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### PATRONS VERSUS WEBERIANS IN THE SRI LANKAN CIVIL SERVICE

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## Patrons Versus Weberians in the Sri Lankan Civil Service<sup>1</sup>

#### Abstract

Patronage is often the reason why public reforms are attempted, and almost equally often the reason why they fail. This article develops a view of patronage broking in the public sector, and applies it to Sri Lanka, where patronage has weathered several attempts at reform. Drawing on field research in 2004, the author argues that the latest institutional reform, worthwhile in itself, would be most likely to succeed if it addressed the perceived remoteness of government that caused patronage to arise in the first place, and also politicians' expectation that the bureaucracy should be able to respond to their constituents' needs. Patronage is a political problem that requires a political solution. The study also suggests that 'ownership' of policy reform is likeliest where there the reform is an indigenous initiative, as it was in Sri Lanka.

**Key words**: Patronage, Sri Lanka, civil service reform, bureaucracy, human resource management

#### INTRODUCTION

#### Patronage and Public Policy reform

The meritocratic consensus that crystallized in the 1997 World Development Report (World Bank, 1997) deplores patronage as a disease of government which should be treated, according to taste, by Weberian adherence to impersonal rules (Schick, 1998), or devolved arrangements that let managers manage (Bale and Dale, 1998), or decentralized government that is closer to poor people (World Bank, 2003). Yet it stubbornly persists in many countries, including our subject, Sri Lanka, where all the above remedies have been canvassed at one time or another. Sri Lanka has the highest life expectancy of any South Asian country (Isenman, 1980; World Bank, 2004), but is saddled with a public sector that has sometimes seemed to be not so much unreformed as unreformable. Yet against the

odds it has introduced a fundamental civil service reform in recent years. As we discuss it we will be exploring the nature of public patronage and the viability of remedies to it, shedding light on the problems of other countries which have public sectors that are as seemingly intractable as Sri Lanka's.

#### The Importance of Civil Service Management and the 'Best Person' Assumption

We focus on civil service management: the way government as employer manages its staff, about whose importance I need to say a few prefatory words. Readers of World Development may be familiar with the research of Evans and Rauch which fed into the 1997 World Development Report on 'the changing role of the state', and their claim that the way a government manages its public servants can improve the performance of the entire national economy (Evans and Rauch, 1999; Rauch and Evans, 2000; see also Hyden et al., 2004; and Kaufmann et al., 1999). They are probably not familiar with the body of evidence that staff management can have a direct impact on organization performance (Becker and Gerhart, 1996; Guest 1997; Huselid, 1995; Patterson et al., 1997), a claim that has fuelled the prestige of the so-called Strategic Human Resource Management (SHRM) model. These contentions have led to the assertion in both quarters that normative staff or HR management methods, either the recent HR methods or those based on Weber's classic bureaucratic model – they share the assumption that we are aiming to get 'the best person for the job' - are a 'magic bullet' which will reliably improve the performance of organizations or whole economies as the case may be (Evans, 1998; Pfeffer,  $1998^2$ ).

### The Sri Lanka Study: Patronage and the Failure of Civil Service Reform 1972-1998

The trouble with the 'magic bullet' claim is that, deriving from cross-sectional, correlational research, it leaves us in the dark about how the 'black box' of staff management can have these dramatic effects. Nor do we know, *pace* Evans and Pfeffer, what conditions would need to be in place to allow us to apply the research findings to any particular organization, either public or private. The study reported here provides detail on the interaction between civil service management and the local conditions of one developing country, Sri Lanka. In addition to the review of relevant literature presented below, I conducted interviews in June 2004 with thirteen government officials up to the most senior level, with the director of a postgraduate training institute, and with executive members of the All Ceylon Civil Servants' Union (junior staff) the Sri Lanka Administrative Staff Association (senior staff), and the General Medical Officers' Union (doctors). Interviews lasted from sixty to ninety minutes,

and were tape recorded and transcribed to enable a content analysis based on the study themes. I also drew on similar interview data obtained in 1998 (McCourt, 2001a).

Sri Lanka follows an amended Westminster model of cabinet government with a French-style executive president on top, and a system of provincial councils underneath that was introduced without taking proper root in the 1990s. The important stages in the reform experience up to 1998 are summarized by McCourt (2001a). The earliest was when the Cabinet brought the Public Service Commission (PSC) under its control in 1972, a de jure politicization, ostensibly to break down the elitism of the civil service and to harness it to national developmental objectives, but which resulted in the political capture of civil service appointments (ADB, 2004: 3; De Silva, 1993b). Starting in the mid-1980s there were what the Cabinet Secretary at the time of writing has described as three phases of reform, supported at different times by the United Nations Development Programme (UNDP), the World Bank and the Asian Development Bank (ADB), the first two of which 'unfortunately, like waves in the ocean ... have receded as fast as they came' (Wijesinghe, 1997: 15). The first was the very comprehensive report of the Administrative Reforms Committee (1987-8). Its chairman subsequently lamented that 'The recommendations concerning the increase of salaries were embraced with glee! But ... more important recommendations were glossed over ... When it came to biting the bullet, the political will evaporated' (quoted in Wijesinghe, 1997: 21; 26). The second was a structural adjustment-era downsizing program. When it ended, the government had more employees than when it began, and had also, according to an official, mistakenly offered the generous Voluntary Retirement package to all its surprised but grateful normal retirees.<sup>3</sup> The third phase, triggered by an ADB report in 1996 but implemented with UNDP rather than ADB support ('probably because [UNDP] can't impose conditionalities<sup>4</sup> was a relevant donor's explanation), was managerialist, and featured mission statements and strategic objectives, management restructuring and performance appraisal. The plans, which included a proposal to restore the independence of the PSC, were subtle and incremental, but by 1998 had produced few concrete results (McCourt, 2001a). Several interviewees in 1998 attributed this to 'patronage'. A donor's explanation was that 'Politicians had a vested interest in maintaining a patronage system.' A very senior official suggested that 'The expectation that the public sector should provide jobs is the root ... This is exacerbated by changes of government', following each of which a fresh crop of patronage appointments sprouts. Even a civil service trade union leader said that 'From time to time politicians have recruited without considering

