent: Mr Sisira Wijesundara, Team Leader, CARE International – Hambantota Office.)

This project aims to improve peoples' social status by focusing on women, youth, and POP (poorest of the poor – the lowest economic level of the society). The POP have no opportunities to enter development processes, earn small wages on a daily basis, and cannot participate in meetings. They are vulnerable and marginalised.¹⁰⁵³ The team leader of the project further noted:

We cannot make development plans to improve POP's conditions by sitting in the offices. We need to reach them and to obtain their participation. Also we need to develop a system to obtain their participation. We call it an enabling environment. The meaning of this is to build a proper environment around these people. (Respondent: Mr Sisira Wijesundara, Team Leader, CARE International – Hambantota Office.)

CARE promotes community participatory development based in the villages where the issues are livelihood development, environmental management, social resources, and infrastructure development.¹⁰⁵⁴ CARE establishes village operating units (VOUs) and selects officials to represent the villagers. As a result CARE reaches the community-based organisations (CBOs) in the villages. CARE further encourages and builds CBOs in the villages and supports women and youth participation.¹⁰⁵⁵

CARE reaches villages through the *Grama Niladhari* (GN) because it simplifies the identification of village leadership. CARE prepares an activity plan for each village known as the village development plan (VDP) which is constantly updated and implemented through a VOU. Participatory rural appraisal (PRA) has been used to make VDPs accountable. Through this, CARE touches the lowest level group which lie below the GN level.

¹⁰⁵² Respondent: Mr Sisira Wijesundara, Team Leader, CARE International – Hambantota Office.

¹⁰⁵³ *Ibid.*

¹⁰⁵⁴ *Ibid.*

¹⁰⁵⁵ *Ibid.*

According to CARE, poor people may have skills but they can lack the relevant equipment to work effectively so CARE provides direct grants and training to these people, as the same respondent highlighted.

The villagers do not have opportunities to obtain funds. They do not have access to the banks and the other financial agencies at all. The banks may have high interest rates and they often need documents; there may be no buses to go to town. Therefore people's accessibility to the banks is hard. We thought of creating seed capital in the villages. Here we ask people to state their priority issues and we give money to them through our project. But they can't get these funds without a plan or a proposal. So we tell them to make a design plan or a proposal. We deposit money in VOUs or CBOs. People have to repay this money to the VOU or to the CBO. Through this method, people can use this money again and again. (Respondent: Mr Sisira Wijesundara, Team Leader, CARE International – Hambantota Office.)

The importance of this project is that it ensures closer scrutiny of the poor local communities in the villages. CARE works with the central government-controlled administrative authorities especially with divisional secretariats when implementing VDPs and not with local government, but it works according to its own priorities and not according to central government agendas. Central government does not pay much attention to control NGOs directly connected with the local level and small scale projects which handle less funds compared with the larger funds of major NGOs.

CARE only selects two proposals at once when providing assistance, and expects that through their projects, the people will learn how to prepare proposals and plans which go to other institutions (government or the private sector) to obtain funds. CARE does a facilitating role and in this way it addresses core issues. When the villagers are able to administer alone the project is transferred to the next village.

9.4.6. Transparency International – projects to support local government

Transparency International has three working areas: 1) national and local government; 2) private and civil society; and 3) citizenry. It prepared a three-year strategic plan (July 2011-2013) to improve people's participation in local government and to improve the services of local government to the people. These projects have been implemented in five districts in Sri Lanka and funded by EU

and US-based PTF and NED.¹⁰⁵⁶ Its first programme aimed to reduce corruption by teaching the people and local government officials about corruption, and how to work against its influences.¹⁰⁵⁷

Transparency International has built a direct relationship with local government to reach local levels. Its second programme in Ridimaliyadda PS¹⁰⁵⁸ centres on good governance by guiding local government to provide efficient services to the public. Under this programme, a system called citizen report card (CRC) was developed as a kind of survey used to determine people's responses to local government services.¹⁰⁵⁹ Transparency International joined with the PSs in carrying out this survey. After obtaining people's responses, Transparency International trained the elected representatives of the PSs on the ways of improving their services.¹⁰⁶⁰

In their programme, Transparency International found that the PS did not have strategic plans, especially a four-year plan or knowledge to make plans to obtain funds.¹⁰⁶¹ As discussed in chapters 7 and 8, this is a common situation in many local government bodies. A consultant of Transparency International stated:

PSs can obtain funds from NGOs if they can make plans or proposals. We did a workshop to develop a four-year plan for Ridimaliyadda PS. We expect to help them until they are able to handle it alone. (Respondent: Ms Nauli Wimalarathna, Consultant, Transparency International-Sri Lanka.)

Without guidance, encouragement or motivation, local government representatives and communities do not engage in policy development processes. Transparency International's expectations to continue their assistance is proving effective. Transparency International has equally divided responsibilities among the 10 local government representatives in order to work within 42 GN divisions in the Ridimaliyadda PS area.

At the time of this research, a third programme was scheduled to be conducted in the Galle district. In Galle district, Transparency International puts into practice people's participation at local government level by selecting PSs which can maintain a standard budget. Three local government bodies from Galle district –

¹⁰⁵⁶ 'Funds Received: 2014-2012' (n.d.) <http://www.tisrilanka.org/pub/funds/Funding2004-2012.pdf>, accessed 06-12-2013.

¹⁰⁵⁷ Respondent: Ms Nauli Wimalarathna, Consultant, Transparency International-Sri Lanka.

¹⁰⁵⁸ A *Pradeshiya Sabha* in Badulla district, Uva province. Uva province has three poorer PSs. Ridimaliyadda is the poorest.

¹⁰⁵⁹ Respondent: Ms Nauli Wimalarathna, Consultant, Transparency International-Sri Lanka.

¹⁰⁶⁰ *Ibid.*

¹⁰⁶¹ *Ibid.*

Ambalangoda UC, Yakkalamulla PS and Baddegama PS were selected. Transparency International approaches local government bodies and builds connections with them with officials always involved in the programme to ensure its implementation.¹⁰⁶²

Transparency International does not provide funds or material aid to local government but provides guidance and builds connections between local government and people. The organisation does not act as a donor agency but provides knowledge to local government representatives about local government income sources. The respondent consultant further noted:

When we tell them, they realise that they have certain ways to earn money. Through passing by-laws, local government can earn money using the resources in the local government area. We think that knowledge is needed and the most important thing for them. Provincial councils sometimes say that they have NGO funds to distribute to the local government bodies. But if local government does not have a proposal or a plan at the time, they cannot obtain these funds. For this reason, most of the time they miss out on chances of obtaining funds. We always work at giving knowledge to improve their ability to obtain funds. If local government has a plan, the funds will go through in the right direction and will reach the most needy. (Respondent: Ms Nauli Wimalarathna, Consultant, Transparency International-Sri Lanka.)

Again this project is an example of NGO efforts to address the problems of local government funding as discussed in chapters 7 and 8.

9.4.7. Centre for Policy Alternatives (CPA) – programmes to support local government

CPA works to build two way communications between people and local government so that representatives can get to know the people's problems and needs¹⁰⁶³ following regional and world best practice solutions. CPA adopts examples from the Indian and Nepalese local government systems and looks at both advantages and disadvantages in these systems.¹⁰⁶⁴ For its programmes CPA receives foreign funding mainly from ANSA¹⁰⁶⁵ as well as IBP, Washington.

CPA supports local government to obtain people's participation in decision making, as the following respondent stated.

¹⁰⁶² *Ibid.*

¹⁰⁶³ Respondent: Ms Sriyanie Wijesundara, Contact Person, Governance and Anti-Corruption Programme, CPA.

¹⁰⁶⁴ *Ibid.*

¹⁰⁶⁵ ANSA helps to improve local government budgeting in South Asian countries.

The public galleries¹⁰⁶⁶ were closed in many PSs. These PSs had no idea about the importance of public galleries before. We have opened the public galleries in many PSs and now people are involved actively in local government matters. (Respondent: Ms Sriyanie Wijesundara, Contact Person, Governance and Anti-Corruption Programme, CPA.)

CPA guides local government bodies on effective methods of tax collection and provides knowledge to the people on taxes. Local government bodies depend on attracting 33 per cent for taxes which is insufficient with few people having any proper knowledge about taxation.¹⁰⁶⁷ The same respondent further added:

Local government representatives think that they are supposed to collect only the taxes mentioned in the revenue files. There are hidden taxes. There is a need to highlight these taxes and to give proper knowledge to the people about taxes. We believe that then the people will want to be actively involved in the tax payments. (Respondent: Ms Sriyanie Wijesundara, Contact Person, Governance and Anti-Corruption Programme, CPA.)

CPA's Governance and Anti-Corruption Programme aims to reduce corruption in local government by acting as a facilitator with more than 75 area-specific local partners including local government and various civil society organisations (CSOs) all over the country. This programme focuses on governance issues with particular emphasis on local government and transparency and accountability within their budget processes. CPA pays attention to the attitudes and experiences of ordinary citizens as it pertains to corrupt practices when receiving goods or services from the public sector.¹⁰⁶⁸

9.4.8. Social Scientists' Association (SSA) – networking at the local level

The SSA works at sharing experiences in local governance between representatives and officials of PSs and CSOs in order to explore strategies for strengthening local democracy.¹⁰⁶⁹ SSA's programme on Local Governance and Local Democracy began with 75 participants from the rural areas, the majority of whom were elected representatives of PSs of Kurunegala, Monaragala and the Badulla districts. The programme brings together a range of people to share experiences in local governance in the periphery, and focuses on issues of

¹⁰⁶⁶ A public gallery is an area in a representative institution that is set aside for the public.

¹⁰⁶⁷ Respondent: Ms Sriyanie Wijesundara, Contact Person, Governance and Anti-Corruption Programme, CPA.

¹⁰⁶⁸ 'On-going Projects and Programmes' (n.d.) <http://www.cpalanka.org/governance/>, accessed 29-06-2013.

¹⁰⁶⁹ 'Recent Events' (n.d.) <http://www.ssalanka.org/index.htm#>, accessed 03-09-2011.

development, people's participation in governance, and strengthening the capacity of PSs in efficient governance.¹⁰⁷⁰ Through this programme, SSA expected to bring different communities at local levels together through forums for sharing and learning. SSA says that this forum enabled SSA to establish and strengthen direct links with practitioners at local levels.¹⁰⁷¹

Another programme of SSA is Promoting Social Engagement through Buddhist Practices.¹⁰⁷² This programme is a part of the above discussed USAID's SuRG programme and is designed to help ease tensions in the community, especially in Sri Lanka's eastern province. This is funded by ARD-SuRG which reached out to a selected group of 75 Buddhist monks and 25 nuns who represented approximately 10 temples in each of the following districts: Monaragala, Ampara, Polonnaruwa.¹⁰⁷³ They participated in capacity building, community engagement, language training, outreach and networking activities. The programme was focused on issues of reconciliation and governance issues including peace, democracy, conflict resolution, gender equality, diversity, human rights, and ethnic harmony within the framework of Buddhist teachings and practice.¹⁰⁷⁴ The participating monks and nuns selected a curriculum topic in accordance with their abilities and interests to engage and raise awareness about reconciliation and governance with community members patronising their local temple to receive counsel. In each of these districts 30 lay people¹⁰⁷⁵ who belong to 10 area temples have participated in this programme. They included youth groups connected to temples, and members of CSOs, local government bodies and local business establishments. Finally, this programme has laid the foundation for a network among Buddhist, Hindu, Christian and Islam clergy dedicated to inter-ethnic and religious reconciliation.¹⁰⁷⁶

¹⁰⁷⁰ *Ibid.*

¹⁰⁷¹ *Ibid.*

¹⁰⁷² According to SSA, the religious leaders in Sri Lanka have long played an important role in national politics and social development. The role of Buddhist clergy in the political process and throughout the country's long-lasting conflict has been both central and controversial. Conservatives in the Buddhist community are the most vocal politically but are by no means representatives of the community of Buddhist clergy as a whole, nor do they represent the views of the entire Sinhala Buddhist community (*ibid.*).

