

# Can Social Protection Build State Legitimacy? Perspectives from Post War Sri Lanka

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The link between social protection provision and state legitimacy, particularly in post war contexts, has been suggested theoretically (Babajanian, 2012). However, there is little empirical evidence to support this view. Sri Lanka's long history in social welfare provision and the post war context provides an opportunity to explore this relationship. This study was conceptualized to address the dearth of empirical knowledge on the social protection-state legitimacy relationship by hypothesizing that war affected people's experiences of accessing and using state social protection programs can contribute to building state legitimacy in a post-war context. Fisher communities in Trincomalee, Jaffna and Mannar districts were the sample sites to explore ethnic and geographic variations in people's experiences of social protection program delivery. The exploratory study used qualitative methodologies to understand how the state delivers and how citizens access and use programs and in what ways these experiences shape people's perceptions of the state. Given the complexities of making the causal link between program experience and legitimacy, the study used an analytical framework that explored the relationship based on symbolic values, which underpin both program delivery and experience. Whilst the study provides insights on how citizens perceptions of the state are shaped by every day encounters with the state through access and use of social protection programs, it also highlights the nuances in the link as not only what benefits are delivered, but how programs are delivered is an important component of program experience which shapes people's perceptions of the state.

Keywords: social protection, state legitimacy, state-society relations, Sri Lanka

## Introduction

The link between social protection and state building has been theoretically discussed in academic literature. The literature on social protection suggests that it can help in building state-society relations by being instrumental in strengthening social cohesion and building state capacity and legitimacy (Babajanian, 2012).

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Whilst the literature on state building suggests that social protection can help establish a state-society contract and be an instrument in strengthening state legitimacy (Babajanian, 2012).

However, the role social protection delivery plays in building state legitimacy, particularly in a post war context has not been systematically tested. This paper attempts to engage with the thesis that social protection program delivery can strengthen state-society relations and contribute to peace building and stability (Babajanian, 2012). Thus the central question of this paper is: How do the ways in which social protection programmes engage citizens and the state shape people's perceptions of the state?

To answer this question, findings are used from a study conducted in 2013 in Jaffna, Mannar and Trincomalee districts in Sri Lanka—districts which were affected by a protracted war between the state and a group that claimed to represent an ethnic minority. This research study explored citizens' everyday encounters with the state bureaucracy through symbolic representations in the interactions between the state, through state officials, and citizens, to understand how these encounters affect people's perceptions of the state. The findings therefore provide a more grounded account of how programs are delivered and how perceptions are framed from a bottom up approach to explore the link between program delivery and state legitimacy. The paper argues that the link between social protection programs and their likely effects on state legitimacy is much more nuanced in Sri Lanka. This is due to the fact that people's perceptions are influenced by their expectations, and experiences about both what the state should deliver and how it delivers, which are shaped by trajectories of war and historical experiences of program delivery.

## Understanding the Link: Service Delivery and State Legitimacy

Essential to the well-being of people is the effective delivery of basic services such as health, education, water and sanitation. Social protection is a component of services designed to address poverty and vulnerability of specific groups such as; the poor, the disabled, the old, and children. As defined by Devereux,

Social protection describes all public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks and enhance the social status and rights of the marginalised; with the overall objective of reducing the economic and social vulnerability of poor, vulnerable and marginalised groups.(Devereux& Sabates Wheeler, 2004, p. 3 in Carpenter et al, 2012)

In its broadest form "legitimacy" is an attribute that is conferred upon a social or political entity by those who are subject to it or are part of it by granting it authority. It can also be argued, that legitimacy is influenced by people's perceptions, beliefs and expectations (Norad, 2011). Whilst legitimacy is the basis on which state and society are linked it is also the basis on which state authority is justified and may vary depending on citizens' expectations and perceptions.

Building or consolidating state-society relationships is an aspect linked with the process of state legitimacy. As a report by an international organization indicates, positive state-society relations are negotiated by inclusive political processes that constructively engage citizens with a state that delivers services to its people (OECD, 2010). Establishing or consolidating the social contract between the state and society are factors that contribute to state legitimacy and delivery of basic goods and services through state institutions is a way in which legitimacy can be built (Forest, et al., 2007). In situations where social expectations of a society are met by the state and mediated by political processes, the bargain between the state and society is established or reinforced and an institutionalised social contract between the state and society emerges (Haider, 2011). In such

situations, if services are delivered effectively and equitably a particularly form of legitimacy for the state i.e., output and Performance based legitimacy based can be achieved (Wild, Menacol & Mallet, 2013).

