DECENTRALISATION AND DEVOLUTION IN SRI LANKA: ADMINISTRATIVE AND POLITICAL DIMENSIONS.

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1. Decentralisation and Devolution

Decentralisation is a complex subject with numerous dimensions. It has been recognised as an integral element in a country's development and administration process. Decentralisation involves the Government, the individual and the community and the process of administration. The word 'decentralisation' has been defined as the tranfer of authority to plan, to make decisions and manage public functions from the national to any individual organisation or agency at the subnational level (Rondinelli, 1981). Decentralisation as a process embraces both devolution and deconcentration, the term deconcentration being used in the conventional sense of a delegation of authority by Central Government Ministers to their field offices at the periphery (Hentry Maddivk 1975). It is also being defined as a state or condition where there is a disposal of power and authority, and where decisions are made at various points outside the centre i.e. region or local areas.

Organisational arrangements for such transfer of authority are varied and give rise to three different forms of decentralisation. They are deconcentration, devolution and delegation. While deconcentration means the transfer by the Central Government its authority to the field units of the Central Government; devolution involves the transfer of centralised authority to the subordinate units or levels of government; delegation denoted the transfer of authority to semi-autonomous public authorities as well as to area regional and functional authorities.

Decentralisation is the process of change with power sharing and decision making taking place simultaneously through different institutions at different levels and in respect of different functions of government and administration. However it is also necessary to examine the major components or characteristics involved in decentralisation. They are:

1. Functional activities over which authority is transferred
2. Type of authority or power transferred in regard to the above
3. The level of area to which authority is transfered
4. The legal and administrative means by which authority is transferred.

Therefore, decentralisation as a policy, often caters to different objectives, depending upon the interests involved. Thus there can be different types of objectives, but it is important to note that decentralisation itself concerns such complex objectives as organisational effectiveness, programme co-ordination, people's participation and resource mobilisation.

The need for Decentralisation arises from two sets of pressures; firstly, the central planning and development do not match actual local needs of the people. Even though the public service is formed to alleviate the conditions of the poor, it never reaches the intended target groups. There is lack of understanding between the top officials and the rural poor. Secondly, the pressure for achieving certain types of social and poltical reform to develop unity in diversity and give recognition to and strengthen cultural practices, institutions and aspirations based on ethnic language and religious groupings. These two sets of pressures explain the long history of local system of administration in the country. After independence significant factors began to emerge to challenge such perceptions. It was accepted that centralised form of administrative development was not the answer to the country's economic problems. This realisation was further buttressed by the multinational character of Sri Lanka society and also evident geographical and cultural differences among the people. In addition more than 75% of the population lived in rural areas and agriculture continued as the main setor of the economy. The frustration among the youths and their uprising in 1971 brought social unrest in the country. All these factors pointed to the need for decentralised admisistration for development as well as to deal with ethnic issues. Due to the ethnic problem the country faces a new and insistent imperative for decentralisation, one which is much stronger than its need for economic development has emerged now (Navaratne 1989).

In consideration of the contraints of decentralisation there is opposition arising from the very nature of the concept the reluctance of a superior Central Government to devolve too far its own authority. The second type of obstacle arises from the very nature of the technological advances that are becoming common place in modern society and from the need to plan the allocation of limited resources in a competitive world (Subramaniam, 1978). The third type of obstacle stems from the need to maintain national integrity specially in countries that are subject to presures of an ethnic, religious and tribal nature. The desire on the part of the rulers to preserve a national identity can place severe constraints on decentralisation, because of a fear that it can lead to a weakening of national unity and eventual disintegration.

In the plural society in Sri Lanka with sub-cultures within it, none of the cultures is alien to one another but they are linked through certain common elements. Until recent times the people's participation was limited to the

political process at both general and local government elections. Decision making and Implementation was highly centralised. There were agitations from the minority groups since the 1930s to decentralise the administration.