¹⁰⁷³ *Ibid.*

¹⁰⁷⁴ *Ibid.*

¹⁰⁷⁵ The SSA notes that as the temple in Sinhalese society is traditionally a centre for community activities, these lay people have provided a support base for the monks and nuns in the programme and have become change agents in the *Dayaka Sabhas* (patron societies) of the temples (*ibid.*).

¹⁰⁷⁶ *Ibid.*

9.4.9. Waste management projects

There has been remarkable support among several NGOs for waste management projects in many local government bodies (see Table 9.2). The tsunami severely damaged houses and belongings increasing the amount of solid waste which put pressure on the collection infrastructure, requiring NGOs to focus on solid waste management.¹⁰⁷⁷

The solid waste management project of the Matara MC is funded by the EU for the solid waste recycling plant. JICA provided the relevant technology and training. ADG was also involved and provided support for this project. Since the funding agencies left, the solid waste management project has been controlled by the Matara MC. This means all the profit goes to the MC.¹⁰⁷⁸

The Galle MC is another example of where various NGOs have become involved in different waste management projects. Caritas SED Galle constructed buildings and donated machinery to establish a compost plant which is now handled by the MC although project from time to time receives foreign funds for its maintenance from various sources such as FCM/MCP, VNG and Germany.¹⁰⁷⁹

In 2006 the EU was involved in a three-year waste management project called COWAM which aimed at building-waste management in Galle city. Through this project, waste is re-used to produce raw building materials, and deal with environmental pollution arising from building-waste which has subsequently been reduced. Staff members of the MC were trained in Germany and in 2009 total ownership of the project was handed over to the Galle MC. The MC now produces bricks and concrete chips which can be used for building and road construction.¹⁰⁸⁰ The mayor of the Galle MC noted:

The waste management project started with foreign guidance and support. Through recycling, we saved more money. Recycled concrete chips bring a good income to the MC and save a lot of funds. (Respondent: Mr Methsiri De Silva, Mayor (UPFA), Galle Municipal Council.)

¹⁰⁷⁷ LOGO South Country Programme for Sri Lanka/Solid Waste Management of Local Government Bodies in Sri Lanka (2006), p. 5.

¹⁰⁷⁸ Respondent: Mr H.G.K. Jagath Kumara, PHI Officer, Matara Municipal Council.

¹⁰⁷⁹ Respondent: Mr Dileepa De Silva, Technical Officer, Galle Municipal Council.

¹⁰⁸⁰ Information provided by the Galle municipal council.

Practical Action, also supported waste management in the Galle MC, introducing compost bins to the MC area, and sponsoring a paper, plastic and polythene recycling centre.¹⁰⁸¹

Hambantota UC offers a different example of foreign-funded waste management. Prior to the tsunami disaster, garbage dumping was a major problem in the Hambantota UC area, until the UC started a solid waste management project. The project was stopped after the tsunami the Hambantota *Nagara Pavithratha Sangamaya* (association for Hambantota city cleaning), was established by a few young men who restarted the solid waste management project in 2007. They received funds, buildings and machinery from the Energy Forum-Netherlands and were supported by VNG and CORDAID.¹⁰⁸² The project is now run by the UC with workers receiving salaries from the UC.

9.4.10. Discussion

When analysing these projects using the same criteria used to assess central government-controlled NGO projects, many advantages can be identified. The special feature of these NGO projects is their direct connection to local communities. Through this these projects have been able to network local partners and people consistent with identifying, prioritising and addressing the needs of local communities. These project plans have been shown to fit with local needs. Throughout the duration of projects, NGO officials have been actively involved at all levels. By providing involvement and continuous guidance problems are reduced in project implementation.

Supplying rural infrastructure, waste management, encouraging people's participation in local government policy processes, educating local government representatives on their powers and income sources, training local government staff to improve their management skills, supporting the building of CBOs, addressing the needs of the POP, and strengthening inter-community relations have received critically important NGO contributions at the local level. These indicate the varied benefits and advantages of NGOs in the selected local government areas, and signify the importance and potential of NGOs who

¹⁰⁸¹ *Ibid.*

¹⁰⁸² Respondent: Mr H.A. Sisira Rohana, Project Manager, Solid Waste Management Project, Hambantota Urban Council.

contribute to development and address needs at the local level. The positive responses from respondent local government representatives and staff members in terms of successful achievement from these projects confirm this. For example, participatory budgeting promoted by the Asia Foundation and USAID has become popular among local government bodies in identifying the most appropriate needs in specific areas. The knowledge provided to local government representatives and staff on project proposal writing and income sources by NGOs, such as Transparency International, Asia Foundation and CPA, has built a path to achieve successful outcomes.

The success of these projects highlights the way local government can establish an advantage if foreign assistance comes directly to local government sources. These NGO contributions match the proposals of local government representatives outlined in chapter 8. The importance of encouraging people's participation in local government policy processes, the need of more knowledge and guidance on their powers and functions, and the need to obtain knowledge, guidance, funds, resources and technologies from NGOs to promote local governance and local development were some of these proposals.

Some NGOs which directly connect with the local level through central government-controlled administrative bodies indicate a different reality of central government's behaviour toward NGOs. Although some NGOs have signed memoranda of understanding with the central government ministries, central government does not try to control these NGOs. As noted above, central government does not have much concern about NGOs who handle small funds and implement small scale development projects at the local level. This behaviour by central government can be seen as an advantage to promote direct NGO involvement at the local level. Some NGOs realise that central government-controlled projects have not responded appropriately to local needs, and should directly remedy this for better results. However, this does not mean that these NGOs have been excluded from the central government procedures of NGO registration and quarterly progress report provision.

The projects outlined above indicate that there are possibilities to build collaboration among local government and NGOs in local level activities leading to improved forms of local governance and local development. The important

point here is that this can help local government bodies to overcome their dependency. An approach to local government which is dependent on central and provincial government can be changed by improving local government capacities through NGO involvement. This research, therefore, identifies the importance of substantive direct NGO involvement at the local level and stresses the need to shape future local government relationships away from the traditional approach toward cooperation. Through this process local government representatives and staff would connect with NGOs as collaborative partners focused on local development. The Asia Foundation's work in capacity development, along with the central government's Ministry of Local Government and Provincial Councils, and the SLILG (a government institution) has supported local government-NGO interactions and has resulted in collaboration in publishing guide books and related documents. This supportive role by central government needs to be improved to achieve more successful outcomes from direct NGO involvement.

9.5. Summary

As identified earlier, the extraordinary circumstances of the tsunami and the war provided room for NGOs to be involved in reconstruction, relief and rehabilitation work in Sri Lanka. Later this work was extended to other areas not directly affected by the tsunami or the war. This chapter analysed recently completed and on-going NGO projects which have taken place at the local level of the southern and eastern provinces. When considering all the projects discussed in this chapter, there are two major categories and several minor categories of NGO involvement at the local level. First the major NGOs such as WB and ADB work with the central government ministries and central government-controlled administrative bodies according to central government agendas and are mostly involved in large scale infrastructure development. These NGOs do not have direct links with the local level. This research reveals that these large scale construction projects were, in the views of respondents, unable to address the actual needs of local communities. Second there are many international NGOs directly involved in different projects at the local level. Some of them have country offices, and some of them have area offices located in local government areas to carry-on their projects at the local level. Some of them work together with local NGOs. While some of them are directly involved in project activities at the local level, others

provide aid and guidance to local NGOs. Many NGOs directly connect with central government-controlled administrative authorities such as district and divisional secretariats. Some NGOs directly connect with local government and assist local government representatives and staff through providing knowledge and encouraging people's participation at the local level towards effective policy processes and local development.

In this research, the NGO projects have been analysed according to how they participate in ways which address local needs, and in terms of the extent to which their project aims have been fulfilled. Compared with the larger foreign-funded projects of central government, the smaller projects conducted by various NGOs are more directly connected with local government and local communities and can be identified as more effective. When considering the proposals of the respondent local government representatives, such NGO projects match proposals and address the development needs at the local level. The active involvement of NGO officials at the local level with the appropriate local partners and people, correct identification and prioritisation of local needs, and less control by central government over NGO project agendas all points to some of the reasons for the success of these projects.

Local government representatives know the local needs better than the central administrative officials who are not from the same area with the result that local government-NGO collaboration has been more effective than central government-NGO relations in addressing the needs at local level. Local government-NGO relations, therefore, need to be encouraged and strengthened in local government capacity building. This will lead to changes away from the more traditional approach to local government which is highly dependent on central and provincial government, to local government which is shaped and better equipped towards addressing local needs. Local government representatives and staff can act as a supportive force for NGOs towards building networks with local communities. Central government does collaborate between local government and NGOs, playing a positive role in relations at the local level, although as examples have shown this rarely happens.

This research has argued that NGOs have the capacity and potential to be involved in, and collaborate with, local government to improve local governance

and local development by working with vulnerable sections of the Sri Lankan society. Connecting communities with local policy processes through NGO contribution has helped to prioritise and address local needs correctly and effectively. The conclusion which emerges from this chapter, therefore, is that the requirements of the central government agenda often undermines the NGO role in addressing substantive needs at the local level which reinforces dependence and hinders development. However, the direct involvement of NGOs at the local level, especially in local government, can deliver foreign aid in a way that does not reinforce dependence or hinder development and this leads to improved forms of local governance and local development.

Chapter 10

Conclusion

10.1. Introduction

This study has focused on local development in Sri Lanka examining the role of local government in planning and promoting strategies within the context of longstanding neglect by central government. It explored how local communities in Sri Lanka have been over-looked in development initiatives, the reasons for this failure while analysing the positive role played by NGOs given this situation. Recognising the constraints imposed by central government on local government and on NGOs in Sri Lanka, the study examines the actual and potential contribution of NGOs to local government and local development in an effort to address the needs of local communities.

Chapter 2 set out and analysed the literature related to this study, and developed a number of hypotheses derived from the literature. A range of issues arise from the main focus of this study, including investigating the ways in which the local communities have been neglected in Sri Lankan development initiatives; identifying the roles of NGOs in local development; understanding the extent to which NGOs act as facilitators of local development; the extent to which NGOs strengthen the local policy processes by encouraging people's participation; investigating the possibilities of collaboration between NGOs and local government in designing and implementing local policies and programmes; and checking whether NGOs can act as intermediaries in networking between national, provincial and local levels of government, and the people in the Sri Lankan context.