The concept of "performance legitimacy" where citizens "assess" the state based on its perceived effectiveness in delivering key services, is widely used in conflict affected contexts, particularly where "performance" is one of the ways in which the state seeks to build legitimacy (VomHau, 2013). As such, states that can marshal organizational competence and territorial reach to provide a wide variety of public services may enjoy significant legitimacy in the eyes of its citizens based on their effectiveness and ability to deliver (Wild, Menocal & Mallett, 2013). Thus, program delivery might be a source of legitimacy for the state in situations where programs can demonstrate the state is operating fairly and accountably (Mcloughlin, 2013).

Related to this concept of performance based legitimacy, some state building analysts are of the view that service provision is one of the range of functions that citizens expect the state to deliver—both willingness and capacity of the state to respond to a citizen's needs (Whaites, 2008). This view reflects a broader theme that legitimacy can be built through a government's effectiveness in fulfilling core state functions (François & Sud, 2006). In this sense, service delivery as a function of the state has a particular value in that it is clearly visible to citizens. Therefore, there is a visible link between what the state delivers and what citizens get in the form of wellbeing.

The link between service delivery and state legitimacy is grounded in the idea that by developing the capacity of the state to fulfil "expected functions" such as provision of services, and by meeting these demands, a state can forge or mend damaged state-society relations and strengthen legitimacy (Teskey et al., 2012, p. 4; Whaites, 2008 in Wild et al, 2013). It has been theorised that in contexts which have witnessed conflicts, service delivery allows state officials and citizens to engage and services are perceived to be a central mechanism by which the state and its citizens can interact giving content to the social contract between them (Rotberg, 2004, in Mcloughlin, 2013, p. 3). In such contexts, strengthening the provision of essential services and meeting basic needs can help contribute to the long-term process of state building (OECD, 2008 in Wild et al, 2013).

Whilst the role that service provision plays in state formation and state building processes has been visible in the theoretical literature for some time, existing evidence is mainly grouped in three categories; program design, public sector capacity to implement and program outcomes (Babajanian, 2012).However, the role that service provision plays in a range of conflict-affected situations has not been systematically tested(Wild et al, 2013).Drawing on this, Carpenter et al suggests there is a need to test the assumption that service delivery per se will impact on processes of state building and legitimation as there is very little conclusive evidence to support the link (Carpenteret al, 2012). Elaborating this point, Batley and Mcloughlin highlight the failure in current studies on social protection and service provision in conflict situations, to take into account contextual complexities (Batley & Mcloughlin, 2010). This point is particularly relevant given that state-society relations are highly variable over time and place (Eldon & Gunby, 2009). Further, considerations must take into account; historical relations within the state and interactions with the citizenry, historical conditions of coping strategies and governance regimes which provide services, and the impacts of historical relations and conditions which are shaped by specific situations (Carpenter et al, 2012).

## Social Welfare Provision in Sri Lanka

Sri Lanka has a long history of providing social welfare programs. Historically, the immediate family, the

extended family, and the community played a key role in providing for social protection needs. These traditions continued until recent times in an informal manner, though with changes in form and coverage over the years. To these informal mechanisms, a formal system of social security was included from the early 20thCentury with a strong social assistance component reflecting the welfare state approach adopted in the West, and more particularly modelled on Britain's post-war universalistic approach to welfare. This is reflected in the introduction of a mandatory pension scheme for civil servants (PSPS) in 1901, followed in the post-independence years by several contributory provident funds (Gunetilleke, 2005). Poverty transfers began as early as the 1930s driven by early experiences of democratic politics and the global recession in the mid-1930s. Social assistance for the poor under the form of cash transfers was first introduced in 1939, under the Poor Law Relief. In 1940, a food ration system was adopted by the Government of Sri Lanka to assure the availability of a minimum quantity of food to households (ILO, 2008). In the 1940s, state welfare provisions mostly targeted special groups facing misfortunes such as an adverse socio-economic event like death of a breadwinner or incapacity such as disability. The implicit idea was that the state should compensate those who are "casualties of progress" or victims of rapid social change (Alailima, 1995).