In 1931, Donoughmore Commissioners examined the question of Provincial Councils. The Commission said "..................... the argument in favour of the establishment of Provincial Council in each Province is such that a scheme might result in a large part of the administrative work now carried out in the Legislative Council coming into hands of persons permanently resident in the country's districts and thus more directly in contact with their needs ....in members of growing body of politically minded persons in the country being placed in an knowable position to render real assistance in the administration and in an increase in knowledge and capacity of the representatives of lesser local bodies who might be summoned to sit in the Provincial Councils".

In 1940, the late Mr. S. W. R. D, Bandaranayake as the Minister of local government proposed the creation of Regional Councils in nine Provinces and the abolition of the Kachcheri system for the decentralisation of the administration, cultural and economic development. This called for regional and horizontal type of planning compared to sectoral planning. The Minister could not introduce the Bill in the State Council and in his own words — "......... the Bill is ready, but it impinges on the functions of my colleagues in the Cabinet, have to obtain their consent to all the implications of the Bill before I can introduce in the House." (W. Ranasinghe, 1983).

The consultation dragged on without any substantial results: with this the interacial suspicion started and by 1950s it took a new turn with open ethnic conflicts between the races.

In the 1950s there was a growing recognition of the fact that some form of regional / district autonomy should be the response to Sinhala / Tamil problems. In 1955, Choksy Commission recommended the setting up of Regional Committees for transforming the Kachcheries into a system of Regional Council. In order to establish Regional Councils, the then Prime Minister Mr. S. W. R. D. Bandaranayake introduced the Bill in the Parliment. Before the bill was introduced there was an agreement known as Bandaranayake Selvanayagam Pact.

Bandaranayake offered the Federal Party the scheme of regional Councils whereby the Northern Province was to form one regional area, while the Eastern Province was to be divided into two or more regional areas. The Regional Councils were to have a certain measure of devolution with " powers over' specified subjects including agriculture, co - operatives, lands and land development, colonisation, education, health, industries and fisheries, housing and social services, electricity, water schemes and roads". The vexed issue of

land colonisation was also discussed, and it was argued that the Regional Councils were to have power to select personnel to be employed for work on land settlement schemes. Yet another clause in the agreement stated that Tamil should be "the language of administration of the Northern and Eastern Provinces." Territory, land and language - these were the three themes that constituted the crux of the Federal Party demand as well as the focus of Sinhalese Nationalist anger.

The creation of Regional Councils with powers to deal with land settlement was a further attempt in 1957 to decentralise administration and reduce the tension among the different races in the country. Under the pressure from the political extremists the Prime Minister abrogated the pact.

The Tamil community continued to exert pressure on the successive governments to decentralise the administration in order to safeguard the miniority rights of power sharing. Again, the idea of decentralisation came up in 1967, when the Mahatantila Committee recommended to set up District Councils to give more of decision making to the periphery and make room for popular participation. The United National Party Government explained the system and envisaged that "Councils will not be local authorities but would be an extension of central government". It being understood that in the discharge of these functions they were to act under the direction of respective central ministry. This attempt of decentralisation in 1967 follows under the category of delegation of powers from the respective ministries. But the Prime Minister Dudly Senanayake had to abandon this due to opposition from the opposition parties as well as from the public. W. Ranasinghe further amplified,

"....................... The political force that led to changes in the centre periphery relations of administration in SriLanka could be seen more clearly in the attempts made by successive Governments for decentralisation of Administration in order to give more decision making powers to periphery. However, various attempts for decentralisation during the period 1955—1970 have ended up with little success due to various social and political forces" (Suddata W. Ranasinghe, 1983).

The attempts for decentralisation failed miserably with the interruption of ethnic conflict and a cry for separate state for Tamils had been taken up by the militants among the Tamil youths] and therefore it had become necessary for the government to strengthen the hands of the Tamil moderates, the TULF who entered the Parliment in 1977 with Elam cry. The UNP Government in 1978 appointed a Presidential Commission to inquire and report on the existing structure of the local government with a view to ascertain the manner in which economic development activity in a district could be planned. The article 27 (4) of the Constitution of 1978 which provided as follows:-

"................The State shall strengthen and broader the democratic structures of government and democratic rights of the people by decentralising the administration and by affording all possible opportunities for the people to participate at every level in national life and in government ".