As detailed in chapter 3, this research uses a mixed method approach relying heavily on qualitative data and on a single-case (embedded) design as its investigative approach. Limited use has been made of quantitative data although, where relevant, this method is adopted. Sri Lankan local government is the main unit of analysis with particular reference to the southern and eastern provincial councils as the sub-units of analysis. This research focused on 12 local government bodies selected from two provinces, and interviewed 47 respondents

including national, provincial and local political representatives, administrative officials, NGO officials, and CBO representatives on their views regarding local government, decentralisation, local development, people's participation, and the role of NGOs at the local level.

Chapter 4 analysed the history and political development of Sri Lanka and argued that constitutional evolution, political party development, the emergence of political leaders and decentralisation politics have reflected and revealed deep rooted ethnic divisions and conflicts in the country. As discussed in chapter 5, the recommendations of commissions and committees appointed by ruling governments over time to restructure local government have not been fully implemented. The establishment of district-based development councils and, later, provincial councils created a more centralised system, weakening local government and reinforcing its dependence on the centre. The continuation of colonial style central government-controlled administrative bodies together with local government bodies gave rise to complicated twin streams of administrative and political power which led to a strengthening and centralisation of authoritative power.

Chapter 6 reviewed the history of NGO involvement in Sri Lanka. It began by identifying ambiguities in defining NGOs in the Sri Lankan context. These ambiguities, complex legal procedures and institutional mechanisms have led to a lack of clear data about NGO growth in Sri Lanka. Over time, government-NGO relations have taken a variety of forms. These have been shaped by the policies of ruling governments, political parties and leaders. They have also been shaped by the exploitation of specific historical events by political actors for political gain. An example of this has been the labelling of the NGOs which advocated for the protection of minority rights in the war-affected areas as imperial agents by Sinhala nationalist groups.

Chapters 7, 8 and 9 presented the research findings. Chapter 7 outlined the complexities of local development, people's participation and local politics by examining the views of respondents. The ways in which central government and local government define development was shown to differ. When central government promotes large scale development at one end of the spectrum, at the other end some local governments tended to identify small scale, local level

development as being more important and effective. From the local perspective, local development, which is locally-led and community-oriented, stresses the importance of human resources over physical infrastructure. To address the people's needs, it is critical that local government obtain people's participation in local policy processes, adequately control issues of local development and encourage people's participation.

Chapter 8 identified a range of problems in Sri Lankan local government, highlighted in the proposals of respondents seeking to solve issues. The lack of local government power, together with the lack of knowledge by local government representatives about how to use their power, presents a major problem. The main proposal for increasing local knowledge was to seek NGO support which would provide knowledge, technology, guidance, funds and resources to local government. In contrast, national level respondents proposed amendments, such as the integration of local government and central government-controlled administrative bodies at the local level as a way of enhancing local development. Clearly, there were local-national discrepancies concerning proposed solutions for tackling local government problems and attaining solutions.

Chapter 9 outlined the many foreign-funded NGO projects in Sri Lanka and investigated the features of NGO involvement at the local level. After the tsunami and the war, large amounts of foreign funds flowed into Sri Lanka together with many NGOs which aimed to provide support in disaster recovery. Aid management problems occurred at central, provincial and local government levels. Compared with the foreign-funded projects handled by central government, the NGOs, which directly connected with local government, were generally more successful and more focused on addressing local needs.

10.2. Centralised power structures: the Sri Lankan context

This study is situated in a political context where it has been argued the centralisation of power undermines local government. The latter is then unable to determine its own policy or to use its policy processes to bring about local development. The study focused on this context because centralisation has been a continuing and abiding feature in Sri Lanka. The attitudes, beliefs and sentiments of the Sri Lankan society have over many years seen the political system strongly

structured around centralisation, despite the many groups which have argued against centralisation. This political culture is a significant factor which needs to be highlighted in consideration of the recent trends and consequences of centralisation.

Sri Lankan politics have been shaped and are still being shaped by the ambitions of certain governments, political parties, groups and leaders, who have relied on the highly centralised authoritative power structures in pursuing their political ambitions. A major consequence of this political sociology has been the neglect and undermining of provincial and local levels of government. As has been outlined above, Sri Lanka has had a long history of a strongly centralised and centralising government. It has built up a long political culture which is widely supported by a significant section of the population. It has not been part of Sri Lanka's political culture to focus on the socio-economic needs of the many communities. It was expected that people would look after the social and economic welfare of their communities rather than looking to central government to provide a great deal.

The long standing religious and ethnic structures reinforced the centralising political culture and the political elites, particularly those who were from the dominant groups, used the political culture to their advantage. The colonial experience did not challenge the dominant political culture, leaving governments and political leaders to maintain and reinforce the centralised authoritative power. The political elites have long been accustomed to this culture and have built on it over the centuries, so that with the on-going conflict and the recent tsunami the political leaders were able to draw on powerful and deep rooted cultural values to continue to assert their strongly centralising policies. The introduction of military personnel into positions of leadership reflects how far the centralisation of political authority has been widely accepted within the political culture.

The issues of centralisation and its widespread acceptance show the mutual dependence of the political leadership and the public at large. Sri Lanka's recent history shows how most uprisings by the people have been brutally suppressed by government-sponsored military activities. People have significant social and economic needs which must be voiced, but they are afraid to express them in the current political context. This reluctance by people to express their views has

begun to be challenged following the recent tsunami and the conflict between Tamils and the government.

The centralising tendencies strengthened by the tsunami of 2004 and the war have resulted in large amounts of foreign aid flowing into Sri Lanka and managed in a highly centralised way. While there have been questions about the lack of transparency with the administration of this aid, including questions about whether it has been directed towards the most needy, there have been no inquiries. The fact that there have been no demands or protests from within Sri Lankan society, especially from the local level, about these questions suggests a broad acceptance of centralising trends by the people, or an underlying fear of speaking out against the government.

During the last few years of the war, prior to 2009, central government sustained public support for the war effort by promoting patriotism and war heroism among the Sinhala population. The popular media played a major role in this, with full sponsorship by the government. This has resulted in arousing the Sinhala majority's patriotic and nationalist feelings against minority ethnic groups and has limited the potential for a balanced discussion between all ethnic groups about possible lasting solutions to the ethnic conflict. Against this background, the military has been highly favoured by the central government and granted the most important places in Sinhala society. By contrast, those who have acted against war policies and military actions have been identified by the government as traitors. In the aftermath of the war, central government has continued its promotion of the military in the name of 'national security' with a view towards containing a future 'enemy' that might emerge from the Tamil minority. The media has played a role in these dynamics and continues to arouse the patriotic nationalist feelings of the Sinhala society. In this context, the government's strategy can be seen as a means of remaining in power by using the threat of a future war as a means of sustaining popular support. The needs of local communities at the local level have been neglected within these politics. Importantly, military personnel have been appointed to higher level government administrative positions and have been encouraged to represent the central governing party, the UPFA, in elections. The military has therefore become a key tool for the promotion of central government agendas. Allocations in defence spending have increased every year following the war, diverting spending from important development initiatives. The extensive

use of the military by the government has created a large and controlling portion of government policy implementation. The result of this situation is military dominance over government and society which responds and reacts according to military experiences in addressing socio-economic issues.

Simultaneously, the tsunami and conflict have introduced new factors to Sri Lanka's experience and to the conduct of government as new actors effectively challenge the Sri Lankan government and its policies. Although government has aimed at retaining their electoral support, people have become intolerant of government policies and military involvement in their lives. For example, as discussed in chapter 7, when the military confiscated agricultural lands in the eastern province, people protested against the government and military. Government used the military to suppress protests, as is usual, and these government actions provided a clue to the Sinhala society that the military neither supports the majority nor the minorities, but it acts totally according to government orders. Sinhala society never expected the military would act against them after the war because they had supported the military during the war. However, the realisation within Sinhala society that the military was not on their side proved a disadvantage to government and future electoral success. For example, as discussed in chapter 7, due to land confiscation activities, and the suppression of protests against land confiscation, people in the Lahugala PS area voted against and defeated the central governing party in the recent local government elections. These issues draw a picture of the political sociology that is current in Sri Lankan society and of its vulnerable political culture.

Since pre-colonial times Sri Lankan society has experienced a number of ethnic divisions and conflicts. As discussed in chapters 4 and 5, these divisions and conflicts have shaped, and are still shaping, constitutional developments, political party development, the emergence of political leaders, and especially the decentralisation process in Sri Lanka. After independence in 1948, several attempts were made by successive governments to decentralise power influenced by ethnic considerations aimed at ensuring one group's advantage over the other. The anti-federalist reactions of some Sinhala nationalist political parties which have supported successive governments, together with some Buddhist priests, have contributed to the rejection of decentralisation proposals. These groups portray decentralisation as a threat to the unitary state structure and to state

sovereignty which, they argue, would divide the country. Much of the long-lasting ethnic conflict in Sri Lanka, which was evident in the war over demands for a separate Tamil state, does emerge from Sinhala nationalist parties and groups who are against decentralisation. A number of decentralisation proposals have therefore faded as successive governments, supported by these nationalist parties and groups, have exploited this issue in an effort to remain in power. The decentralisation process and local government reforms in Sri Lanka reflect the unwillingness, inability and negligence of ruling governments and leaders to decentralise power to local levels of government. In addition, the recent military-led centralisation process of government depicts decentralisation and local government reforms as a distant reality.

Attempts to reform local government have been connected with initiatives to decentralise government processes, but within the context of Sri Lankan politics, they have tended to end in failure. As outlined in chapter 5, although there have been leaders who have proposed that local government should be more independent and powerful, these proposals have not been supported in the legislature. Most leaders, however, have supported the view that central government can govern effectively without institutions not under its direct control. For example, the development councils established in 1980 were a centralised approach to decentralisation and ended in failure. The provincial councils established later do have constitutionally recognised powers, but these have not actually been transferred by central government.

Provincial councils were established as a part of the Indo-Lanka Peace Accord of 1987 and therefore cannot be explained as a full attempt of Sri Lankan rulers to decentralise powers. They were developed as a solution to the ethnic conflict, but as mentioned earlier, there was no support for this initiative from the majority ethnic group, Sinhala. Sinhala nationalist elements have instead promoted the unitary state structure, and this has been met by the Tamil nationalist elements with demands for a separate Tamil state. The Sri Lankan government has been unable to provide a mediated solution which can satisfy the demands of these two positions. When Sinhala nationalist elements entered into coalition politics with the Sri Lankan political leadership, their ambition for a unitary state structure was promoted and the separatist Tamil nationalist elements were crushed through the war. The current Sri Lankan state structure is a reflection of the pro-unitary and

anti-federalist position. Under the auspices of war victory, the current Sri Lankan leadership has maintained its hold on power and has amended the constitution to remain in power for a longer period by removing the term limit for the President. The Executive President has thus been able to maintain control of Parliament and the Supreme Court by influencing MPs and the Chief Justice respectively, and rejecting decentralisation proposals by reference to nationalist arguments. Moreover, as discussed in chapter 6, these dynamics have resulted in the greater centralisation of power, with much of that now concentrated within one family.