the need to recruit ... Politicians consider that government exists to provide jobs for their supporters' (see also ADB, 2004: 7).

Even as we focus on patronage, we should recognize that it isn't the whole story, any more than most single-factor explanations ever are. First, steady albeit modest growth has made state inefficiency affordable, despite relatively high public spending and low tax revenue (IMF, 2004: 23 and 27). Fiscal necessity has been at best a weak countervailing force, unlike, say, Ghana or Uganda in the early 1980s. Second, the violent uprisings of the 1980s and 90s have played their part: in 1998 a donor official explained the failure of the 'second wave' like this: *'Momentum was lost, conflict sprang up, more people were killed in the south.'* Third, we should reckon with the ideology of 'welfarism'. We say more below about both the uprisings and welfarism.<sup>5</sup>

#### PATRONS AND PATRONAGE BROKERS

Patronage is a term that is more widely invoked than understood. It became the subject of scholarly attention once scholars realized that it was alive and kicking in modern societies, and not just a chapter in histories of ancient Rome or feudal society (Clapham, 1982; Eisenstadt and Roniger, 1984; Gellner and Waterbury, 1977; Roniger and Günes-Ayata, 1994; Schmidt *et al.*, 1977<sup>6</sup>). It is the emergence of *brokers of political patronage*, a term originally coined by Allum (1973), that is relevant.<sup>7</sup> Alongside the 'traditional' patron who may provide informal insurance against crop failure from his (very rarely 'her') own resources, the broker, who can be either a politician or a bureaucrat, is not spending his own money but setting up as a conduit for the State's resources (though the same person might be both patron and broker). Indeed as the State penetrated into all but the remotest areas, broking became a parallel track alongside the 'official channels' for managing the new relationship between the State and local people. That is true even in Campbell's (1964) early study of patronage in a Greek mountain community, where families attached themselves to an official who could *intercede* (the etymology is worth dwelling on) in matters like shortening a son's military service. This is not the 'old patronage' of Maecenas or the Medicis – or George Soros and Bill and Melissa Gates. Part and parcel of the growth of the State, the patronage broker is a modern phenomenon and not an archaic survival.

But why manage the relationship like this? We need to remind ourselves that such brokerage is illicit: only the 'official channels' have an official sanction. It is because the

citizen, whose daily dealings are local and individual, will appreciate the services of a 'selective, flexible, intermittent and emotional' flesh-and-blood broker when obliged to engage with 'the centrally imposed, cold, impersonal, even alien political system' (Landé, 1977: xvii; Güneş-Ayata, 1994a: 24; see also Eisenstadt and Roniger, 1984, chapter 5). The same citizen who seeks a loan from a moneylender rather than a bank may call on a local politician rather than a bureaucrat, and for the same reason.

Both citizen or 'client' on the one hand and patron or broker on the other are after something: brokerage, like patronage in general, is a voluntary exchange relationship, albeit an unequal one (Blau, 1964; Scott, 1972). The patron or broker seeks a material or moral return. For the 'traditional' patron, it may be the client's labor or produce, or even just his or her gratitude. For the bureaucrat-broker, it may be money, as in the elaborate market for transfer posts in an Indian irrigation agency which Wade (1989) has described. For the politician-broker, it is likely to mean political support (the client's vote, or participation in electioneering). In return the broker, as opposed to the patron, offers what he can of the State's resources: information, as in Ireland (Higgins, 1982); land, as in Swaziland (Sallinger-McBride and Picard, 1986); in other places, a trading licence, a place at a popular school or, crucially for us, a job, as in Chicago under Mayor Richard Daley (Clark, 1994). Land, licences and jobs are all valid patronage currency.

How much must the broker offer? The bureaucrat-broker's schedule of prices may be semipublic knowledge, as in Wade's Indian irrigation agency. But it is hard to put a price on a vote, given the asymmetry of information in this particular market. What is the value of a politician telling you that you have been allocated a council house that was going to be yours anyway, as the politician neglected to say (Higgins, 1982)? The parties to the exchange, who collude in disguising this mercenary aspect of their relationship, will shy away from calibrating its value. However, a rough law of supply and demand will probably operate: the greater the competition for the client's support, the more the broker will have to offer to get it.

#### Brokerage as a Mode of Exchange

So far we have talked as if brokerage is a 'dyadic contract' between an individual politicianbroker and an individual citizen-client. That is how anthropologists have tended to conceive it, whereas political scientists have tended to see it as the response of government to a particular group:

'To the anthropologist patronage refers to a types of social relationship, while to the political scientist it is a feature of government ... the political scientist typically begins in the capital cities and then "works down", while the anthropologist begins in the countryside and "works up" (Weingrod, 1977: 324 and 335).