The establishment of district development councils by District Development Councils Act. No. 35 of 1980, on the basis of recommendation made by Presidential Commission on development Councils, is a significant land mark in the process of decentralisation in Sri Lanka. It may be broadly viewed as a strategy for decentralised development but it was also considered as at that stage the political solution to Sinhala / Tamil conflict. These councils became the successors, to Town Councils and Village Councils. Effective devolution takes place only when there is acceptance by all. Some political parties did not contest the elections. The Tamil United Liberation Front won most of the seats in Northern and Eastern Provinces. They expected this District Development Councils Act would provide a certain measure of devolution of powers to govern themselves. The District Development Councils of 1981 went a step further in this process by making these district - level institutions elected bodies. This system also made provision for the participation of MPs from the district in DDCs. Hence, there were two sets of elected representatives linked to the district administration in this attempt at decentralisation. The elaborate structure was co - ordinated by a District Minister, who was also an MP from the District. The Government Agent who was in charge of the district, was the chief administrative officer of the set - up.

Therefore a genuine attempt to decentralise powers to the periphery again came to a standstill.

"...............Where regional administration is concerned, the changes introduced into the centre – pheriphery relation of administration have contributed to increased political intervention in the process of extending excutive power of the centre to the pheriphery through different measures of decentralisation. The recent changes that were introduced for the devolution of executive power through District Ministerial System and the District Development Councils should also be considered as a logical extension of past experience."
(Suddata W. Ranasinghe, 1983).

2. Ethno – Regionalism

Sri Lanka gained independence nearly 50 years ago. It has faced the hardships and strains of its plural society. The country experienced a painfully slow economic growth against a growing population with rising expectations, amidst simmering nationalism and tensions between divisive political elites. In short, Sri Lanka has inherently all difficulties of a developing and communally

plural nation. The country's population lived in harmony without communal awareness and hatred in early days. National unity is an important and a key elment as well in order to achieve steady economic growth. Conversely communal disharmony will lead to continuous disturbances in the economy. Therefore, it was of paramount importance for the successive governments to have laid a strong foundation to protect and foster national unity. This could have been ensured through power sharing. In what form and to what extent power sharing could be provided for in the political structure of the country, is the most vexed question in the country today.

Sri Lanka had an estimated population of 15.6 million people in 1988, comprising 74.0% Sinhalese, 12.6% Sri Lankan Tamils, 7.4% Sri Lankan Moors and 5.6% Tamils of Indian origin and 0.26% Burghers. The Colombo district has 11.43% of the total population of which 77.89% are Sinhalese, 9.0% Tamils and 8.0% Muslims. Kandy district has 7.5% of which 75.0% are Sinhalese, 10% Muslims, 9% Indian Tamils and 4% Ceylon Tamils. Trincomalee district has 1.85% of which the percentages of the Sinhalese, Muslims and Sri Lankan Tamils are somewhat equal. Batticaloa District has 2.23% of which 70.8% are Sri Lankan Tamils, 23.9% Muslims and 3.0% Sinhalese. Matara district has 4.33% of which 94.5% are Sinhalese, 2.25% Muslims and 2.16% Indian Tamils. These show that the communal distribution pattern varies from district to district.

In all southern districts more than 90.0% are Sinhalese whereas in the districts in the North and Batticaloa district in the East the Sri Lankan Tamils accounted for more than 75.0%. Heavy concentration of Muslims is found in Amparai district with 42.0% along with Sinhalese 37.65% and Indian Tamils 20.14%. Further, in Trincomalee, Mannar and Batticaloa districts, the Muslims average about 25.0% of the population in each district.

The Indian Tamils comprise 42% of the population in Nuwara Eliya district. Apart from this, the Indian Tamils are scattered all over the Island. The average density of population is 255 person per square kilometre as estimated in 1988. The density is higher towards the southern sector and lower towards the central and dry zone. A relatively high degree of density of population is also observed in the district of Jaffna located in the northern most part of the Island.