In this context of strong centralisation, groups which have supported decentralisation have been suppressed and silenced. As argued in chapter 7, central government maintains its position by using its power, funds and resources to fulfil its ambitions, without regard for the preferences and needs of the people. The large scale construction projects, land confiscation issues and military involvement in people's lives in both southern and eastern provinces are examples of this highly centralised authoritative power. As argued above, reference to the war and the arousal of patriotic nationalist feelings among the majority Sinhala population contribute to the government's ability to maintain power.

This research has revealed that there are contradictions between what the central government interpret as development and what the local levels of government and the people expect. For example, the construction of a harbour, airport, international cricket stadium and an international conference centre in the Hambantota district of the southern province is not seen by locals as meeting the needs of the people in the area. Additionally, large scale tourism development in the eastern province has resulted in local people losing their agricultural lands and traditional fishing areas. People in these areas do not see themselves as receiving any benefit from such developments and many have lost their means to generate income.

Central government has strongly influenced local politics by forcing provincial and local leaders to address central government agendas rather than fulfil local needs (see chapter 7). The major problem highlighted by local political representatives pertains to their lack of power and funding connected to the highly centralised power structures maintained by central government (see chapter 8). The central government-controlled administrative bodies also work as supportive

institutions in centralising attempts. Similarly, local government lacks the capacity to address development needs at the local level. Given this highly centralised power structure in Sri Lanka, this research has focused exploring ways in which local government can be empowered to address local community needs.

10.3. Anti-colonial criticisms and NGOs

As discussed in chapter 2, while providing a background to identify and explain the complexities of post-colonial societies, post-colonial criticisms draw a negative picture of Western influences on former colonies by interpreting the colonial past in former colonies as the reason for their present problems. In this context, foreign aid and the contribution of NGOs have been identified as perpetuating dependency on Western-based organisations.

As detailed in chapters 4 and 5, Sri Lanka was under colonial rule for more than four centuries. More than six decades after decolonisation, debate about colonial influences still continues in the Sri Lankan political arena. Through the mixing of ethno-cultural diversities which evolved throughout history, the colonial influences structured many politico-economic and socio-cultural differences in Sri Lanka. Since decolonisation, Sri Lanka has been faced with its own problems such as internal conflict, poverty, election malpractices, violence, misuse of power by the government, corruption and nepotism. This gives rise to questions about the extent to which post-independence rulers have been responsible for such problems and whether the colonial past explains recent problems in Sri Lanka. As argued in chapter 2, post-colonial criticisms are unable to explain these new developments. Rather than the experience of colonialism, it has been the failures of post-independence rulers to address the various needs of the people which have been a barrier to development and a reason for many problems in Sri Lanka. But these failures have been interpreted by anti-colonial Sinhala nationalist political parties and groups as the result of colonialism. As discussed above, such rulers have shown a willingness to concentrate power in their hands rather than empowering other institutions at the local level which cannot be kept under their full control. Anti-colonial interpretations, the sensitivity of the Sri Lankan society towards nationalism, and the Sinhala majority's willingness to protect the unitary state structure have all contributed to the centralisation of power. Recognising these issues adds to the above discussion on Sri Lankan political culture and helps

explain the people's acceptance of central government rule, most of the time, without questioning, demanding or protesting. Acquiescence to central government and a lack of belief in the potential to challenge existing political power structures is a prominent feature of Sri Lankan political culture.

In an environment where nationalist feelings have pitted one ethnic group against another, it is easier to introduce outside enemies naming them as supporters of each rival group. In Sri Lanka, NGOs have been named as imperial agents by the anti-colonial Sinhala nationalist parties and groups which have supported successive governments, and they have been portrayed as being supportive of the Tamil nationalist groups. This criticism has been used mostly by governments as a means of preventing rights-oriented NGOs which have engaged in protecting the interests of the people, especially those affected by the war (see chapter 6). This background opens a path to test the following hypothesis:

- The involvement of NGOs in governance and development maintains the exploitative relations of colonialism.

As discussed in chapter 6, in many situations, NGOs have been involved in protecting the rights of the people. In the 1980s the war and second JVP insurrection resulted in human rights violations, with many NGOs becoming actively involved in calls for the protection of human rights. They supported war-affected people through relief and rehabilitation work and demanded inquiries to investigate the disappearance of people during hostilities and the insurrection. Throughout the 1980s and 1990s several NGOs campaigned for peace and for the democratic rights of the Tamils. Moreover, many NGOs worked against government-sponsored election violence, intimidation and malpractices, corruption and the misuse of power during from the late 1990s onwards. Similar NGO involvement was evident during the last years of the war. NGOs such as ICRC and UNHCR have worked to provide humanitarian aid to war-affected people faced with numerous restrictions, ill-treatment and harsh criticism by the government. NGO involvement has been met with a number of attempts by government to restrict and discourage their activities and tarnish their image among the people. This anti-NGO trend has been government-sponsored but publicised by Sinhala nationalist parties and groups. Despite this, NGOs continue to have government approval to continue with their work. The government's

interest in receiving foreign aid means that although it promotes and supports nationalist groups in criticising rights-oriented NGOs, it does not reject the support of development-oriented NGOs (see chapter 6). Accordingly, the criticism of some anti-colonial Sinhala nationalist groups which depicts NGOs as imperial agents can be seen as opportunistic and far beyond the truth.

NGO involvement that is oriented towards protecting people's rights has the potential to influence governments in ways that are positive. In the context where people have not come forward on their own to advance and protect their democratic rights, such NGO involvement is beneficial for drawing attention to people's needs and in improving democratic governance and development. Such NGO involvement, therefore, does not support the above hypothesis and instead confirms the following:

- The involvement of NGOs leads to improved forms of governance and development.

This NGO involvement suggests that post-colonial criticisms ignore the positive influence of foreign aid and NGOs in former colonies such as Sri Lanka.

10.4. Formation of productive government-NGO relationships

Chapter 2 identified two areas within the literature on government-NGO relations. The first is related to government attempts to control NGO activities within the state boundaries either by collaborating or clashing with them. The second refers to the capacities of NGOs to support local levels of government and the needs of local communities.

As discussed in chapter 6, many and complex legal procedures and institutional mechanisms used by the Sri Lankan government to control NGOs have weakened government-NGO relations. In carrying out this research, it became clear that there are several important criteria and reporting requirements that must be met by NGOs if they are to be registered to work in Sri Lanka. Government has imposed strict conditions on NGOs working in post-war areas. Fulfilling these requirements does tend to discourage NGO activities and is not client-friendly. These government procedures open a way to test the following hypothesis derived from the literature:

- The need to maintain strong leadership leads to authoritative government responses and undermines the capacity to build collaborative relations with NGOs which enhance local government and local development.

As mentioned earlier, Sri Lanka received large amounts of foreign aid and support from NGOs in the post-tsunami and post-war situations. These extraordinary circumstances were different from normal foreign aid flows and NGO support. As there were no aid management and distribution mechanisms at any level of government at that time, central government assumed control of the whole aid management and distribution process (see chapter 9). Many NGOs in Sri Lanka have had to work through central government ministries, the NGO Secretariat, district and divisional secretariats to support the local people. Much of the time, NGOs have to work according to the agendas of these institutions. NGOs which support central government agendas and political goals, such as the large scale construction projects, have been fully supported. As discussed in chapter 9, the WB, ADB and UNDP are directly connected with central government and work according to government agendas. Figures 9.1, 9.2 and 9.4 indicate the many stages of project planning and aid flow from national level to local levels which widen the distance between NGOs and local levels. When NGOs do not have direct access to the local level, they have to agree to central government control over their operations, finances and activities. As outlined in chapter 7, this undermines NGO capacity to address actual needs at the local level and confirms the above hypothesis.

As set out in chapter 6, the relationship between the Sri Lankan government and NGOs has taken variety of forms. Among these, there were examples of collaborative relations. Three major examples were the *Gramodaya Mandala* system, the *Janasaviya* programme and the 2002 peace negotiations. In 1980s the *Gramodaya Mandalas* provided opportunities for NGOs to be involved in local level planning and implementation (see chapter 5). In the 1990s *Janasaviya* was set up as the government's major poverty alleviation programme sponsored by the WB. Many NGOs were involved in implementing *Janasaviya* sub-projects at that time. During the 2002 peace negotiations, NGOs were involved in a number of peace building projects in the conflict-affected areas together with the government (see chapter 6). These collaborations were progressive and heavily dependent on

the pro-NGO policies of successive governments. These collaborative relations confirm the following hypothesis:

- Central government can maintain strong leadership without undermining the development of collaborative relations with NGOs which enhance local government and local development.

In the events mentioned above, the agreements with the NGOs permitted them to work without strict government controls. The Sri Lankan government provided its full support to promote the role of NGOs. This reveals that where government and NGOs collaborate, both parties can share responsibilities for addressing the needs of local communities without undermining one another. When compared to government-controlled NGO projects, such collaboration is identified as different and progressive. But this does not mean that there were no problems between the government and NGOs, during such events. In the *Gramodaya Mandala* system, some anti-government NGOs failed to participate in meetings and were not involved in planning and implementation. Although NGOs supported the *Janasaviya* programme, after the appointment of the NGO Commission in 1993 by the President, many NGOs broke with the government. As mentioned in chapter 6, the NGO Commission was interpreted by commentators as an outcome of personal rivalry and competition between the President and a local NGO leader at that time. With changes of governments and leaders over time, therefore, government-NGO relations can also change. The positive support of NGOs in the 2002 peace negotiations reversed when the war restarted. In situations where the government does not recognise people's democratic rights, and when NGOs work against such actions, there have been conflicts between government and NGOs, evident in the government imposed restrictions on rights-oriented NGOs (see chapter 6).

As discussed in chapter 7, most local government representatives lacked a clear idea about local development and people's participation in it. They tended to see central government-led large scale construction projects as local development. Also local government representatives' lack of knowledge about their powers and functions was an obstacle to building productive relations with NGOs. Most local government representatives did not know that they had the power to obtain direct support from NGOs and they did not know how to apply for foreign funds,

resources and garner support from them. Despite their political party affiliations, local government representatives of both the southern and eastern provinces proposed that aid and support be sought from NGOs (see chapter 8). As mentioned above, most proposals by local government representatives and local administrative officials to get foreign funds needed the guidance of NGOs in management, technology and policy planning.

NGOs such as Transparency International and CPA provided knowledge to local government representatives on local government legal powers and income sources. The Asia Foundation has been involved in promoting people's participation in local government through participatory budgeting. The Weligama UC in the southern province received support from the Asia Foundation in preparing project proposals which helped it obtain aid from a number of foreign donors to develop the area. The Kattankudy UC in the eastern province also received guidance on participatory budgeting from USAID. CARE International has been involved in supporting the building of CBOs and addressing the needs of the poorest of the poor (see chapter 9). This NGO involvement at the local level illustrates two dimensions. First central government has not been involved in providing the support to encourage the development of local government capacities, and second the work which has been carried on by NGOs at the local level matches the proposals of local government representatives and local administrative officials.

Some local government areas have sister-city relations with foreign counterparts that supply aid and guidance, such as the Galle MC with the city of Velsen, Netherlands, and the Kalmunai MC with the city of Munich, Germany and these are identified as having productive relations (see chapter 9). Because of these relations, local government was able to avoid the barriers put up by central and provincial government to control foreign aid and NGO support. Some NGOs working directly at the local level signed memoranda of understanding with the central government, and their activities at the local level have not been disturbed by the central government. It is evident that central government reacts differently to different NGOs, particularly NGOs directly connected to the local level which manage small funds. These NGOs have their own agendas and handle small projects according to needs at the local level. Central government does not find much advantage in taking over these NGOs because they cannot support central

government's large scale project agendas. Also, these NGOs tend to be development-oriented and not rights-oriented.