But when anthropologists working up and political scientists working down meet in the middle, as it were, will they be talking about the same thing? If a party promises to sign up to the 'Social Chapter' of the European Union's Maastricht Treaty if elected (as the British Labour Party did in 1997), does that make its manifesto a 'dyadic contract' with the trade union movement? Eisenstadt and Roniger's definition of patronage is helpful here: 'not a distinct type of social organization, but different modes of structuring the flow of resources and of interpersonal interaction and exchange in society: different modes of generalised exchange' (1984: 164). Arguably we have patronage, or its brokerage sub-species, whenever the sense of *quid pro quo* enters a vertical relationship (i.e. not merely a relationship between friends or groups of equal status), whether the relationship is between local individuals or between formal national groups, such as a political party and a trade union. This allows for the possibility that a politician or a party might blow hot and cold, playing broker on one issue, such as allocation of public jobs, while acting as disinterested universalist on another, such as, perhaps, grants to religious bodies.

Why do we find brokering more in some places and at some times than others – more in Sicily than in Milan, and more in eighteenth- than in twentieth-century England (Tarrow, 1967; Namier, 1929<sup>8</sup>)? There are 'countervailing forces' which may increase over time (Eisenstadt and Roniger, 1984). The political system might be cohesive rather than diffuse, with autonomous Weberian bureaucrats making rule-based and predictable decisions and resisting capture by would-be brokers – the official can only be a broker if he has something to broke. Alternatively, the 'system' might be accessible, either geographically close at hand or staffed by bureaucrats who are welcoming rather than aloof, so that using 'official channels' costs less than coaxing a broker to act as your middleman. Further, public resources may lose their appeal as private resources become available. Eisenstadt and Roniger's (1984: 193) explanation for the recent decline of machine politics in US cities is that

Socio-economic changes reduced the appeal of unskilled jobs available to be given as a patronage grant. Patronage jobs such as those, for instance, in federal

censuses, in street repair or in custodial work in municipal buildings were increasingly considered as a short-term, last-resort alternative.'

Finally, citizens may come to see their interests in horizontal or group terms rather than 'vertical' individual or family terms, and feel they are best served by taking collective action to nullify the broker-client relationship, whether through class-based politics or outright rebellion. We do not need to determine how likely that is to occur – James Scott's classic *Weapons of the weak* (1985) is in part a discussion of this issue (see also Hobsbawm and Rudé, 1969) – but can merely note it as a possibility.

My account gives brokerage a clean trajectory: growing with the growth of the State, then declining with the growth of alternative resources, such as private sector jobs, or of horizontal associations. But this is too neat and too Whiggish. Brokerage may grow as well as decline, as in Turkey following the arrival of competitive multi-party democracy in 1946, and in Russia following the collapse of communism (Güneş-Ayata, 1994b; Vorozheikina, 1994). There is no historical law to stop the 'countervailing forces' from decreasing as well as increasing.

#### A Good or a Bad Thing?

'One thing impresses above all,' insists Michael Higgins (1982: 133), himself a practising Irish politician, 'Clientelism is exploitative in source and intent.' Weingrod (1977), by contrast, suggests that it has had the positive function of inducting new groups into the political arena, and we shall see that his suggestion is echoed in Sri Lanka. Perhaps its status depends on the legitimacy of the benefit that the client receives: there will be cases where the broker's intervention rights a palpable wrong, as in Campbell's Greek village. But Eisenstadt and Roniger say about the allocation of public jobs in American cities that 'Public opinion became increasingly critical of inefficiency in the name of party loyalty. Patronage was seen as an outright political pay-off, and discredited as such' (1984: 194). The onus is always on the broker to show that the private or the social gain is real, and is not at the expense of other citizens or of government efficiency.

#### Patronage Broking in Sri Lanka

Southern Italy has long been a by-word for poor governance, with patronage at the centre of many accounts (Allum, 1973; Banfield, 1958; Putnam, 1993; Tarrow, 1967). Yet as long ago as the late 1960s, twice as many citizens in the south as in the north claimed to

understand local political issues very well, and to give politics a great deal of their attention. 'Nothing,' comments Tarrow, 'Is more corrective of the vision of the South as a traditional society full of "parochials" who pay no attention to politics'. However, far from representing an interest in Italy's role in the Common Market or in other great issues of the day, 'Politics ... is a matter of patronage interest: interest in being able to control jobs such as town doctor, cemetery attendant, town guards and street cleaners' (Tarrow, 1967: 77 and 78).<sup>9</sup>

Likewise in Sri Lanka, where politics has been described as 'a consuming passion', the exact opposite of the 'anti-politics machine' which Ferguson (1990) identified in his well-known study of Lesotho; but a passion that, according to Moore, boils down to the question of 'Who will be employed by the Ceylon Transport Board as bus conductors' (Jupp, 1978: 162; Moore, 1985: 224; see also Spencer, 1990), allowing Jayanntha to explain political allegiance exclusively in terms of patronage networks (1992: 206). Thus, says Sri Lanka's leading historian, 'The outcome of parliamentary elections mattered in a personal and personalized way. This was one of the main reasons for the exceptionally high voter turnout ... and, in a sense, it has been at least a complementary cause for the apparent viability of the parliamentary system itself in Sri Lanka. (De Silva, 1993b: readers should note the echo of Weingrod and Tarrow).