The communal pluralism can also be analysed in the pattern of ethno-regionalism in Sri Lanka. The basis for ethno - regionalism is spatial contiguity of homogeneous ethnic clusters. i. e. continuity of a particular race in that region. Sri Lanka has 25 administrative districts within 9 provinces. The pattern of population distribution in the districts can be taken for detail analysis by dividing the ethnic population into clusters. If more than 50.0% of the population of a single ethnic group lives in a district it can be a majority ethnic

population cluster. Likewise we can identify five levels of majority ethnic population clusters ranging from 50.0% — 90.0%. Thus the clustering is measured in terms of the numerical dominance of one ethnic group within a selected group. If we take the 90% limit, Sinhalese are dominant in eight districts, while Sri Lankan Tamils in one District. At 80% — 90 range the Sinhalese command four districts i. e. Puttalam, Kegalle, Kalutara and Ratnapura, while there are no Sri Lankan Tamil dominant districts in this category. In the third category of 70% — 80% two districts namely Mullaitivu and Batticaloa go to Sri Lankan Tamils and three districts namely Colombo, Matale and Kandy go to the Sinhalese. At the fourth level 60% — 70% there is one Sinhalese dominant i. e. Badulla district and one Tamil dominant district i, e. Vavuniya. There is one Sri Lankan Tamil dominant District Mannar and no Sinhalese dominant district in the last category of 50% — 60%.

Generally 95.7% of the total Sinhalese population is geographically concentrated in the two top levels of ethnic clusters. They are dominant in sixteen of the twenty five districts of SriLanka. The northern and eastern provinces together hold 72.6% of the total Sri Lankan Tamil population. The four districts in the northern province and Batticaloa district, in the eastern province account for 63.9% of the total Sri Lankan Tamil population. 27.4% of Tamils live outside the north and east. Neither the Moors nor Indian Tamils have sufficiently large population concentration exceeding 50% of the total population in any specific district. Hence there are no major ethnic clusters of either the Moors or Indian Tamils. 30% of the Moors live in the eastern province while the rest are scattered throughout the Island. The Indian Tamils who were originally brought to the Island by the British colonial rulers to work as labourers in the plantations are concentrated mainly in the central highlands of Sri Lanka.

From the above analysis it is evident that the major ethnic clusters of the Sinhalese have spatial contiguity. The Sri Lankan Tamil dominant clusters form a continuous zone among the four districts of northern province. However, Batticaloa district in the Eatern province which is the other Sri Lankan Tamil dominant district does not have a contiguity with the Northern province. It is cut off from the north by the Trincomalee district in the eastern province. The districts of Trincomalee and Amparai are populated almost equally by the Sinhalese, Sri Lankan Tamils and Muslims. It is apparent that the Sinhalese are in the majority among the the other races and spread out in all parts of the Island. These races must live in harmony, to achieve speedy progress in the development of the economy.

In a plural society like in Sri Lanka, Unity among the different races is important for the country's economic development. National Unity will enhance

the country's image in the rest of the world. If amity can prevail in a country, the chances of getting more and more help from richer countries will improve. But unity among races cannot be ensured by law and constitution alone. Our own history since independence is the best proof of this. Despite 30 years of higly centralised unitary government, we are today in the midst of a civil war and the nation is divided and disintergrating. Therefore, it is necessary to develop conventions, political practices and institutional arrangements that will help and foster national unity. The centralised political and economic approach resulted in not only maladministration but also unequal and lopsided development within the country as resource development was not equitable. Therefore, frustration set in, resulting in a serious racial crisis within the same society where common goals for development leading to interacial unity were disrupted. The Government has recognised this fact and is taking speedy action in order to foster national unity and territorial integrity.