The central government behaviour towards NGOs can be explained by reference to the post-tsunami and the post-war environments. As mentioned earlier, in the post-tsunami and post-war environments, central government built mechanisms to keep the whole aid management process under its control. While central government was administering the major flows of foreign donor funds, a number of NGOs engaged directly with local government bodies to support their planning and local development programmes. These NGOs saw that working with central government agendas did not provide opportunities to address local needs. But this does not mean that these NGOs did not have to meet strict central government criteria. Nonetheless, they still had to follow central government agendas. In the post-tsunami and post-war context, central government paid little attention to the small funders and NGOs which engaged directly at the local level. Examining the post-tsunami and post-war environment, therefore, allows for insight into different forms of behaviour by central government towards various NGOs.

This research has focused on two types of government-NGO relationship in Sri Lanka. The first is the central government-NGO relationship, and the second is the local government-NGO relationship. Two features are central in assessing the significance of NGOs: the extent to which NGOs identify and address the local needs through their projects and programmes, and in what ways they collaborate with local government and local communities. Among the two types of relationship, this research found that the most productive government-NGO relations are built at the local government level. While the central government-NGO relations focus on the importance of developing physical infrastructure, the significant work undertaken by NGOs through connecting with local government provides evidence of their support, for and encouragement of, developments beneficial to Sri Lanka by stressing the importance of human resources. These NGO relations support local government bodies in improving governance and in addressing the needs of local communities through providing knowledge to local government representatives and staff, and encouraging people's participation to promote effective policy processes and local development (see chapter 9). This confirms the above hypothesis because there are possibilities for central government to accept NGOs which work at the local level, and there are

opportunities for local government to collaborate with NGOs towards enhancing local governance and local development.

10.5. NGOs in policy processes and networking

This research has revealed that specific local issues, such as ethnic divisions and decisions about the use of local natural resources, have not been addressed through local government policies (see Table 7.2). As discussed in chapter 7, the central government's neglect of local government and local development is significant. Local government respondents indicated they had encountered discrimination from the national and provincial politicians who were aiming to use local political representatives as their agents to fulfil central and provincial government agendas. Most local government respondents saw provincial councils as barriers to local development. As noted in chapter 8, they responded negatively to provincial councils, not because they rejected decentralisation, but because the provincial councils lacked the powers and capacities to support local government. Provincial councils acted mostly as central government-controlled bodies rather than as separate political institutions because central government had not transferred the constitutionally allocated powers to provincial councils as mentioned above. As long as provincial councils acted in accordance with central government agendas, central government did not abolish these institutions. When there have been demands to transfer powers to provincial councils, central government has limited the role of provincial councils (see chapter 8). A main tactic employed by central government has been to set aside provincial councils as a part of any centralisation process. As discussed above, with central government-centric policy processes, the government can neglect the issues it does not want to consider. For example, the problems faced by local communities due to a lack of essential facilities such as water, electricity and interior roads have not been addressed by central government's large scale construction projects. Such projects are focused on tourism promotion which is a central government priority. The significant issue here is that local people's views have not been considered in the policy process.

In Sri Lanka there are limited means for organising and obtaining people's participation in local policy planning and local development. This research has revealed that people's participation in local policy processes was not encouraged

by local government bodies, nor were they required to consult locals (see chapter 7). While many local government representatives saw the benefits of encouraging people's participation in local policy processes and building CBOs for this purpose it rarely happened. In this context, this research identifies potential for external actors to promote a role for people in the policy process. It has shown that some NGOs have the potential to help build CBOs and guide local government representatives in ways of obtaining people's participation in local policy processes (see chapter 9). Some local government bodies such as Matara MC have been successful in promoting people's participation through establishing citizen committees at the ward level. The major reason for the success of Matara MC was the creative and effective leadership of the mayor at that time. The NGO support in building citizen committees was an advantage.

A number of respondents in this research proposed the need for improved mechanisms to engage with local communities and to bring all policy actors together in the policy planning process at the local level. There was, however, no mention of how to build such mechanisms (see chapter 8). It can be assumed that such respondents place their hopes in external actors helping them to build network mechanisms bringing all relevant parties together. The expectations of local government representatives and local administrative officials to obtain support from NGOs to organise and encourage people's participation in policy planning and development programmes proved significant (see chapters 7 and 8).

This research found that local government bodies, CBOs and local people did not come forward on their own to participate in the local policy process or to build networks. This is again a characteristic of the Sri Lankan political culture where people do not seek to project themselves forward to participate or object. Although some of the local government representatives stressed the importance of CBOs in obtaining ideas for local policy processes, many local government bodies lacked networked relationships with CBOs. Neither has information on CBOs been recorded by local government bodies. It is evident that NGOs such as CARE International helped to establish CBOs in certain local government areas. This research shows that key NGOs such as the Asia Foundation, Transparency International, SSA and CPA were involved in various ways in networking with local government, CBOs, people at the local level, intellectuals, professionals, the private sector and funding agencies aimed at organising local resources, solving

local development problems and overcoming difficulties in local government areas through making and implementing appropriate policies (see chapter 9). Furthermore, where people have been encouraged by NGOs to participate in the policy process in local government then better results have been obtained. For example, the Asia Foundation supported Weligama UC on participatory budgeting and through this guidance the UC was able to complete many foreign-funded projects which had been prioritised by the people. This research determined that NGOs have been involved in policy planning and in obtaining people's participation in local governing and development (see chapter 9).

These findings therefore do not support the following hypothesis:

- NGOs do not encourage people's participation in the local policy processes or promote local development.

Instead, the findings of this research confirm the following hypothesis:

- NGOs play a positive role in encouraging people's participation in the local policy processes and local development.

This research shows that despite the strong centralisation of authoritative power, NGOs can organise people's participation in local policy processes towards local development through networking parties together (see chapter 9).

10.6. Contribution

The failure to investigate the reasons for the non-implementation of decentralisation and local government policy reforms is a major gap in the literature on Sri Lankan local government. Throughout the history of Sri Lankan local government, several policy reforms have been proposed and are still being proposed, but none have been fully implemented yet. This research identifies this major gap in the discussion of Sri Lankan local government and has investigated reasons for the non-implementation of such policy reforms.

Furthermore there is very little research and literature on Sri Lankan local government and on NGOs in Sri Lanka, and there is no research which seeks to determine the contribution of NGOs in local government in Sri Lanka. This thesis opens up a new field related to Sri Lankan local government and NGOs, and contributes new dimensions to the study, knowledge and analysis of the Sri

Lankan policy debate. It encourages thinking about decentralisation and local government in Sri Lanka promoting effective NGO involvement at the local level. The long-term success of this promotion will challenge the highly centralised power structures in the future. If the political representatives and people at the local level can be empowered through knowledge on inclusive policy making as they seek to develop their local areas, they are likely to gain confidence in their ability to govern themselves and take control of their own development. The results of such a process are likely to help policy makers at the national level recognise that the issues are not really about a changed structure but about a much more effective structure as local people understand more about their own communities. This research contributes and promotes a bottom-up perspective of policy planning and implementation, with the support of NGOs who work at the local level, together with local government, towards local development.

Without proposing any constitutional amendments or policy reforms related to decentralisation and local government, this research proposes a practical solution to empower local government in local development through better use of the powers, resources and abilities available at the local level. It challenges centralising power structures and argues for the empowering of local government and local communities. It argues that supporting local government as it pursues local development by providing sufficient knowledge, guidance, technologies, funds and resources to the local level, with the assistance of NGOs, is a way of achieving such empowerment.

Despite the trends of centralisation and control of authoritative power, NGOs have been able to work effectively with local communities, to build CBOs, and network all parties together at the local level in local government policy processes and local development. This has come about in large measure because of the tsunami and conflict. The most important part of this local government-NGO interaction has been its ability to empower local communities towards voicing their needs in local policy processes. Once the habits of this cooperation are learned by the parties, this can transform not only Sri Lankan local government by developing the needed skills, competencies and understanding, and by providing funding, training and other resources, but also the understanding of central government about the considerable strengths at the local level to build the future for Sri Lanka. As the current government leaders understand this reality, they will come to

recognise that the new ideas are not threatening to their centralised power structures. Future political leaders will see the advantage of emerging changes for transforming the strong centralised power structures. As this happens NGOs, together with local government and local communities, can play a positive role in Sri Lanka towards this on-going transformation.

The arguments are not about decentralisation or centralisation, which is shaped by the ethnic divisions in Sri Lanka, but about a system in which all people can participate fully and fairly without protecting already existing ethnic divisions.

10.7. Limitations

As this field has not been the focus of prior research, this study has sought to capture a 'big picture' analysis of NGO activities at the local level and identify the ways in which they can become more involved in policy making in local government and local development. Because of limited time, and due to the wide scope of NGO activities at the local level, this research was not able to investigate CBOs in-depth. This points to an area for future investigation.

While it was possible to obtain the lists of CBOs and their contact details from district and divisional secretariats, it was found that most of these CBOs were not receiving foreign funds from NGOs. As this research is concerned only with foreign-funded NGOs that work at the local level, several other organisations were not being covered. Although neither remarkable nor prominent, these organisations work individually at the local level to fulfil some of the local community needs without foreign funding. Furthermore, this research covered only two of the nine provinces in Sri Lanka and six local government bodies from each province. A more extensive study was beyond the scope of this research.

The limitations occurring through language is another issue. As this researcher does not speak or understand Tamil language, the support of translators was obtained when interviewing some of the local government representatives in the eastern province. The opportunity to talk with the general public in their familiar environments was limited. When using translators, there are doubts that the exact question, as intended by the researcher, has been conveyed to respondents. Also, the answers received may vary according to the translator's interpretation.

Another limitation is the lack of participation by national and provincial politicians in this research. In particular, the national and provincial politicians representing the governing party, the UPFA, showed their dislike for face-to-face interviews. Their responses to this researcher's requests for interviews were discouraging, with some not replying to letters, e-mails or even answering phone calls.

In the course of this research, the methods of semi-structured and unstructured interviews resulted in some respondents talking on broad topics which were not relevant to the central research question, but which were related to Sri Lankan politics at the time.

10.8. Future research

Although there is only a limited literature on local government and NGOs in Sri Lanka, this research provides a base for future research in this field. As noted, a limitation of this research is the lack of attention given to CBOs. This research provides a base for future researchers to seek in-depth studies of CBOs and investigate ways to obtain support in building networks with local government bodies and assist NGOs towards promoting new aspects of local development.

There is currently no agreed mechanism at the local level to obtain the support of NGOs, and policy makers and NGOs can use this research as a guideline to build an effective mechanism connecting all parties with local government, CBOs, people at the local level, intellectuals, professionals, private sector and NGOs can work together at the local level in developing and implementing policy on local development.

Future researchers can expand and continue this research in other provinces and include other local government bodies as well to find out the possibilities of promoting NGO involvement at the local level.