The postcolonial state provided relatively generous welfare benefits and played an important role in defining the state-society relationship portrayed through social democratic values of rights and entitlements (Uyangoda, 2011).Consequently, in the early years, the establishment of public services such as free health, education and provision of public employment comprised the parameters for legitimacy and stability not of a single government, but of the state itself and the political system (Uyangoda, 2011). This relationship is illustrated in the civil disobedience strikes and demonstrations of August 1953, which originated to protest against the proposed elimination of the subsidy on rice. The intention of the government at the time was to remove the subsidy on food as a step to avoid "a downfall in the economy", as articulated in Finance Minister J. R. Jayawardene's budget speech of 1953. The speech signalled drastic cuts in social welfare spending which benefited the poor. The subsequent abolishing of the subsidy resulted in the price of rice soaring from 25 cents to 75 cents per measure. Several reductions in social welfare funding also followed such as; abolishing the free midday meal for school children and cuts in Public Assistance, which were targeted at the poorest of the poor. Government attempts to revamp the economy by reducing redistributive expenditure was perceived as targeting the poorest segments of the community whilst leaving the rich and privileged intact. What started as a one-day protest in opposition to the cuts in social welfare spending, rapidly grew into a widespread mass uprising of people who rose in strong protest against the government measures which resulted in bringing down a democratically elected government (Perera, 2003). The 1953 mass uprising illustrates that social welfare provision is a key component of the state-society contract, which is demanded as a "right" and provided as an integral component of the state-society relationship. This relationship is reflected in the high level of coverage for both health and education which provide, to date, universal access to healthcare and free education from primary through university.

Whilst market led development strategies pursued since 1978 have undermined the welfare state in terms of prioritizing service provision, particularly in health and education, poverty reduction programs were introduced and carried out by successive governments to cushion the poorest from some of the negative impacts of market led growth initiatives. In 1978, the "*Janasaviya*" poverty reduction program was introduced followed by "*Samurdhi*" in 1994, which is still continuing as a safety net aimed at the poorest of the poor who may not benefit adequately from planned growth and privatization initiatives. The strategies employed in these

programs are based on the idea that the poor can engage in profitable economic activities but need a temporary safety net, which will be removed after the recipients become self-reliant entrepreneurs (Lakshman, 1998). The current "*Samurdhi*" or "Prosperity" program comprises a welfare, rural development and micro-finance components which include food stamps, social insurance and financing components to help overcome poverty. The focus of these programs has been on "empowering" the poor and providing a "safety net" to overcome poverty and the envisioned role of the state has been to create an enabling environment to facilitate the poor to overcome poverty by integrating with the market.

The provision of social welfare as the axis of the state development process was reflected in programs pursued by successive governments since independence (Gunetilleke, 2005). Thus, since independence in 1948, Sri Lanka has pursued policies and programs that aimed to ensure that equity was sustained over the longer term. Despite successive changes in government, the state commitment to social welfare became an implicit contract between the state and citizens. State commitment to equity and social welfare continued during two violent insurrections in the south in 1971 and 1987/1988. During the ethnic based war in the north and east (1983-2009), the government continued to finance and maintain social infrastructure such as health and education services as well as maintaining food security in the areas which were under rebel control, and provided access to public sector pensions (Gunetilleke, 2005). Through these programs, successive governments have shown a commitment to providing some form of income support to its population and workforce. The post-independence years were thus marked by the adoption of social policies based on the notion that economic development should be underpinned by sound social welfare and social protection programs and policies. Thus, the provision of services such as health, education and social protection such as the state pension scheme, has been consistent in postcolonial Sri Lanka and has become an expected function of the state and an integral component of the state-society contract as has already been discussed in relation to the civil disobedience following the removal of the subsidy on rice in 1953.

Thus Sri Lanka has a long history of delivering social welfare programs led by a demand for services and successive post independent governments have responded to this demand by providing welfare programs in the form of universal provision in health and education services and in the provision of social safety nets such as the state pension scheme and successive poverty reduction programs. Despite shortcomings, the state continued to provide some services such as health, education and access to public sector pensions even during the height of conflict. Since the end of the war in 2009, state sponsored social protection and other social welfare services are being delivered in the war affected areas in the North and East.

The literature suggests that, one of the ways in which performance and legitimacy can be linked is to understand how people's perceptions are shaped by accessing and using state programs. Sri Lanka has a long history of social welfare provision. Whilst some services such as health, education and state pensions were delivered during the war, it is only since the end of the war in 2009, that war affected communities accessed the full range of services delivered by the state. The country context in Sri Lanka thus provides the opportunity to empirically explore the link between social protection program delivery and state legitimacy in a post war context by focusing on how program delivery engages the state with citizens and helps (re)build state-society relations fractured by a protracted conflict.