The importance of national unity is now gaining ground in the other parts of the world too. The countries that were divided during the World War II are trying to unite and come under one Government. Germany has already moved towards unity and Korea and Vietnam are at the threshold of unification process. There are clear indications that divison and disunity will never help to aehieve national goals. National unity will give more moral support to the legislators. If we are strong and united, the other countries will not unnecessarily get involved in the internal affairs of the country. The disunity among races will help other countries to get involved for their own benefits. This can be stopped only by strengthening ourselves and bring all the races under one umbrella. The national unity could be brought in, if we all think, as mentioned earlier, we are Sri Lankans. To quote" ....A people is always a community with narrow boundaries. But nation as a rule encompasses a whole array cf different peoples and groups of people who have by more or less violent means been pressed into the frame of a common state" (Rudolph Rocker, 1937).

The practice of power sharing in political systems is by no means a recent phenomenon. In Sri Lanka there are two arguments put forward to explain the nature of power sharing in early days. Michael Roberts has put forward the argument that power both political, social and economic inspired by the Asokan ideal was highly centralised and that even in practice there was very little power sharing until the reforms of the 20th Century by British. However, K. M. de Silva argues the other way that are unification, lack of power sharing in practice are only recent phenomenon in the perspective of Sri Lankan History and is really a prudent of British administrative policy (CSR Publication, 1984).

Power sharing as a democratic right is an inherent aspect of political democracy. This is of recent orign. It was historically linked to the on going

debate during post world war II on (a) the right of self - determination of peoples (b) general ideas of people's participation and grass root democracy. Therefore, power sharing was no longer regarded as only a convenient administrative tool dictated by the realities of power, but was increasingly seen as a collective right of certain groups. The power sharing in modern democracy should come through the Constitutions of the respective countries.

Sovereign power is absolute in one entity, but this power is shared among political institutions. The institutions among which this power is shared as specifically stated in the present Sri Lankan Constitution are:-

a) The Presidency   — Its base of support being " the people " as a Collective Constituency.

b) The Legislative   — Its base of support being " the people " as different Constituencies.

c) The Judiciary   — Its base being the written text of the Constitution.

All these institutions are at the national level, located in Colombo and have centralized function. The minorities are not given the right to share power as a collective group. They normally acquire a ' protected status ' and not ' partnerstatus '. The second model of power sharing is of course the federal state. In such a state the sovereign power itself is shared among several entities which then work out a Constitution. This set up will have many sets of sovereign institutions.

It is like, how in an organisation the chief executive delgates his powers to his subordinates and runs the organisation. Even if he has delegated the powers to the subordinates he is solely responsible for any misuse of power by his subordinates. The same pattern is adopted in a country when the powers are delegated to the periphery for efficient administration. Here also, the chief executive of the country or the minister concerned has to take up the responsibility, if the delegated powers are misused. Delegation of powers will not be constitutionalised. In Sri Lanka after independence in order to bring more people's participation in the administration, ministers delegated their powers to the pheriphery through District Political Authority.

Devolution as defined initially in the Welsh and Scottish context accepts the unitary state concept of unshared sovereignity, but within this scheme of unshared sovereignty, local structures are created to share institutional (not Sovereign) power with the national level institutions of the executive and the legislative. Local level institutions then become part of a scheme of checks and balance, not independent units of power. Further in order to retain the unshared sovereignty national institutions of the President and the legislative

must retain these rights to veto or abort laws and execute decision which runs contrary to their interests. The District Development Councils fall clearly into this category of Devolution and it was debated whether in practice for DDC's were power sharing units or tools of administrative convenience. It also depended on the Central Government's good faith and political will to implement a genuine scheme of power sharing within a unitary state. Later the provincial Council system introduced in late 1987 was another advanced unit of devolution of power.

Autonomy is a new concept used in political analysis related to autonomous institution. The Universities are autonomous bodies with less inter- ference from the top but function within the frame work of the Government. In general, autonomy is a political term and not a legal term. The greater the ideological space the system resembles federalism, the smaller the ideological space the system resembles a unitary state. It does not have definite Constitutional Connotations. However, what is lacking in devolution and autonomy is political will and courage not only to enact these measures but also to educate the people the pros and cons of power sharing without arousing fears.