10.9. Final remarks

The findings of this research reveal that throughout its history, local government reforms and decentralisation efforts have failed in Sri Lanka for many of the reasons outlined in this thesis. The influence of nationalist groups and the hesitations of post-independence rulers to decentralise power are some of the

major impediments to progress. There were no demands from the majority ethnic group for decentralisation and they have been accepting of the unitary state structure of the country for a long period of time. This is a prominent feature of Sri Lankan political culture. The demand for decentralisation has always arisen from ethnic minorities, especially from Tamils. Alongside this, local government reforms and decentralisation efforts have tended to come from the top rather than from a concern with the actual needs of those at the bottom. Central government has planned such reforms periodically, but when these reforms have shown the potential to empower people at the local level, the government has tended to withdraw its support. In this way, over decades central government has tended to use local government as a means to strengthen the centralised power structures. In this context, people have acquiesced to a highly centralised governing structure which has consistently neglected the local communities by concentrating power at the centre. People at the local level continue to be characterised by a lack of power, funds, resources and especially a lack of knowledge about how to advance their demands.

Sri Lankan politics has been shaped by the post-tsunami and post-war situations where central government has dominated most of the reconstruction work, controlling aid and its management and distribution. National security and stability has been a significant political theme, especially after the war. The military has been promoted and given a high level of recognition within the administration. The present Sri Lankan political leadership's attempt to remain in power through promoting the military and patriotic nationalism is significant. In this context, the government is less concerned with human rights and democratic governance. In turn, it has imposed restrictions on the work of rights-oriented NGOs. Yet at the same time, the government has welcomed development-oriented NGOs which do not raise the same concerns.

This research began with the recognition of a clear need to empower the local level by connecting local government and local communities in order to overcome difficulties and to fulfil development needs. Central government has consistently withdrawn from initiatives to empower local government. Local government itself, and the people it represents, lacks the resources to advance local interests. NGOs do have potential in this regard. They have been identified here as having the capacity to empower local government in pursuit of local development through

encouraging people's participation in local policy planning. Although NGOs have this potential, this research also reveals that there are challenges. Most of these challenges, again, are connected with central government control over foreign aid and NGOs. But such problems again can be resolved by empowering local government bodies to use their remaining functions and power to obtain NGO support directly. Despite their political party affiliations and provincial differences, the potential for many local government representatives to obtain NGO support and work for local communities is encouraging. After empowering local government and people in this way, it can be expected that reforms will emerge from the local level to address the actual needs of communities, which will challenge further the highly centralised power structures in Sri Lanka.

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Appendix I

Sri Lanka: location in world map



Source: 'Where is Sri Lanka Located on the World Map?' (n.d.)
<http://www.freeworldmaps.net/asia/srilanka/location.html>, accessed 23-12-2013.



Source: 'Indian Subcontinent' (n.d.)
<http://www.worldatlas.com/webimage/countrys/asia/indiansub.htm>, accessed 23-12-2013.

Appendix II

Sri Lanka: provincial map



Source: 'Sri Lanka Map' (n.d.) <http://www.mapsofworld.com/sri-lanka/>, accessed 23-12-2013.

Appendix III

Sri Lanka: district map



Source: 'Maps' (n.d.) http://www.jaffnahistory.com/Maps/North_West_Gallery.html, accessed 23-12-2013.

Appendix IV

Respondents

Southern province

Local government representatives:

1. Mr Methsiri De Silva, Mayor (UPFA), Galle Municipal Council
2. Mr Nimalchandra Ranasinghe, Representative (UNP), Galle Municipal Council
3. Mr Upul Nishantha, former Mayor, Matara Municipal Council
4. Mr Mohammad Nabavi, Opposition Leader (UNP), Matara Municipal Council
5. Mr Jayantha Pathirana, Representative (JVP) Matara Municipal Council
6. Ms K.H. Thakshila Damayanthi, Representative (UPFA), Weligama Urban Council
7. Mr Padmasiri Ediriweera, Opposition Leader (UNP), Weligama Urban Council
8. Mr D.A. Gamini, Opposition Leader (UNP), Hambantota Urban Council
9. Mr S. Mubarak Maulana, Deputy Chairman (UPFA), Hambantota Urban Council
10. Mr Anura Amarasiri Narangoda, Chairman (UPFA), Baddegama *Pradeshiya Sabha*
11. Mr Manjula Liyanage, Representative (UNP), Baddegama *Pradeshiya Sabha*
12. Mr Nandasiri Ranathunga, Chairman (UPFA), Suriyawewa *Pradeshiya Sabha*
13. Mr M.D. Indika Thushara, Opposition Leader (JVP), Suriyawewa *Pradeshiya Sabha*

Provincial council members:

14. Rev. Baddegama Samitha Thero, Representative (UPFA), Southern Provincial Council

Administrative officials:

15. Mr H.G.K. Jagath Kumara, PHI Officer, Matara Municipal Council

16. Mr L.H.A.C. Kumara, Assistant Director-Planning, Weligama Divisional Secretariat
17. Ms Rupika Rajakaruna, NGO Coordinating Officer, Galle District Secretariat
18. Mr Saman Pandikorala, Provincial Local Government Commissioner, Provincial Local Government Commission, Southern Province
19. Mr Dileepa De Silva, Technical Officer, Galle Municipal Council
20. Mrs Niroscha Kumari Herath, Community Development Officer, Weligama Urban Council
21. Mr H.A. Sisira Rohana, Project Manager, Solid Waste Management Project, Hambantota Urban Council
22. Mrs H.I.G. Shirani Pushpakumari, Assistant Director-Planning, Baddegama Divisional Secretariat
23. Mr M.K. Pradeep Kumara, Assistant Director-Planning, Suriyawewa Divisional Secretariat

Eastern province

Local government representatives:

24. Mr George Pillai, Deputy Mayor (UPFA), Batticaloa Municipal Council
25. Mr K. Selvarajah, Chairman (TNA), Trincomalee Urban Council
26. Mr N. Noormohamad, Representative (UPFA), Trincomalee Urban Council
27. Mr S. Sanoon, Representative (UNP), Trincomalee Urban Council
28. Mr S.L.M. Jawadullah, Chairman (UPFA), Kinniya *Pradeshiya Sabha*
29. Mr Rassaiya Chandrasena, Chairman (UNP), Lahugala *Pradeshiya Sabha*
30. Mr J.S.D.M. Ravin Niroschan Kumara, Opposition Leader and former Chairman (UPFA), Lahugala *Pradeshiya Sabha*

Administrative officials:

31. Mr Subash Ponnampereuma, NGO Coordinating Officer, Trincomalee District Secretariat
32. Mr Rahuman, Revenue Supervisor, Kattankudy Urban Council
33. Mr Abul Hassan, Administrative Officer, Kalmunai Divisional Secretariat

34. Mr Mohamad Mussil, Assistant Director-Planning, Kinniya Divisional Secretariat

35. Mr A.R. Subair, Secretary, Kinniya *Pradeshiya Sabha*

CBO representatives:

36. Rev. Panama Chandarathana Thero, the Chief Priest of Panama Buddhist temple, the Principal of the Panama school, and the Leader of the movement to protect Panampaththuwa

National level

Parliament members:

37. Mr Joseph Michael Perera, MP (UNP), Gampaha District

Administrative officials:

38. Mr Gamini Gunasekara, Commissioner, Kaduwela Municipal Council

39. Mr D.P. Hettiarachchi, Retired Administrative Officer, Ministry of Local Government and Provincial Councils; and Consultant, EML Consultants

40. Mr M.L. Sunil Fernando, Advisor, Policy Division, Ministry of Local Government and Provincial Councils

NGOs

NGO officials:

41. Mr Lal Induruwage, Project Director, Local Government Infrastructure Improvement Project (LGIIP), ADB-Sri Lanka

42. Mr Rajendrakumar Ganesarajah, Local Governance Advisor, Local Governance Project, UNDP-Sri Lanka

43. Mr Jayantha Wickramanayake, Senior Technical Advisor – Local Government Policy Planning, Asia Foundation, Sri Lanka

44. Mr Abul Kalam, Programme Manager, Supporting Regional Governance Programme (SuRG) of USAID

45. Mr Sisira Wijesundara, Team Leader, CARE International – Hambantota Office

46. Ms Nauli Wimalarathna, Consultant, Transparency International-Sri Lanka

47. Ms Sriyanie Wijesundara, Contact Person, Governance and Anti-Corruption Programme, Centre for Policy Alternatives (CPA)

Appendix V

Interview schedules

Interview schedule I (for political representatives)

Main issues and question areas:

Part I: Local government and decentralisation

- 1) Respondent's political history and responsibilities:
 - the length of time the respondent has been involved in local politics
 - the institution with which they are most closely associated
 - the period of time they have been with that institution
 - in what capacity they have been / are involved
 - the scope and range of the institution's responsibilities
 - the respondent's role in the institution
- 2) Dealing with local matters:
 - the independence in working on local matters
 - the extent to which power has been decentralised
 - the influences of central government
 - independence in decision making
 - respondent's understanding of good governance and local democracy
 - knowledge of constitution and relevant local government legislation
 - the relations with local administrative bodies

Part II: NGOs and peoples' participation

- respondent's perceptions of working with NGOs

- respondent's views of their effectiveness, ideas from the local people, the funding supplied by NGOs
- the impact of NGOs on how local people participate in local policy process
- the pathways available to local people to participate in local policy process
- CBOs in the area and their work
- the effectiveness of CBOs
- the impact of external influences
- the contribution of the ideas of local people on decision making at the local level

Part III: Local development

- respondent's understanding about local development
- sources of funding for local development
- the capacity to make decisions locally
- respondent's understanding of local needs and difficulties
- the role of central and provincial government in local development
- dependence on foreign support

Interview schedule II (for administrative officials)

Main issues and question areas:

Part I: Local government and decentralisation

- respondents' perceptions of whether there are sufficient powers for the institution
- ability of the institution to make decisions on local matters
- relations and links with local government bodies
- differing approaches to local issues
- involvement in local policy process
- respondent's views on good governance and local democracy

Part II: NGOs and peoples' participation

- respondent's perceptions of working with NGOs
- respondent's views of the work of NGOs
- the funding supplied by NGOs
- the impact of NGOs on how local people participate in local policy process
- the pathways available to local people to participate in local policy process
- CBOs and their work
- the effectiveness of CBOs
- the external influences and the impact they have
- the contribution of the ideas of local people on decision making at the local level

Part III: Local development

- respondent's understanding about local development

- sources of funding for local development
- the capacity to make decisions locally
- respondent's views on local needs and difficulties
- the role of central and provincial government in local development
- dependence on foreign support

Interview schedule III (for NGO officials)

Main issues and question areas:

Part I: Local government and decentralisation

- respondent's institutional contacts with local political and administrative authorities
- ability of the NGO to make decisions on local matters
- support of the local political and administrative bodies
- involvement in local policy process
- respondent's views on good governance and local democracy
- the independence in working on local matters
- respondent's perceptions on current decentralised power and its sufficiency to empower local people
- involvement to increase the local decentralised power

Part II: NGOs and peoples' participation

- relations with the other NGOs
- CBOs in the area, their work and the effectiveness of CBOs
- the pathways available to local people to participate in local policy process
- the ways of empowering local people
- the contribution of the ideas of local people on decision making at the local level
- suggestions to improve the peoples' participation in the local policy process