## **Data and Methods**

The methodology engaged with the concept of state building from the perspective of "performance

legitimacy", focuses on the quality and effectiveness of state delivery of program as understood and conveyed though citizens' perceptions of and attitudes towards political authorities. Thus, the line of inquiry explored "how"particular social protection programs were delivered and "how"lived experiences of accessing and using or benefitting from these programs shape citizens' perceptions of the state.

The study was conducted in the former war torn districts of Jaffna, Mannar and Trincomalee in Sri Lanka. The diversity of the three districts in terms of ethnic composition, history of using social protection programs and duration of being under rebel control, provided a rich source of data to better understand the nuances in the links between program experience and state legitimacy. The breakdown of sampling units per district was as follows:

#### Table 1

Sample by District and Sub District
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District	Divisional Secretariat <sup>1</sup>	Grama Niladhari <sup>2</sup>	
Trincomalee	Trinco Town and Gravets	Abeypura	
		Murugapuri	
	Kuchchaveli	Pulmudai	
		Veloor	
Jaffna	Telipallai	Illawalai North West	
		Mallakam Central	
	Vadamarachchi East	Champiyanpattu North	
		Maruthenkerny	
Mannar	Musali	Arippu West	
		Karandikuli	
	Manthai West	Paliyarru	
		Vidalathivu West	

#### Table 2

Sample Disaggregated by District, Ethnicity and Gender

District		Ethnicity		Gender		
	Sinhala	Tamil	Muslim	Male	Female	
Trincomalee	5	10	5	10	10	
Jaffna	-	20	-	10	10	
Mannar	-	15	7	10	10	

The literature indicates that research on the role of service provision in (re)building state legitimacy is limited in many ways and that correlation analysis in quantitative research has not been able to account for the causal processes through which service delivery affects citizens' perceptions of the state (Mcloughlin, 2013). This study used qualitative research tools which enabled the gathering of a rich data set to provide insights on how programs are delivered, accessed and used and how people's perceptions are shaped by these everyday encounters with the state machinery. A literature review was followed by primary data collection using two tools: open ended questionnaires at household level with recipients and non-recipients of state social protection programs and Key Person Interviews (KPIs) with officials delivering programs at the Provincial, Divisional Secretariat (DS) and Grama Niladhari (GN) levels. Individuals were purposively selected taking into account; gender and ethnicity. Whilst three fourths of the sample was selected on the basis of being a beneficiary of a state

<sup>&</sup>lt;sup>1</sup> Divisional sub unit of the district administration.

<sup>&</sup>lt;sup>2</sup> Village level sub unit of the Divisional Secretariat.

program, one fourth was purposively selected for being 'eligible' for but currently not receiving any state benefit.

To validate and triangulate the data obtained at the household level, KPIs using an open ended questionnaire guide were conducted at the DS level with subject officers implementing programs such as  $Samurdhi^3$ , state pensions, old age allowance, disability allowance, and social services. Primary data thus collected was analysed using the software package NVIVO using a multi layered analytical framework, which was developed for the study. This framework<sup>4</sup> was devised to investigate under what conditions a relationship between citizens and the state begins to emerge, taking into account variations in contextual factors (Babajanian, 2012, p. 13).

#### What the Study Found

The study set out to explore the link between social protection program delivery and state legitimacy by looking deeper into people's every day encounters with the state machinery and how these encounters shape people's perceptions of the state to provide a more grounded view of how program delivery engages citizens with state officials. It thus looks more closely at how citizens assess the state based on how it "performs" and what aspects of the performance influences perceptions. The analysis began by attempting to understand the symbolic representation of people's perceptions of "what" was delivered and "how" it was delivered and how the process of engagement shaped people's perceptions of the state.

## What was Given

Social protection programs in Sri Lanka come in different forms, the largest poverty reduction program *Samurdhi* and the state pension scheme, which is payable to state employees upon retirement, are the largest state programs in terms of coverage and expenditure. In addition, severable programs exist to cover groups of vulnerable people, such as; the elderly (elders allowance), the disabled (disability allowance) and the poorest of the poor and destitute (Public Assistance Monthly Allowance or PAMA). The PAMA targets the poorest, but many of the beneficiaries are disproportionately women.