Where does Sri Lanka's version of patronage broking come from? Again, the central fact is the growth of the State, and particularly its role as distributor of resources. This got seriously under way after the first universal suffrage election in 1931, still under British rule, when the state began to distribute Crown land on a large scale and to construct a British-style welfare state, including free medicine and education and subsidies on rice and wheat flour, so that as early as 1947 welfare spending was absorbing 56 per cent of government expenditure. With 'individual welfare to a very large degree shaped by administrative decisions', people came to expect that the State would provide (Moore, 1985: 226).

Yet brokerage did not develop at the same pace as the State itself. At first, as in Turkey before 1946, distribution was in the hands of bureaucrats (Brow, 1996: 73), something bureaucratic authors recall nostalgically (Root *et al.*, 2001; Wijesinghe, 1997; Wijeweera, 1989). The crucial change came in 1956, the date of the first of six successive defeats for the sitting government, ushering in knife-edge competition which persists, intense in proportion to the scale of the public spoils available to the winner.

In this electoral buyer's market, in accordance with the law of patronage supply and demand and replaying Turkey's experience, the 'traditional' patrons, the reliable vote-deliverers who were the core of the first generation of indigenous politicians (Jayanntha, 1992), had to make themselves attractive: in an electoral buyer's market, brokerage is not necessarily weighted in the broker's favour. With the public expectation that the State would provide in full swing, they did what they could to interpose themselves as conduits for the State's resources, whether in the form of land, or grants, or (in our case) jobs. In one southern village, where all but 23 out of 173 households qualified for food stamps, and with 23 government employees resident in 1982 (as opposed to one in 1963), 'In virtually every case it is the spoils of politics that have done most to make (better-off villagers) better off in the first place'. Thus while senior politicians would discuss national issues at election rallies,

'Virtually all the village leaders' talk would be of the water supply we got for you, the school we built here ... The consistent aim of political discourse ... was to personalize the blessings of the State, to make 'us' the channel and 'you' the recipient' (Spencer, 1990: 214; 217).

#### **Clientelism, Welfarism and Responsiveness**

Politics might be a wholly negative affair in the Mezzogiorno, as Putnam implies, but not in Sri Lanka. Certainly political families were the disproportionate recipients of government jobs in Spencer's village, but examples of broker altruism were common. One of the two UNP office holders in that village was 'a very poor Sinhala Christian ... popular for his willingness to help his neighbours in times of need' (1990: 213). Elsewhere, a patron's standing derived from his grandfather having been a noted philanthropist in two out of three villages studied by Jayanntha (1992). Similarly, nationalist leaders in the 1920s lobbied for peasants to have priority over capitalists in distribution of Crown lands, 'An extraordinary move ... because many ... had themselves greatly prospered from their involvement in the plantation sector' (Brow, 1996: 82).

And anyway, there is more to local politics than clientelism. While politicians were hypersensitive to their fickle constituents' needs, bureaucrats tended to be remote from them, given the highly centralized nature of administration in an island comparable in size and population (18.8 million in 2001) to a single, not very large state in neighbouring India, and given the bureaucratic structure and 'arrogance and lethargy' (Wijeweera, 1989: 291) which

carried over from the colonial period. In what Oberst (1986: 172-3) described as a typical response, one politician interviewee said that

'The administrative secretary is living in a different world. There is no connection with the ordinary people. They are ... only trying to follow the rules and regulations.'

So the politicians decided to bring the bureaucracy to heel. This was no 'creeping politicization', for the attitude had an unabashed formal expression. In 1978, a Decentralized Budget system gave every MP a million rupees to spend on local development: the dawn of 'MPs' Raj' had arrived (Wijeweera, 1989). The PSC had already been brought under Cabinet control in 1972. This largely legitimated the existing informal practice, to be sure, but it was only possible and defensible (Fernando, 1982) because the critics of bureaucratic remoteness had a point, even if the bureaucrats were loath to recognize it. The otherwise authoritative reports of the Administrative Reforms Committee (ARC) (1987-8), cleaving to the pure doctrine of political/administrative separation, do not even entertain it as a possibility, although at least one former senior bureaucrat could see it (Wijeweera, 1989).

Moreover, Brow's study of one village identified a profound belief in 'The vision of a just society in which the ruler ... provides for the material welfare of the common people' (1996: 85). It seems plausible to suggest that this belief combined with the ideology of Fabian socialism which dominated the Indian sub-continent in the formative independence period to produce a not wholly self-serving welfarist conviction that the State *should* provide, irrespective of the electoral benefit of so doing, which has contributed to the impressive basic human development statistics, such as for life expectancy. We should also recall De Silva's insight that welfarism/patronage has contributed to the stability of democracy. All in all, we do the political class an injustice if we accept the disillusioned view that welfarism is nothing more than a polite term for the 'mass distribution of patronage measures to individuals' (Moore, 1994: 25; see also Brow, 1996).