Part III: Local development

- respondent's understanding about local development
- the local development projects which the NGO handle in the area
- sources of funding for local development projects
- the capacity to make decisions locally
- respondent's views on local needs and difficulties
- peoples' participation in local projects
- the role of central and provincial government in local development

Appendix VI

Foreign-funded projects

1. Partnership programme between the county councils of the United Kingdom and the tsunami-affected local government bodies

After the 2004 tsunami, several British delegations visited Sri Lanka and became involved in rehabilitation within the tsunami-affected areas. Discussions between the Ministry of Provincial Councils and Local Government, the Commonwealth Local Government Forum and UK city councils and consortia resulted in the following partnerships: Colombo district with the Leeds city council; Galle district with the Merseyside consortium; Matara district with the Suffolk consortium; Ampara district with the Staffordshire consortium; Batticaloa district with the Kent consortium; Trincomalee district with the Scotland consortium; and Mullaitivu district with the Essex consortium.¹⁰⁸³

2. North East Irrigated Agriculture Project (NEIAP)

This was a WB-funded five-year (2000-2004) project implemented by the Ministry of Provincial Councils and Local Government, and the north east provincial council.¹⁰⁸⁴ It aimed to help conflict-affected communities to restart agricultural activities, and to build their capacity for sustainable social and economic reintegration.¹⁰⁸⁵ The cost of the project was US\$32.4 million.¹⁰⁸⁶

3. North East Community Restoration and Development Project-I (NECORD-I)

The ADB, Organisation of the Petroleum Exporting Countries (OPEC), and the governments of Germany and Netherlands funded this project. The governments of Norway and Finland supplied grants. The project period was five years, commencing in 2002.¹⁰⁸⁷ The Ministry of Provincial Councils and Local

¹⁰⁸³ *Performance-2005 & Future Plans-2006*, Ministry of Provincial Councils and Local Government, Colombo-02, p. 19.

¹⁰⁸⁴ *Ibid.*, p. 23.

¹⁰⁸⁵ 'North-East Irrigated Agriculture Project' (n.d.)

<http://www.worldbank.org/projects/P058070/north-east-irrigated-agriculture-project?lang=en>, accessed 20-06-2013.

¹⁰⁸⁶ *Performance-2005 & Future Plans-2006*, p. 23.

¹⁰⁸⁷ *Ibid.*, p. 24.

Government was the executing agency of this project.¹⁰⁸⁸ The goal of the proposed project was to contribute to the government's overall relief and rehabilitation programme for the north east of Sri Lanka by improving the living conditions and well-being of communities affected by the on-going ethnic conflict. The sectors included in the project scope were health, education, water supply and sanitation, agriculture (including irrigation and fisheries), shelter, roads to a limited extent and income generation.¹⁰⁸⁹ The cost of the project was US\$85.4 million.¹⁰⁹⁰

4. North East Emergency Reconstruction Programme (NEERP)

This was WB-funded two-year project (2003-2004) implemented by the north east provincial council. This project was launched to assist the north east provincial council in carrying out a programme of rehabilitation and reconstruction in the war-affected areas, including assisting in the rehabilitation of internally displaced persons (IDPs), restoring primary health care and water supplies and building institutional capacity within the north east provincial council to implement long-term reconstruction activities. The cost of the project was US\$40 million.¹⁰⁹¹

5. Conflict-Affected Area Rehabilitation Project (CAARP)

This was an ADB-funded four-year project (2004-2007). The Ministry of Provincial Councils and Local Government was the executing agency while the Road Development Authority (RDA), Ceylon Electricity Board (CEB), National Water Supply and Drainage Board and the north east provincial council were the implementing agencies.¹⁰⁹² The objective of the project was to rehabilitate essential infrastructure and to improve living conditions in the areas most affected by the conflict. The project cost was US\$106.9 million.¹⁰⁹³

¹⁰⁸⁸ *Sri Lanka: North East Community Restoration and Development Project: Completion Report* (2009) Asian Development Bank, p. 1 (http://reliefweb.int/sites/reliefweb.int/files/resources/5C82DE495A6BAF60492576BD000D8D5E-Full_Report.pdf, accessed 20-06-2013).

¹⁰⁸⁹ 'North East Community Restoration and Development Project' (n.d.) <http://www.adb.org/projects/34442-013/details>, accessed 20-06-2013.

¹⁰⁹⁰ *Performance-2005 & Future Plans-2006*, p. 24.

¹⁰⁹¹ *Ibid.*, pp. 25-26.

¹⁰⁹² *Ibid.*, p. 26.

¹⁰⁹³ *Democratic Socialist Republic of Sri Lanka: Conflict-Affected Area Rehabilitation Project: Completion Report* (2012) Asian Development Bank, p. 1 (<http://www.adb.org/sites/default/files/projdocs/2012/37245-013-sri-pcr.pdf>, accessed 20-06-2013).

6. North East Community Restoration and Development – Extension Project (NECORD-Ext)

This project was ADB-funded and scheduled for two years (2004-2006). It was initiated in the north and east to rebuild and reconstruct the damaged and destroyed infrastructure from the war. This programme also monitored community restoration in the north and east. The objective of the project was to rapidly improve the living conditions and well-being of a significant number of people in areas badly affected by conflict. The project initiated mutual understanding among communities to support the peace process.¹⁰⁹⁴ The ADB provided US\$10,000 thousand loan for this project.¹⁰⁹⁵

7. Public Work Restoration and Rehabilitation of Line Drainage Systems in Tsunami-Affected Local Government Roads

This was a one year (2005-2006) project funded by the Japan Fund for Poverty Reduction (JFPR) and ABD. It was implemented in the northern, eastern and southern provinces. The project's executing agency was the Ministry of Local Government and Provincial Councils.¹⁰⁹⁶ The primary objective of the project was to improve the quality of life for tsunami-affected poor people through a cash-for-work programme that generated income for these people. The project also aimed to rehabilitate line drainage systems of the tsunami-affected local government roads, thereby restoring local road networks.¹⁰⁹⁷ The total fund allocation to the programme was Rs.200 million.¹⁰⁹⁸

8. Establishment of the National Solid Waste Management Supporting Centre

This was established in 2007. With the assistance and technical support of JICA, the Ministry of Local Government and Provincial Councils was able to establish a central coordination mechanism for solid waste management to address local

¹⁰⁹⁴ *Performance-2006 & Future Plans-2007*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 50.

¹⁰⁹⁵ 'North East Community Restoration and Development - Extension Project' (n.d.) <http://www.adb.org/projects/38111-013/main>, accessed 21-06-2013.

¹⁰⁹⁶ *Performance-2006 & Future Plans-2007*, p. 56.

¹⁰⁹⁷ 'Public Work Restoration and Rehabilitation of Line Drainage Systems in Tsunami-Affected Local Government Roads' (n.d.) <http://www.adb.org/projects/39183-012/details>, accessed 21-06-2013.

¹⁰⁹⁸ *Performance-2006 & Future Plans-2007*, p. 56.

government level needs. JICA assisted this with a four-year support to launch a capacity upgrading project. JICA also provided support to establish night soil treatment units in 77 local government areas.¹⁰⁹⁹

9. Road Sector Assistance Project (RSAP) – Rural Road Component

This WB-funded five-year project (2005-2011) was implemented by the Ministry of Provincial Councils and Local Government. A pilot project for the maintenance and improvement of 635km of rural roads and small bridges about 400m long in selected nine *Pradeshiya Sabhas* in the southern, north central and Uva provinces was established with a view to improving rural accessibility through a low cost labour base construction approach. The total allocation of the funds for this project was US\$10.04 million.¹¹⁰⁰

10. JICA South CAP Project

This was a four-year (2007-2011) bilateral cooperation project between Sri Lanka and Japan implemented with the support of the Ministry of Local Government and Provincial Councils, southern provincial council and the Hambantota district secretariat. Under this project nine *Grama Niladhari* (GN) divisions in three divisional secretariat areas were selected to develop programmes with the participation of Japanese experts.¹¹⁰¹ The objective of the project was to increase the income and livelihood of the people in these areas. Identification of development needs and priorities of the villagers were to be obtained through conducting workshops. This became the Community Approach Programme (CAP), for participatory rural development.¹¹⁰² This project was implemented by the southern provincial council with close cooperation with the district secretariat of Hambantota.¹¹⁰³

¹⁰⁹⁹ *Performance-2007 & Future Plans-2008*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 13.

¹¹⁰⁰ *Ibid.*, p. 34.

¹¹⁰¹ *Performance-2008 & Future Plans-2009*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 26.

¹¹⁰² 'JICA Project on Rural Livelihood Improvement in Hambantota District' (n.d.)

<http://www.jica.go.jp/srilanka/english/office/topics/press11.html>, accessed 22-06-2013.

¹¹⁰³ *Ibid.*

11. Disaster Response Network Project – Phase-II¹¹⁰⁴

The Ministry of Local Government and Provincial Councils and the Ministry of Disaster Management and Human Rights implemented this project. This aimed to upgrade the disaster response network of 18 local government bodies and establish tsunami early warning system under phase-I of the project. Phase-II was an extension of phase-I. Under phase-II, additional equipment was provided to 18 fire stations established under phase-I, and a further two fire stations and 25 early warning towers were constructed, and set up with a communication system for vehicles and equipment. Established also were 15 district disaster management coordinating units and a disaster management coordination operation centre in Colombo. Rabobank of the Netherlands provided a loan facility of Euro 24.9 million for this project.¹¹⁰⁵

12. Eastern and North Central Provincial Road Project

This ADB-funded project started in 2010 and was scheduled to be completed in 2012. The Ministry of Highways and Road Development, the Ministry of Local Government and Provincial Councils, and the Ministry of Finance were involved. Through this project, the road network in the eastern and north central provinces was improved. The institutional capacity improved in line with the devolution process. Provincial roads were reconstructed and improved, and selected bridge links were rebuilt or replaced. Project management training and institutional development programmes were implemented.¹¹⁰⁶ For the first and second phases of the project, ADB funded US\$70 million and the government funded US\$8 million. For the third phase, ADB funded US\$800,000 and the government funded US\$150,000.¹¹⁰⁷

¹¹⁰⁴ *Performance-2009 & Future Plans-2010*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 5.

¹¹⁰⁵ 'Netherlands helps Disaster Response Network' (n.d.)
http://www.priu.gov.lk/news_update/Current_Affairs/ca200912/20091218netherland_helps_disaster_response_network.htm, accessed 21-06-2013.

¹¹⁰⁶ *Sri Lanka: Eastern and North Central Provincial Road Project: Draft Design and Monitoring Framework* (2009) Asian Development Bank,

<http://www.adb.org/sites/default/files/projdocs/2009/39619-SRI-DMF.pdf>, accessed 22-06-2013.