Visibility of the state as a provider of social protection programs was high in all locations indicating that state programs had penetrated to all segments of the community and that the state was visible as a provider of social protection programs. During the war, social protection programs, except the state pension, were delivered only to communities under government control. Consequently, communities in Mannar were able to access the full range of benefits only post 2009. However, communities in Trincomalee and Jaffna had been enjoying program benefits for a longer period of time as they were under government control for much longer. In all of the surveyed communities, visibility of the state was mostly through the "*Grama Niladhari*"(GN)<sup>5</sup>, the local government official, who is seen as the "face" of the state at the village level. The GN served as the primary source of information on what programs and services were provided by the state. This was noted particularly in the case of single women in Jaffna and Mannar who indicated that they relied on the GN for information about available programs and services. The official, is often, though not always, local, and is required to know his/her community so as to be able to provide such documents as "character certificates". This official often helped people to complete the paperwork required to obtain benefits and was the first point of call should villagers

<sup>&</sup>lt;sup>3</sup> Poverty reduction program.

<sup>&</sup>lt;sup>4</sup> State Legitimacy through Service Delivery? Towards an analytical framework' paper prepared by ODI.

<sup>&</sup>lt;sup>5</sup> Village Officer appointed by the Central Government.

encounter an issue in receiving benefits. When making house calls on the households under his/her jurisdiction, the GN periodically assesses the needs of the household and provides information on what programs and benefits the householders may be eligible for. If the need was one that could not be met by state benefits, the GN would refer the householder to other programs, offered by non-state actors. Women in Jaffna particularly stressed the role that the GN played in helping to complete the paperwork and necessary follow-up to enable them to get benefits such as Samurdhi.

Due to his close association with the community, the GN was not always seen in a favourable manner. For instance, it was not unlikely for GNs to be perceived as being "biased" towards a particular segment of the community. This was evident in a fishing village in Trincomalee, which consisted of both Tamil and Muslim communities, where the GN was Muslim. The Tamil respondents perceived that the GN favoured the Muslims as illustrated in this quote:

There are only few Tamil people living under this GN Division, the GN favors the Muslims because he is a Muslim. He helps only selected Tamil families who maintain a close relationship with him. Other Tamil families are discriminated when services are delivered. (Tamil, male, Pulmudai)

The role of the GN thus although highly visible, is not always viewed positively as he is perceived to have biases and to favor those of his own community or his friends and relations. Perceptions on the behavior of the GN in performing his official functions influenced people's views of the state. Thus, the GN, as the "face" of the state, represents it locally. The values conveyed in the performance of his/her duty becomes a symbol of the interactions between the state and society.

Non-state programs were also being delivered in some surveyed locations (Jaffna and Mannar). It is important however to note that in these locations there was no evidence to indicate that the provision of programs by non-state actors undermined programs that were provided by the state, nor were they seen to be in competition. Instead, non-state benefits appear to complement state benefits. In Mannar for example, housing, child and other in-kind benefits were being delivered at the time of fieldwork in 2013. The notion amongst recipients was that benefits provided by non-state actors, particularly international non-government community, were temporary whereas the state benefits were of a much longer-term nature. Thus, the role of the state as the primary provider of social protection programs was clearly articulated by these respondents. This view was corroborated by state officials delivering programs, confirming that state sponsored programs had penetrated sufficiently to enable the state to be visible as the primary provider of social protection programs.

## How it Was Given

Whilst"what" was given by the state was clear in the minds of the people and they acknowledged that the state was visible and active in delivering social protection programs, what was expressed clearly were concerns on "how" benefits were given by state officials i.e., the symbolic values conveyed during the act of giving. For the purpose of analysis, issues related to the process of giving are grouped under the following categories: the politics of giving, accountability and participation.