Devolution Through Provincial Councils

The unfortunate incidents of 1983 further aggravated the problems and all Party Conference was summoned in order arrive at a reasonably acceptable solution by all sectors in the country in respect of devolution of power to the periphery. The government was willing to consider decentrali- sation of administration. The Tamils wanted a genuine devolution of power. In the proposal that government put forward, it appeared that they did not wish to go beyond the centralisation of administration through the Dis- trict Development Councils. Tamil organisation asked for the creation of a Regional Council on the basis of amalgamation of Northern and Eastern Provinces. The compromise formula that emerged was the creation of Provincial Councils as the unit for devolution of power. The main issues here are decen- tralisation of administration or devolution of power: Decentralisation re- volving around the District Development Councils and devolution of power around the Regional Council and the Provincial Unit. There were three main proposals i.e. (1) District Development Councils (2) The Provincial Unit (3) The Regional Council which is still demanded by Tamil organisations. Final position was taken to have devolution of power and not mere decentrali- sation and it was also accepted as the feasible solution for devolution of power to provincial units with power of legislation to provincial assemblies on agreed subjects. There will be three political levels that will emerge from the proposals, namely, Central, Provincial and Divisional. Central Government of Sri Lanka headed by the President who will be elected by the people. He will be

assisted by a Cabinet of Ministers. Central Government will devolve many of its functions to provincial Governments, keeping to itself macro planning and providing policy gnidelines in respect of the devolved areas / sectors. The Provincial Government will have a Chief Minister from the political party which secures a majority in the elections. He will be the chief executive of the province. The institutional arrangement at the divisional level will be the Pradeshiya Mandalaya. The administrative limits will be co-terminous with the Assistant Government Agent division. This is the broad framework for devolution and sharing powers. But as the Tamils continued to agitate for the amalgamation of Northern and Eastern Provinces, a temporary merger was given subject a referendum in the East in a year's time to decide whether they like to function separately or join with the Northern Provinnce.

The provincial Council administration could be defined as that point of public administration which functions within the territorial limits of a province. The emphasis here would be a province as against a district. This embraces all activities of the government and encompasses all state related bodies, such as, local government, district administration and para-statal bodies and agencies. This type of administration is a significant change in the government attitude to decentralising the administration to the periphery in order to fulfil the desired needs of minorities in the country. This has further brought in confidence in the government that the minorities' rights will be safeguarded. In order to bring in national unity this system will form as a prelude or base in the future. First we will study the system in brief as to how it will work, what are the objects, functions and how this can be further improved so that this will foster a strong base for the unity and integrity of Sri Lanka.

The devolution of power is based on a three-tier structure with public participation in country's decision making process. At each level there would be institutions which would enable the public to be represented in decision making process.

Central Level   — National Parliament
Provincial Level   — Provincial Council
Divisional Level   — Pradeshiya Sabha

Each would formulate policies to approve and implement relevant plans and programmes, legislate (subordinate legislation at provincial and divisional levels), approve budgets, evaluate the impact of legislation and plan programmes and projects at each level. As a result of this process another level of new political leadership could eventually emerge.

Central Level   — Cabinet of Ministers
Provincial Level   — Governor, Chief Minister and Board of four Ministers
Divisional Level   — Executive Council

99

Overacting the entire legislative, judical and administrative structures would be the Exective Presidency. His representative at provincial level would be the Governor. Necessary units and cohesiveness would be provided by the Executive Presidency. This is called 'controlled' devolution.