#### Patronage, Growth and Insurrection

There are two reasons why patronage should not be a matter only for the civil servants whom it personally affects. The first is the negative impact which dependence on the public sector for the creation of jobs has had on economic growth, according to the World Bank (2004). The second is that patronage has been a demonstrable cause of the two salient

events of recent history, the civil war in the north and east fought on the rebel side by the 'Tamil Tigers' (the Liberation Tigers of Tamil Eelam, or LTTE) and the insurrection of the Janatha Vimukthi Peramuna or 'People's Liberation Front' (JVP) in the South that began in 1971, an uprising that killed almost as many people as the Tamil war (De Silva, 1993a; Shastri, 1997).

Quid pro quo in the form of 'ethnic outbidding' has been an aspect of Sri Lanka's competitive politics since the mid-1950s, with the two major political parties, the Sri Lanka Freedom Party (SLFP) and the United National Party (UNP), each claiming to do more for Sinhalese voters (Devotta, 2003). An early Tamil grievance, consequently, was the Official Language Act of 1956, which enshrined Sinhala as the single national language and which, by making Tamils 'official illiterates' (Nithiyanandam, 2000: 294), all but excluded them from government jobs outside the Tamil areas. In 1956 Tamils had represented 60 per cent of professionals, 30 per cent of the Administrative Service and 40 per cent of the armed forces, but by 1970 their numbers had plummeted to 10, 5 and all of 1 per cent respectively – and this at a time when the public service was expanding, and when Tamils represented over 20 per cent of the population. Tamil applications were then virtually choked off at source by a so-called 'standardization' of exam marking across language groups (so that there would be the same percentage of Sinhala and Tamil students obtaining the highest grades, irrespective of their actual performance) that led, for example, to a drop from 35 per cent to 19 per cent in the number of Tamils doing science subjects at university between 1970 and 1975 (Shastri, 1997). On the other side of the island, the JVP drew initial support for its uprising from unemployed young people who were excluded from rural patronage networks (Coomaraswamy, 2003; Jayanntha, 1992). Without trivializing the causes of the two insurrections, and while recognizing the case for addressing the Tamil predominance left over from British rule, one can see how electorally-driven patronage in job allocation not only affected growth, but played its part in driving both Tamil and Sinhalese young people into the arms of the militants.

#### Summary

We began this section by accepting the consensus that 'patronage' has a lot to do with the failure of administrative reform in Sri Lanka, even while giving due weight to other factors. We outlined 'brokerage' as a humane adjunct to sclerotic official channels of contact with the State. Brokers offer state resources, including jobs, in return for votes or money or esteem: the element of *quid pro quo* is what distinguishes brokerage as a mode of

exchange. It increases with political competition or the decay of the 'official channels' (as in Russia). It decreases with the growth of the private sector or class politics and the autonomy of the bureaucracy. It is negative in principle, although it may be benign in individual cases and may even contribute to the stability of democracy.

Sri Lanka's 'traditional' patrons-turned-brokers have particular salience because of the decisive impact of the State on individual welfare, and the electoral importance for politicians of being seen to be personally responsible for distributing the State's largesse. Brokerage in Sri Lanka is intertwined with politicization, itself a response to the perceived remoteness of bureaucrats, and with the ideology of welfarism. It matters, finally, because of its negative impact on State efficiency, economic growth and the catastrophic insurrections of the 1980s and 90s.

#### **INTERVIEW FINDINGS**

I took up the story in June 2004 in a period of political uncertainty. The general election of April 2004 had returned the SLFP in coalition with the JVP, but winning only 105 out of 225 seats had left the new government preoccupied with its own survival, and our interviewees divided on whether it would see out even a year in power. Its only relevant initiative was the manifesto commitment to provide training places for all the country's unemployed graduates – interviewees could not agree on how many of them there were. It should not come as a shock to readers who have persevered with our article, and neither should the increases in salaries and allowances paid to state employees by the outgoing government in the run-up to the election, nor the permanent jobs offered to thousands more in the run-up to the previous election in December 2001, despite this open breach of the government's agreement with the IMF.

What had become of the 'third phase' of reform, in progress at the time of the 1998 interviews? At least some ministries, such as General Administration and Commerce, were still producing action plans flowing from their mission statements, though an official in one such ministry said '*I can't see any change other than paper work*,' while in another the job of producing the action plan was given to a single middle-ranking officer. The management restructuring, said a well-placed official, '*Couldn't be done! The new government actually increased the number of ministries.'* 

By now the major donors had drifted away, denied the results they believed they had been promised, and from outside the prospects looked bleak. Yet this was the very point at which the government took a different turning, gaining the two-thirds majority necessary to pass the Seventeenth Amendment to the Constitution in 2001. It did not affect the Provincial Councils, which notably employ the country's teachers: they were as much subject to political influence as ever. Similarly, the top two levels in each ministry remained political appointments, making it hard for officials to stand up to ministers when they needed to. But it restored the independence of the PSC and created parallel Police and Judicial Service Commissions, with the Leader of the Opposition having a real say in the appointment of their members, who would serve a three-year term separate from the electoral cycle. The PSC's first Chairman was a retired ambassador, forthright and politically unaligned.

In fact the Amendment had been part of the action plan for the 'third phase' of reform. The official was correct who claimed that the 'third phase' '*did prepare the ground'* for a further phase of reform, despite its lack of tangible results. Its realization seems to have been the initiative of the professional associations who represent government employees. They enthused the JVP party, who in turn made it part of their price for participating in a 'probationary government'. But why adopt this particular measure, what was the problem to which it was the response, and what difference was the Amendment making?