Issues of favouritism in beneficiary selection and in some instances, determining the quantum of financial benefit to be given, were cited particularly in *Samurdhi*. When probing this issue, the cause of the problem was often indicated as the existence of bias of local officials at the village and divisional levels who were perceived to be engaging in discriminatory practices in deciding who gets what and how much. As one respondent

#### commented

They treat us unequally, it happens always. For example, my daughter is a widow, and has a child. So she applied for Samurdhi, she did not get but other people who applied with my daughter got Samurdhi. So they favor their own people, and their relatives. (Tamil, female, Murugapuri)

Discriminatory practices were also cited in instances where citizens had applied for but had not received benefits. It was not clear in the minds of these people why they were not receiving benefits, and the perception was that it was due to favouritism on the part of state officials who were involved in the decision making process. The perception was that if you knew a government official well or you were 'politically connected,' you were more likely to get benefits, and, in some instances the perception was that benefits were given even if people were not entitled to them. It is important to note that such instances of injustice in beneficiary selection were mostly articulated in Trincomalee—a region where state sponsored programs have been delivered since the 1990s. The incidents of bias that were articulated were far less in Mannar, where respondents expressed gratitude to the state for giving benefits which they had not received during the war but were receiving since the end of the war in 2009.

Inconsistencies in the number of programs from which benefits were received were also noted. For example, in some geographical locations, beneficiaries were receiving benefits from more than one program whilst in other locations beneficiaries were told that as they were already benefitting from one program, they were not entitled to receive benefits from another program. Women in Mannar for instance, were more likely to receive multiple benefits which included Samurdhi and PAMA. This could be due to the multiple vulnerabilities that women in a post-war situation faced. However, from a program point of view, there was no transparent explanation for why some women in Mannar received PAMA and Samurdhi whilst this was not always the case in Jaffna. It was noted, however, that perceptions of bias were few in the state pension program, which had a transparent process for applying and receiving benefits. The procedures for collecting receipts as well as beneficiary entitlements were clear and known to beneficiaries with little if any space for issues of favouritism to arise. Thus, perceptions of discrimination can be attributed to the lack of transparency and a standardised targeting and implementation process. The recurring issue of favoritism in program implementation was a reason cited frequently for dissatisfaction with programs indicating that when the state provides programs without being accountable and fair, perceptions of trust and legitimacy are likely to be affected. Thus, issues of exclusion and discrimination affect perceptions of state performance and capacity to deliver programs.

The second factor which influenced perceptions, was the values that were conveyed in the delivery process; particularly, the willingness of officials to be held responsible or accountable for their actions. An issue which was frequently cited, was that state officials were disrespectful when citizens approached them in accessing or using program benefits. In the *Samurdhi* program for instance, officials were described as "behaving badly" and forgetting to treat people with respect as illustrated in this quote: "Sometimes when we get the Samurdhi money, the Samurdhi officers behave rudely. They act like the boss. This should change and government people must behave with mercy but they forget the humanity thing so they need to change" (Muslim, female, Karadikulli). The reasoning behind this attitude is illustrated in this quote:

The reasonable hind these things are the officers do not respect the public. When they are in a powerful position, they think they are the top people and see others like slaves. And they respect people who are posh, but they ignore people who

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are poor like us. (Muslim, male, Murugapuri)

The way in which power relations play out and the attitudes and values conveyed through the way state officials deliver programs play an important role in how people perceive the state through the acts of officials who are agents of the state. These officials are thus the "face" of the state and the everyday encounters of officials with citizens play a vital role in how the state is perceived.

The third aspect which influenced citizens' perceptions of the state, was related to issues of inclusion and participation, particularly perceptions about their voices being heard, the existence and function of grievance mechanisms. Perceptions about how well grievance mechanisms functioned varied by program. If functioning grievance mechanisms existed, and meetings were held where citizens were able to voice their opinion openly without fear of reprisal, people's perceptions of the state were more likely to be positive as illustrated in this quote:

I do not have any problems with my pension. I am receiving my pension smoothly so far. If we need to complain about our officers, we can move through the DS office with a particular person's letter and we can go directly to the pension department too. (Elderly Tamil, male, Maruthenkerny)

Functioning grievance mechanisms such as the ones that exist for pensions, also provided an alternative forum to voice concerns and issues, particularly if they are regarding the functioning of the GN. However, the functioning of such grievance mechanisms for other programs such as *Samurdhi* was lacking in many of the locations. Where they existed, in villages in Trincomalee, citizens did not participate as they either feared reprisal or did not believe their voices were heard.

Thus, recipients of the state pension scheme were happy with the program as they felt they have recourse to a grievance mechanism. The system, for the most part, functioned, and they were able to sort out issues without much delay. However, in the *Samurdhi* program, whilst regular meetings were held, the general perception was that not much notice was taken of concerns beneficiaries raised at these meetings and in some cases they were even penalised for raising issues as illustrated in this quote:

If we say something to the GN, he does not care about it. We are expressing our needs to GN office but they are not considering these things. We cannot fight with them and we cannot raise questions against them. If we do so, they will not include us in the upcoming programmes. (Tamil, male, Pulmudai)

Thus, if people felt that the spaces for airing their grievances existed and functioned they were much more likely to have positive perceptions of program delivery.