The politico – administrative system that emerges from the frame work proposed under Provincial Councils for development related activities would broadly include eight functions:

Function	National Level	Provincial Level	Divisional Level
a. Policy Analysis & Formulation	PAF	—	—
b. MACRO — Planning (MP)	LT (Long Term)	MT MP (Medium Term)	ST MP (Short Term)
c. Operational Policies and Programme Formulation	Long Term	OPPF/MT	OPPF
d. Project Formulation	National / Inter-province	Provincial	Divisional
e. Project Implementation	National Management	Provincial Implementation service	Divisional Implementation service
f. Provision of Techno-Economic Support & Guidance	Macro	Sub-Macro	Micro
g. Implementation Monitoring	Macro	Provincial	Micro
h. Impact Evaluation	Macro	Provincial	Micro

This at the centre apart from the reserved subjects the subject functional cluster would be on macro - planning, policy formulation, setting of national level norms and evaluation. On the other hand, at the provincial level the cluster of functions include formulation of operational policies, formulation of programmes and budgets, budget management, programme management, techoeconomic guidance to Pradeshiya Sabhas monitoring and evaluation of programmes.

Each province will have a Governor appointed by the Executive President, a Chief Minister elected by the people, a Provincial Council elected by the people of the representative provinces and a Board of five ministers including the Chief Minister. They would be responsible to the Provincial Council as the Cabinet of Ministers are to the National Parliament. The Provincial Board of Ministers will have the following:

1) Provincial Administration in relation to provincial public service.

2) Maintenance of law and order - the provincial police service and the provincial High Court System.

3) Local Government and rural institutions - through provincial administration.

4) Finance and planning employment investment labour - through the provincial planning council.

5) Economic infrastructure - through the provincial administration and services.

6) Education, youth and culture.

7) Health and social services - through provincial services. Each Ministry at the province is headed by a secretary. The Chief Minister would have a secretariat headed by a Chief Secretary who is the link to the Executive Presidency at the Centre and also to the Governor to provincial ministries, provincial departments and national ministries / departments / authorities. He also would have links with Pradeshiya Sabhas.

The provincial administration at the sub - national level includes the authorities comprising Municipal Councils, Urban Councils and recently establised Pradeshiya Sabhas. It is empowered to undertake a variety of services for the good and welfare of the inhabitants of that area. The Act empowers welfare services, health, education, provision for housing schemes, establishment of cultural centres etc.

Under the provincial system it is proposed that the development activities and regulatory functions hitherto carried out by the Kachcheries would be taken to the divisional level through the Pradeshiya Sabhas. Pradeshiya Sabhas will be responsible for formulating a development plan for its area to meet the needs of the community. The Implementation of such plan will be funded but from the grants made by the Provincial Council, funds allocated by the district budget by the district members of Parliament and the Pradeshiya Sabhas' own resources. There is a close relationship between the Provincil Councils and the Pradeshiya Sabhas which come under the administrative supervision of the respective Provincial Council. Under the new proposals, all staff attending to development, services delivery or regulatory functions within the area of authority of Pradeshiya Sabhas, will be brought under the administrative control of the Pradeshiya Sabhas under the leadership of the divisional secretary. It has a dynamic role to play in the development of the respective areas.

Summary and conclusions

To preserve national unity and to build up confidence among the multi-ethnic groups the Government attempted to decentralise administration through Provincial Councils to the pheriphery. The Government is trying to squeeze devolution within a unitary frame work. Indian constitution in its very structure recognises the sovereign will of regions or states while ours does not. We can revoke any scheme with a 2/3 majority in the Parliament. Therefore, the decentralisation of this nature may not to be a lasting solution to preserve national unity and integration. In India there is a political devolution which is recognised and secure, wheareas ours is an attempt at a political decentralisation within the adminstrative frame work. Further the provisions of the Act were drafted at the height of national conflict in which there was no trust and very little goodwill. Safeguards then became important considerations specially in a unitary frame work where the centre by a mere 2/3 majority can abolish the acheme altogether. This political frame work where the voting power of minority groups regionally based is less than 2/3 of the national voting power, gives rise to a certain measure of insecurity to the minority. Therefore it is of utmost importance that any change in the Provincial Council set up should receive sanction by not only a 2/3 majority from the centre but also from each provincial council. This will to a great extent give protection to the minorities and create more confidence in the present decentralisation process. Therefore rigid constitutional provisions should be provided to the present decentralisation process.