#### The Problem

In a word, the perceived problem was patronage. Interviewees were as clear as in 1998 that the local discretion which the Amendment curtailed had been abused by ministers: '*I'm* sure my minister will say: appoint so-and-so' if left to his own devices, said one; '*Influencing* by the local level, especially by the politicians, cannot be managed', said another. A third claimed that placing supporters in government jobs had made them available for electioneering. Whether in national or provincial government, the story was the same: 'push in and push up': get supporters appointed, possibly in temporary jobs, get them confirmed and in due course promoted. This of course is in line with our literature review, but it is worth remarking how different it is from the diagnosis underlying previous phases of reform: it does not issue from the 1970s critique of bureaucratic remoteness, nor the structural adjustment critique of overstaffing and overspending, nor even the managerialist measures of the 'third phase' of reform.

#### The Solution

Given the diagnosis, why did the government decide to treat the disease with a dose of Weberian bureaucratic medicine rather than the alternative cures alluded to at the start of the article; with centralized rule-following à la Schick, in other words, rather than empowering local managers or strengthening citizen 'voice'? Empowering local managers was consciously rejected by all the interviewees. This was because at ministry or local level, politicians dominated administrative decisions: '*Government officers' sound is very low, MPs' sound is very big.'* Ministry Secretaries – the official Heads of the ministries – were political appointees, and could be removed if they fell foul of ministers. One interviewee '*had a very, very difficult time with the Minister: he chased me out!'* At that level, politicians had impunity to make staffing decisions on political rather than merit grounds, and interviewees furnished endless examples of why that was a bad thing: local staff or 'consultants' appointed on politicians' say-so; staff arbitrarily denied or granted transfers into or out of Colombo, police constables promoted over their sergeants' heads, and so on.<sup>10</sup>

It is interesting to speculate why no one mentioned the 'voice' alternative. Might not the JVP, the reform's political sponsor, have mobilized the unemployed young people excluded from rural patronage networks who were its initial supporters? But given the prevalence of welfarist thinking, citizens might well have sided instead with the politicians who had 'personalized the blessings of the State', in Spencer's words, by bringing jobs to local people, rather than the 'centrally imposed, cold, impersonal, even alien' bureaucrats. In the end, the thrust of the reform was to smother voice rather than amplify it.

An advantage of the adopted solution was that it was a genuine indigenous initiative. It is a remarkable fact that not once in my sixteen interviews did anyone volunteer a reference to a donor agency, including to the vaunted and donor-sponsored Poverty Reduction Strategy Program. Previous donor-sponsored reform was never fully 'owned': '*They pay lip-service, but it's not real,'* said a donor in 1998. And yet this reform, entailing a constitutional amendment, was more fundamental and harder to reverse than anything attempted under donor auspices, and it did have an indigenous power base in the officials and unions who had promoted it. Admittedly some credit is due to UNDP, under whose auspices the preparatory work was done in the 'third phase' of reform, but crucially the impetus came from within, given that the government had chosen to work with UNDP precisely because it could not impose conditionalities, and in any case the actual implementation took place after

UNDP support had ended. Where donors had an axe to grind, their support had been more of a hindrance than a help.

#### The Results

The Seventeenth Amendment was still bedding in at the time of my interviews, but it was indeed doing what it was meant to do. *'PSC means we have justice,'* was one representative view. In one uniformed service, political interference had gone down *'from 90-100% to 5-10%'*. The staff and staff associations who supported the reform included line ministry officials, because they knew that the reform was more about transfer of power from politicians to officials than from line to central agencies. Loss of local discretion, in reality ministers' discretion rather than officials', was an acceptable price for the officials to pay. In any case, frequent transfers within an all-island service meant that today's line ministry official could be tomorrow's central official.

Still, there were some bad as well as good effects. The reform emphasized bureaucratic rule-following. 'The rules' have a sanctity in Sri Lanka that is only puzzling until one realizes how officials prize them as the indispensable bulwark that keeps the system clean. Hence the paradoxical statement by one central custodian of the rules that '*The politician should have the independence not to deviate from the rules and regulations,'* and likewise the Provincial Council chief official who was striving to mimic central government rules which he was at liberty to ignore.

Bulwark or no bulwark, though, Sri Lankan rules have no special exemption from normal bureaucratic pathology. A police officer who had mugged up for his or her promotion exam, possibly at the expense of his duties, might get promoted ahead of an officer whose boss's high opinion of his performance was now discounted as 'subjective'. Letters to the PSC had to be signed by Secretaries personally, one of whom was signing letters concerning staff he had never met. Promotions that the Cabinet Office would have processed in a couple of weeks took a good deal longer to make their way through the PSC: '*When you go to the PSC office, it's like a storeroom*.' Fairness and efficiency were not going hand in hand as they were supposed to.

Ironically, too, patronage was squeezing back in through loopholes in the very rules that were designed to exclude it. Exams may be fair, but '*When exams are delayed, they get people on a casual basis. After a couple of months, or years, all the people on casual basis* 

*are made permanent.* A discretionary choice among staff who had all passed the relevant exam but could not all be promoted might favour the one with the best connections: *Politically this man is powerful.* These were the *'5-10% of cases'* to which my interviewee referred.