Interestingly, people's perceptions with how satisfied or dissatisfied they were with the programs and with the state that provided these benefits varied by the trajectories of their war, displacement and resettlement history. For instance, citizens who had endured longer years of war and displacement were more likely to overlook shortcomings in the delivery system. People in Mannar were happy that they received something now, such as cash, loans and entitlements from *Samurdhi* which they did not have access to during the war. Whilst communities that had longer access to state programs such as those in Trincomalee, were more likely to be critical of the programs and the state officials who delivered them, indicating that trajectories of life experiences of war and post war conditions shape and reshape perceptions about program delivery.

## How are Perceptions Formed?

The idea that not only "what"the state delivers, but "how" the state delivers calls for an interrogation of

the role people's expectations play in shaping perceptions about the state. A thread that ran through the data was the notion that it is the duty of the state to provide for its citizens and that provision of programs and services is a "right" of citizenship. This notion was articulated by the providers (state officials) and the recipients (citizens). In the words of a male pension recipient, "The state should provide for its citizens because in developing countries people need help not like in developed countries. People in developing countries are poor and need to be helped to live"(Sinhala, male, Pension recipient). Recipients of pensions for retired state employees regarded the pension entitlement as a "right" for a lifelong commitment for working for the state. Vulnerable groups such as the elderly and the disabled considered it an obligation of the state to take care of them. This notion was supported by state officials across all locations and levels of the administrative system. Officials were of the view that the provision of programs to assist people in poverty and positions of vulnerability was the duty of the state. They took pride in their role in providing services which they claimed was 'not enough' given the level of deprivation people faced.

The notion that it is the duty of the state to provide programs and services for its citizens' frames people's expectations of the state, which in turn influences expectations on the role of the state vis-a-vis citizens. As a respondent who was not receiving any state sponsored support remarked, "Welfare means providing assistance for life. We want the government to offer this kind of assistance to poor people and to affected people continuously". Thus, what the people expect from the state is strongly influenced by the idea that it is the duty of the state to provide programs and services to its citizens and that the provision of services and programs is a right of citizenship which the state is duty bound to provide. This notion could be attributed to Sri Lanka's long history of social welfare provision in health, education, state pensions and more recently in poverty reduction strategies where provision of services and programs became expressly part of the state- society contract as discussed earlier in this paper.

If program and service provision is what is expected from the state as a "right", can it be a lever for building legitimacy? Whilst there was no conclusive answer to this question from the study, two potential hypotheses can be made based on the evidence obtained. The first is that positive perceptions about state performance can be shaped by how much and how well expectations are met, i.e., if people are satisfied with state performance, it can be assumed that expectations were met which contribute to positive perceptions of the state based on its performance in delivering services. This assumption held with regard to communities who had a longer war experience and a short time span of exposure to state sponsored programs. Communities in Mannar for instance, overwhelmingly said they were 'satisfied' with state performance despite the fact that they acknowledged some shortcomings. They were willing to overlook these shortcomings given that they were now obtaining programs and services which were not available during the long period in which they were under the Liberation Tigers of Tamil Eelam's (LTTE) control.

The second is that if the state is visible as a provider of programs and actively engages with citizens in the delivery process, state-society relations can be built and can thereby contribute towards legitimacy. This view aligns with some aspects of the statebuilding literature, which posits that service delivery can be assumed to be an important visual reminder of the reciprocal nature of state-society relationships (Mcloughlin, 2013).

The evidence from Sri Lanka suggests that the provision of programs allows citizens and the state, through state officials who deliver programs and services, to engage and this interaction provides a space to re-build state—society relations, an integral component of legitimating the state. Across all locations and groups in this study there was acknowledgement that the provision of programs by the state had improved state-society

relations through creating spaces for greater interaction between state officials and citizens at the local level. This was particularly evident in social services and pension provisions. Given the wide range of services covered under social services, officials were able to reach a wider group of individuals—the elderly, the disabled, women-headed households and children.