¹¹⁰⁷ *Ibid.*

13. North East Coastal Community Development Project (NECCDEP)

This was ADB-funded. Following the tsunami in 2004, funds from the Tsunami-Affected Areas Rebuilding Project (TAARP) were approved and in early 2005, were channelled for disbursement through several existing and planned projects in affected districts, including NECCDEP. The goal of this project was to reduce poverty and meet basic needs in coastal communities in the three districts of the eastern province. The project purpose was sustainable livelihood improvement and the sound management of natural resources. The most vulnerable communities were prioritised for support early in the project. The focus was particularly directed at women, given the high number of households headed by them in the conflict- and tsunami-affected areas. The total project cost estimate was US\$28.4 million.¹¹⁰⁸

14. Secondary Towns and Rural Community-Based Water Supply and Sanitation (STRCBWSS) Project

This ADB-funded project was approved in December 2002 with an estimated project completion by March 2009. The executing agency for this project was the National Water Supply and Drainage Board, under the Ministry of Urban Development and Water Supply. The goal of the STRCBWSS project was to contribute to poverty reduction efforts and promote human development by improving access to safe water and sanitation for poor populations, thereby decreasing waterborne diseases and related costs which amounted to both financial concerns and time spent by women caring for sick family members. The project objectives were to provide safe water and sanitation to people in urban and rural areas of the north central and north east provinces and to increase the capacity of the government to provide safe water by strengthening the water sector institutions. The project cost was estimated at US\$86.4 million.¹¹⁰⁹

15. North East Community Restoration and Development Project-II (NECORD-II)

The ADB-funded NECORD-II was scheduled for a period between 2005 and 2010. The main objective of the project was to improve the living conditions and

¹¹⁰⁸ Thomas, H.T. and Hunt, J. (2010) *Gender equality results in ADB projects: Sri Lanka country report*, Mandaluyong City, Philippines: Asian Development Bank, p. 7.

¹¹⁰⁹ *Ibid.*, p. 21.

well-being of a significant number of people in the conflict-affected areas of the north east by restoring basic social infrastructures, community and public services, and livelihood. Components included support to reconstruct or improve facilities in the following areas: health and education; water supply and sanitation; access roads; village development (establishing community-based organisations [CBOs] and general social mobilisation and provision of basic shelter in conflict-affected communities returning after displacement); irrigation; livelihood training; improvements to agriculture and livestock livelihoods; urban development; and institutional development and capacity building. The estimated total project cost was US\$55 million.¹¹¹⁰

16. Tsunami-Affected Areas Rebuilding Project (TAARP)

This was ADB-funded and scheduled between 2005 and 2009. The objective of TAARP was to improve the living conditions and well-being of a significant number of people in the tsunami-affected areas by restoring basic social infrastructure, community and public services, and livelihood. TAARP addressed the needs of tsunami-affected people through funding numerous sub-projects in a variety of sectors selected and formulated in response to requests from communities and the government. The estimated total cost for this project was US\$249.3 million. Both NECORD-II and TAARP were implemented through project management units already established under the first phase of NECORD. A project coordination committee was established with representation from government ministries and agencies responsible for tsunami-related reconstruction and rehabilitation, the chief secretaries of the southern and north east provincial councils, ADB project directors and others as appropriate.¹¹¹¹

17. Improving Connectivity to Support Livelihoods and Gender Equality Project¹¹¹²

This project is supported by a grant of US\$3 million from the JFPR through the ADB. It is linked to the Eastern and North Central Provincial Road Project financed by the ADB, and is implemented in the Anuradhapura, Polonnaruwa, Trincomalee and Batticaloa districts in 27 *Pradeshiya Sabha* areas which have

¹¹¹⁰ *Ibid.*, pp. 33-34.

¹¹¹¹ *Ibid.*, p. 34.

¹¹¹² *Performance-2010 & Future Plans-2011*, Ministry of Local Government and Provincial Councils, Colombo-02, p. 50.

been selected according to set criteria. The project period is from 2009 to 2012. The Ministry of Local Government and Provincial Councils is the executing agency and the commissioners of local government (CLGs) provide coordination at the provincial level. The primary objective of the project is to improve the quality of life for conflict-affected and isolated rural poor communities, especially women, through a community-driven, participatory livelihood development programme linked to the rehabilitation and maintenance of rural access roads.¹¹¹³

¹¹¹³ 'Improving Connectivity to Support Livelihoods and Gender Equality', <http://www.adb.org/projects/39619-022/main>, 22-06-2013.

Appendix VII

Lists of NGOs provided by the district secretariats

NGOs and their work in Hambantota district secretariat area

1. Action Aid: livelihood support
2. ADRA: provide housing, water and sanitation
3. Alliance Development Trust: livelihood support
4. Arbeiter-Samariter-Bund Deutschland: work to relax tensions between ethnic groups, promote lasting peace, provide financial support
5. Basic Needs: mental health care and development
6. BRAC-Sri Lanka: livelihood support
7. CARE International: livelihood support
8. Child Fund-Sri Lanka: child protection
9. CHA: humanitarian assistance
10. EMI: disaster management
11. FORUT: benefits for children, women and the poor
12. Friends International: establish pre-schools, provide vocational training
13. Green Movement: environmental protection
14. Handicap International: establish centres for disabled
15. Help Age-Sri Lanka: provide livelihood and shelter for elders
16. Janasuwaya Community Development Foundation: help the poorest of the poor
17. Leads: community development
18. Malteser International: support vulnerable and marginalised communities
19. Nawajeewana: provide housing
20. New Era: eco-agriculture development
21. OXFAM-Australia: livelihood support
22. Practical Action: disaster management
23. Ruhuna Wellassa Area Foundation: livelihood support
24. *Samaja Niyamaka Padanama*: micro-finance
25. Save the Children: child protection
26. Saviya Development Foundation: community empowerment
27. Sewa Lanka Foundation: micro-finance, promote home gardening

28. Shilpa Children's Trust: sponsorship, micro-finance
29. Smile Lanka: establish pre-schools, sponsorship, educational support
30. Sri Lanka Solidarity: promote home gardening
31. Sri Lanka Sumithrayo: counselling
32. Stromme Foundation: educational support
33. Unity and Cooperation for Development of Peoples: improve children's tools for resilience giving them the chance to express their needs and fears, help them to cope with situations and to play their part in the society
34. VSO: mental health care, help disabled, promote participation and governance
35. Water Mission: water purification
36. WDF: educational support
37. World Vision: establish pre-schools, sponsorship, educational support
38. WUSC: support marginalised women and youth (build skills, create employment and generate income)
39. YES Foundation: assist youth, women and children

Source: Details provided by the NGO coordinating office, Hambantota district secretariat.

NGOs and their work in Trincomalee district secretariat area

1. ACTED: strengthen CSOs, infrastructure development, livelihood support, conflict mitigation
2. Adventist Development and Relief Agency: provide shelter and sanitation
3. AHAM: agriculture and livelihood support
4. Alliance Development Trust: livelihood support, provide sanitation
5. Assembly of Social Mobilisation: livelihood support, provide sanitation
6. Child Development Fund: livelihood support
7. Danish Refugee Council: construct toilets, provide sanitation
8. Eastern United Women's Organisation: training programmes
9. EHED/Caritas: provide shelter, livelihood support
10. Good Neighbours: community development
11. Handicap International: help disabled
12. IOM: livelihood support
13. KPMCC: child protection
14. Malteser International: water supply and rehabilitation
15. Muslim Aid: construct toilets and wells
16. Norwegian Refugee Council: provide shelter
17. OfERR Ceylon: provide shelter, livelihood support
18. OXFAM GB: provide sanitation, socio-economic development
19. Peace Winds-Japan: provide shelter
20. Sarvodaya: livelihood support
21. Save the Children: child protection, livelihood support
22. Sewa Lanka Foundation: provide shelter, socio-economic empowerment
23. Trincomalee District Development Association: child protection
24. UMCOR: provide shelter, livelihood support
25. Women and Child Care Organisation: support for health care, agriculture and education
26. World Concern: livelihood support
27. World Vision Lanka: support for health care, agriculture and sanitation
28. ZOA Refugee Care-Netherlands: provide shelter, promote agriculture, livelihood support, construct toilets

Source: Details provided by the NGO coordinating office, Trincomalee district secretariat.

NGOs and their work in Batticaloa district secretariat area

1. ACTED: socio-economic empowerment of conflict-affected communities
2. Alliance Development Trust: livelihood assistance, water supply by bowsers
3. arche noVa: clean wells, construct tube wells, water supply systems and urinal toilets for schools and IDP camps, hygiene promotion activities for schools and IDP camps, construct wells for schools and public
4. Arbeiter-Samariter-Bund Deutschland: strengthen CBOs and district secretariat staffs
5. BRAC-Sri Lanka: establishment of a livelihood support programme (micro-finance programme)
6. CARE: promote women-headed households for development and peace (relationship building, livelihood assistance such as micro-finance and village level small infrastructure renovation, emergency preparedness and research and pilot surveys to investigate issues in areas)
7. CHA: humanitarian assistance
8. Child Fund: help deprived, excluded and vulnerable children, and child rights protection
9. Eastern Self-Reliant Community Awakening Organisation: post-tsunami assistance, provide health care and educational support
10. EHED/Caritas: disaster relief
11. FPA Alokaya Resource Centre: provide reproductive health care education
12. Habitat for Humanity: upgrade permanent shelter for IDPs and poor
13. Handicap International: establishment of a physical rehabilitation centre, and a centre for accessibility monitoring information on disability
14. Help Age-Sri Lanka: work with elders (provide livelihood and shelter)
15. IOM: livelihood support, infrastructure development, provide housing, agricultural development
16. JEN: construct agro wells
17. MAG: de-mining work
18. MENCAFEP: help children and young people with disabilities
19. Muslim Aid: micro-finance
20. Nonviolent Peaceforce: peace awareness programme, human security support, train unarmed civilian peace keeping

21. Norwegian Refugee Council: provide temporary shelter, construct common wells, toilets and houses for IDPs, help for resettle people, provide information, counselling and legal assistance
22. OfERR Ceylon: improve and develop the lives and well-being of refugee returnees from India and IDPs
23. OXFAM-Australia: support for food security, livelihood, community capacity building, human security and conflict mitigation
24. OXFAM GB: water supply and sanitation, livelihood support, support for public health care, agriculture and small enterprises
25. People In Need: train pre-school teachers
26. Practical Action: livelihood support, infrastructure development and disaster management
27. Rural Development Foundation: support for relief, rehabilitation and resettlement, build peace among communities, promote gender equality and socio-economic development (awareness programmes on income generation, saving and training)
28. SAREERAM: micro-finance
29. Sarvodaya: disaster relief
30. Save the Children: community-based child protection programme, new born child survival, basic and early childhood education, and disaster risk reduction activities
31. Sewa Lanka Foundation: build capacities of CBOs, livelihood support (fishing and agriculture), infrastructure development, relief, rehabilitation and psycho-social development
32. SOND: institutional capacity building for CBOs and NGOs, development programmes for children and elders, peace building programmes
33. SOS: help children, establish pre-schools, strengthen families
34. Surangani Voluntary Services: help children
35. Terre Des Hommes: promote psycho-social activities and child protection
36. UMCOR: shelter programme
37. VoVCOD: livelihood support, provide shelter, construct toilets
38. World Vision: disaster risk reduction, support for economic development, education and health
39. WUSC: vocational training

40. ZOA Refugee Care-Netherlands: emergency response and community rehabilitation (upgrade shelter, provide food, livelihood support, educational support), tsunami rehabilitation (provide shelter, health training, toilet construction), emergency relief and early recovery, address food security, build capacities of local NGOs and CBOs

Source: Details provided by the NGO coordinating office, Batticaloa district secretariat.