'The rules' also exacerbated the posture of frightened rigidity at lower levels. Far from oppressive central controls being resented, officials in two separate interviews insisted that ministries passed the buck on decisions they could have made themselves. The government auditors, who could descend even on a Ministry Secretary if he merely allowed staff to do 'too much' overtime, had a new stick to beat ministries with.

Lastly, putting staffing authority back in bureaucrats' hands while doing nothing to strengthen citizen 'voice' ran the risk of increasing the insensitivity of an all-island administrative service that retained some of the colonial aloofness, with the consequent danger that politicians, as much obliged to deliver benefits to their constituents as ever, would take matters back into their own hands if they thought the bureaucrats were getting in their way. After all, even a constitutional amendment could be circumvented. The government was widely believed to have undermined its own Thirteenth Amendment, which created the provincial councils: the head of one of them complained that the government gave powers with one hand and took them away with the other. Moreover, we have seen that the formal politicization of the PSC in 1972 had merely confirmed what was already the actual practice, despite the PSC's ostensible constitutional independence at the time.

Thus the success of the reform would depend on its political support, but this was the most serious weakness of all. Clearly the majority of parliamentarians had to acquiesce for the Amendment to be enacted. Yet an official closely involved in the reform said that '*I'm afraid that in the year and a half (since the Amendment), it's difficult to get this idea (of independence) seeping in.'* Ministers and MPs below the President and the Prime Minister did not support it because '*their influence depends on ladling out of the pork barrel'*, and having made headway with the previous administration, the change of government meant that '*Now we have to start all over again.'* 

There was a sense of officials girding their loins for an inevitable test of strength, the likeliest battleground being the graduate training scheme: might it turn out to be just another instance of back-door recruitment of political supporters? It would be asking too

much to expect the honest officials of the new PSC to prevail in a direct confrontation with the politicians, despite the backing of the Constitution, the staff associations and officials at large; perhaps appointed officials ought never to prevail over elected politicians in a democracy like Sri Lanka's. Two interviewees suggested separately that a confrontation might be avoided if some at least of the graduates were trained to become revenue collectors, posts that could pay for themselves, given Sri Lanka's poor record of tax collection. The author of this article was left hoping that some such imaginative way would be found out of the looming *impasse* in order to preserve the Seventeenth Amendment and extend its scope to the provinces and the education service.

#### DISCUSSION: DEALING WITH PATRONAGE IN SRI LANKA

At the time of writing, Sri Lanka was just starting to recover from the *tsunami* disaster, and civil service management was not uppermost in many minds. Moreover, there was always the risk that political turmoil would derail or sideline the reform, as had happened before. Yet it seemed likely that patronage, which has the resilience of a cockroach, would reemerge from almost any vicissitude and demand attention once again. What form should that attention take? In an ideal world the rising tide of prosperity would raise the public staffing boat, and patronage would take care of itself, as in the United States. But that tide will be slow to rise, at best, despite the recent growth that has followed liberalization in South Asia as a whole. Moreover, the experience of Mauritius, a rare structural adjustment success story in the 1980s, shows that growth can leave patronage untouched, while India and Nepal show, conversely, that even in poor countries, a central staffing agency can remain an island of integrity in a sea of favouritism (McCourt, 2001b; McCourt and Ramgutty-Wong, 2003; Wade, 1985). Indeed, if Kaufmann et al.'s (2003) finding that governance can cause prosperity means anything at all – that it might be governance that is the tide and the economy that is the boat - it must be possible for governments to act directly on staff management with a real hope of success.

With rule-following bureaucracy one of patronage's 'countervailing forces', and with the importance of institutions so firmly established even among economists (North, 1990), few will doubt that the Seventeenth Amendment was a necessary initiative, seeing that it severed the root that connected staffing decisions to the political sphere and reinforced rule-following just as Schick (1998) prescribed. Moreover, given that governments are obliged to ration their attention, Sri Lanka's choice of this particular measure from the international reform menu listed indiscriminately in the ADB's governance review (ADB, 2004: 44) is at

least in line with the analysis of this article. But the initiative was still not sufficient, even in its own terms. There were a number of measures that would strengthen the reform. For example, the Seventeenth Amendment represented an intervention on the demand side of the labor market, but the problem was partly on the supply side too: every year the education system churns out school-leavers and graduates conditioned to look for a job in the public sector. A vocational reorientation of education would do much to alleviate that. There were also technical improvements that could be made to staffing arrangements, introducing more predictive selection measures and extending performance appraisal (Armstrong and Baron, 1998; Smith and Robertson, 1993).

However, my analysis suggests that the priority should be to address the reform's political weakness, since patronage is a political problem that requires a political solution. Support for the reform needed to be maximized. The civil service staff associations needed to present a united front, despite the links that some of them have to rival political parties. Donors needed to subordinate their advocacy of pet reforms, whether downsizing, decentralization, gender equality or anything else, to the need to ensure that this fundamental reform actually succeeded.

Most importantly, reform needed the active support of the politicians themselves. In part that meant making efforts to retain the support of the Amendment's original political sponsors and being prepared to sell the Amendment to any new government. But more profoundly, it also meant finding a way to reconcile the independence of civil service management with politicians' need to give constituents a reason to (re-)elect them. Patronage expectations built up over fifty years of competitive politics will not disappear overnight, but it would be helpful if the civil service faced up to its image as the people who like to say no, and became more flexible, for example in helping a politician find a way through the maze of laws and regulations in order to get a road widened. If political supporters of reform could harness 'voice' by selling reform to the public, if the civil service independence need not be at the expense of local responsiveness, then politicians would be more likely to support staffing reform, give up their control of top ministry appointments and extend the reform to the provinces.