The structure of the Provincial Councils can be further strengthened by amalgamating the North and Eastern Provinces and bring them under one unit. This will further help the minority to strengthen their security, identity and cultural development. If a permanent merger takes place between these two Provinces the majority ethnic group, the Sinhalese, will feel that they are at a disadvantage in these provinces. But the sucess of this type of merger depends on how much cordial relationship the centre and pheriphery has in relation to many of the important aspects in respect of administration and development of these areas.

In designing the structure for devolution of powers, the ethno-regionalism could be taken into consideration. In the Northern Province and in Batticaloa in the Eastern Province Tamils are in a majority. In Trincomalee the percentage of all races, Sinhalese, Tamils and Muslims are almost equal. On a linguistic basis, the Tamil speaking people along with the Muslims, could be taken as a whole and an area comprising the Northern and Eastern Provinces could function on a linguistic basis. This

will create the necessary basis for the Government to build up confidence and win the hearts of the minority races. This can even bring a permanent and lasting solution to the ethnic problem. Therefore, decentralisation of administration on a linguistic basis can bring national unity, social and cultural development.

2) A more serious limiting factor in the Sri Lanka's devolution model appears to be the inadequacy of powers of the Provincial Councils to raise necessary finances on their own. There are no provisions for finance. The collection of revenue will be around 3% of the Government total revenue or 4% of the tax revenue of the Government. Any Commercial or Development Bank borrowing by any Provincial Council will only be to the extent permitted by or under any law made by Parliament.

Therefore it is clearly seen that in Sri Lanka the sources of revenue of Provincial Councils will constitute only a tiny fraction of the national income. Therefore it is very necessary for the Government to permit the Councils to raise more funds through revenue or even from abroad to utilise for development purposes. Foreign aid will presumably be negotiated on a government to government basis and allocated by Sri-Lanka Government to any project or scheme in a Province for which it has been negotiated.

The Administrative Reform Commission has recommended that there should be a finance commission and a national planning council chaired by the President and composed of the Chief Ministers of the Province and the relevant Cabinet Ministers of the centre. This too will give more weightage to the Provincial Council system.

3) The elments of Sri Lanka's devolutionary model are loaded heavily in favour of the centre. A case in point is the dependence of the Provincial Councils on the centre for their finances. Therefore, some doubts arise about the degree of autonomy supposed to have been devolved particularly to geographical regions where ethnic minorities predominate in certain provinces.

Therefore, if Sri Lanka is to avoid a similar situation by which the majority community could dominate any ethnic minority, the provincial autonomy will have to go beyond what the 13th Amendment to the Constitution has hither to provided. The system of financial devolution should have to be a judicious blend of both " stimulus " and " control ". But trouble could arise when " controls " overshadow" stimulus ". This is precisly a major drawback of the Sri Lanka's model of devolution, This has to be rectified in order to give more confidence to the minority ethnic group in regard to financial devolution Further, the controlled experiment

103

in devolution and decentralisation in Sri Lanka will have to genuinely accommodate the needs of each community if the novel experiment is to be productive of maximum results in this multi-ethnic society of ours.

The Sinhalese are of the unanimous view that inter-provincial settlement projects should be based on National ethnic ratio. The Tamils demand that the concept of Tamil traditional homeland should be reognised and no settlement should take place which will alter the ethnic balance of North and East. Therefore some type of compromise has to be worked out to solve this important problem. Land settlement could be worked out on ethnic ratio of respective Provincial Councils rather than on the national ethnic ratio.

The minority communities have a general feeling that while giving employment opportunities they are completely neglected, particularly in the Government sector. Too much of politicisation of the administration also is one of the reasons for this type of development over the years in the Government service. For the last 3 or 4 years for every 100 Sinhalese recruited to the administrative service only 1% or 2% was given to the minority communities. This has brought lot of frustration among the educated youth belonging to the minority communities. The Government should take meaningful steps to maintain a regular system of recruitment based on National ethnic ratio to give employment opportunities to all jobs in the Government Service.

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