#### CONCLUSION: PATRONAGE AND PUBLIC POLICY REFORM

Those of us who study policy reform do not have the luxury of experimental laboratory conditions. Sri Lanka's government has never had a free hand to pursue reform, given the electoral hyper-competition prevailing almost since independence, the two insurrections and, most recently and tragically, the *tsunami* in December 2004. That is one reason why we should not read too much into a single case. Yet there may still be lessons for other countries and for students of patronage and public policy reform. I have concentrated on how patronage broking operates in one South Asian country: its roots, its mode of operation and its effects, both bad and, occasionally, good. Every country is *sui generis* to an extent, but the survey of the patronage literature in the first half of the article shows that patronage in Sri Lanka has many similarities with patronage elsewhere. It is citizens' need for humane access to the resources of government which creates patronage broking in the first place.

Patronage is less a disease that can be cured with a single dose of this or that policy medicine than a rhododendron bush, toppling which requires strenuous spadework to expose its roots and then hack them off one by one. It seems reasonable to suggest that the recipe outlined here is applicable to other countries: institutional reform to recover the independence of the civil service combined with measures to build political support and increase the responsiveness of the 'official channels' that most of us would be only too happy to use if we could rely on them. That may also be true of my analysis of the fragility of Sri Lanka's reform, and of the imagination and persistence needed to make it stick.

A further lesson is that Sri Lanka's reform has gone as far as it has largely because it is indigenous: it is 'owned'. Previous reform attempts that have derived from donor initiatives have not succeeded, and ironically they have been less ambitious and easier to reverse. There is support here for those who argue that the Holy Grail of policy ownership will take the form of donors respecting, within reason, indigenous priorities, idiosyncratic and unsatisfactory as they may well be, rather than of governments signing up to donor priorities, however rational those are (McCourt, 2003). As the Anglo-Welsh poet David Jones (1974: 56) has observed, 'Vice may be virtue uprooted.'

In the end, it is a bad sign when central civil service staffing agencies are interesting places to do policy research, as it means that institutional arrangements are not working as they should. I venture to hope that the analysis presented here will help policymakers and scholars to understand the patronage that is so pervasive in government, and to find an institutional remedy that has the support of politicians and other stakeholders. In a way, Weberians can only hope to win a face-off against political patrons by meeting them halfway. If they do that, both Weberian officials and welfarist politicians will be able to put questions of integrity on one side and turn their attention to improving the efficiency and responsiveness of government.

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#### Notes

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<sup>2</sup> In fact the bureaucratic and HRM authors differ in what they take to be the normative methods. The bureaucratic authors invest Max Weber with the same sanctity that Sri Lankan officials apply to the bureaucratic 'rules' (see below), while the HRM authors stress less venerable methods. However, the differences between the two approaches do not affect the basic thrust of my analysis.

<sup>3</sup> It is perhaps necessary to have worked in the Personnel Department of a large organization, as the author has, to understand how this could have happened.

<sup>4</sup> Quotations from research interviews are in italics.

<sup>5</sup> The common-sense explanation of administrative incapacity is not convincing in this case. Despite administrative blunders which we detail in this article, the government has managed to make major administrative changes from time to time, notably the Thirteenth and Seventeenth Amendments to the Constitution (see below). Sri Lanka appears on the 60<sup>th</sup> percentile of countries world-wide for 'government effectiveness' in the World Bank's governance index, against an average placing on the 48<sup>th</sup> percentile for countries in South Asia; while the average placing for lower middle-income countries like Sri Lanka is only on the 42<sup>nd</sup> percentile (Kaufmann *et al.*, 2002).

<sup>6</sup> Studies of patronage and clientelism had their heyday between 1975 and 1985, with relatively little having appeared thereafter. However, recent studies such as Villarreal's (2002) do continue to employ the concepts introduced in the earlier studies, suggesting that this is one of those rare instances in the social sciences where research has tailed off because something has actually been established, obviating the need for further basic enquiry.

<sup>7</sup> From here on we will use 'brokers', 'broking' and 'brokerage' as shorthand for 'brokers of political patronage' etc.

<sup>8</sup> 'So universal was the plaguing of Ministers on behalf of friends and relatives that in 1760 a tender mother who wished to see her son in Parliament thought it useful to point out to (the Duke of) Newcastle that her son would have no such requests to make' (Namier, 1929: 23). And old British habits die hard: in 2004, four government departments insisted on continuing to allow their Ministers to vet shortlists for official appointments even after the Commissioner for Public Appointments had told them to stop (Office for Public Appointments, 2004).

<sup>9</sup> Putnam consequently excludes voting in elections from his measure of 'civicness', clientelistic politics – and, incidentally, also the Catholic religion - apparently representing the wrong kind of civil society.

<sup>10</sup> Perhaps this is one reason why Sri Lanka's attempts at decentralization have mostly been halfhearted. Decentralization as such is outside the scope of this article. Readers may consult Oberst (1986) and Slater (1997). Shaw (1999) is particularly instructive on the process by which such initiatives fall short of their original intentions.