The role of the village GN as the principal face of the state was evident across different geographical locations and identity groups. The GN was the first point of contact with the state, providing a wide range of services from information on the available state (and non-state) programmes to helping eligible villagers with the paperwork necessary to enrolling a programme. The GN was usually also the first point of contact to make complaints and address grievances on programme related issues.

Officials at the DS level also interacted regularly with citizens. Subject officers in social services and pensions as well as *Samurdhi* interacted with programme recipients on a regular basis, providing a space for greater state-society interaction than was previously possible. For women, particularly in Jaffna and Mannar, interactions with state officials were mainly through the GN as they rarely attended meetings or went to the local DSoffice. Thus, perceptions of the 'state' were largely framed by their day-to-day interactions with these officials.

In both Mannar and Jaffna Districts, people were of the view that relationships between state officials delivering programmes and citizens were greatly improved since the end of the war. This was particularly evident in Mannar District, where *Samurdhi* benefits have only recently been rolled out. In Trincomalee, officials indicated that they see improvement in state-society relations, particularly in relation to the provision of social services at the DS level, which creates positive spaces for interaction between state officials and people. This was partly due to the relatively streamlined process of applying and receiving benefits. Respondents elaborated that officials and villagers met regularly, creating spaces for engagement in building and consolidating this relationship. Thus, program delivery provided the opportunity for the state to engage with citizens and the study findings allude to the idea that these interactions play an important role in building state-society relations at the local level, a relationship that had deteriorated or broken down considerably due to a prolonged conflict.

It is however important to note that in practice, isolating social protection program delivery or assessing its contribution as a driver of state legitimacy is much more nuanced. To illustrate, some respondents whilst indicating that they were satisfied with the performance of the state in delivering programs, stated that they had 'other issues' with the state such as implementation of the tri lingual policy which they were 'dissatisfied' with, resonating with a point made by Batley and Mcloughlin that contextual complexities must be taken into account when establishing the link between social protection, service provision and state legitimacy in conflict situations. This link is problematic in the context of Sri Lanka where isolating program delivery or its contribution to building legitimacy is difficult particularly when program delivery is an expected function of the state and state building and legitimisation processes are deeply ethicised. Thus resonating with the idea that the delivery of basic services can significantly enhance state legitimacy is a "leap of faith" (Mcloughlin, 2013, p. 2).

#### Conclusions

Historically few case studies in qualitative research have indicated that citizens adjust their perceptions of the state in response to relative improvements (or deterioration) in service delivery over time (Mcloughlin,

2013). As this study has indicated, in practice, a number of factors influence the linear relationship between a state's performance on the one hand and its degree of legitimacy on the other hand. This is partly due to the fact that perceptions are shaped by people's expectations, and expectations can vary between and within regions and groups depending on the starting points and trajectories of war and post war experiences with state and non-state actors and institutions. Further, the relationship between expectations and delivery is dynamic and fluid indicating that it can change over time (Mcloughlin, 2013). Thus, the connection between social protection programming and state legitimacy is inherently complex as multiple factors can impact on the potential linkages between the two concepts.

As a way of obtaining insights to better understand the nuances of the link, this paper explores what the state delivers (outcomes) and how(process) it delivers, by inquiring into symbolic representations such as; the visibility of the state in providing programs and its effect on how citizens perceive and attribute benefits of programs; if the state provides services which are accountable and fair, and how they affect perceptions of trust and legitimacy; of who is seen to be accountable; and the capacities for local level collective action and collaboration of different groups and its links with issues of inclusion and accountability. The methodology took into account contextual factors specifically the political function of program delivery, recognising that program delivery is a process bound by ideological beliefs, norms and values through which socio-political processes are practiced.

This paper aims to share empirical insights on how people's perceptions of the state are framed though their experiences of accessing and using social protection programs. Whilst penetration and visibility of the state as a provider was high, issues of politicisation and lack of standardisation of procedures across locations and within programs was evident. Whilst a range of mechanisms exists to deal with grievances and spaces for participation and interactions, the functioning of these mechanisms varied. Whilst there was no conclusive evidence to suggest that positive program experience translated to positive perceptions of the state, the link between positive program experience and positive relations with state officials was more tangible. This was evidenced in the reliance on the GN, particularly amongst single women in Jaffna and Mannar, on all matters related to program delivery; be it applying for benefits, obtaining new information on benefits or initiating a complaint and following it up. Thus, positive experiences of program delivery, through the values and attitudes transferred in the delivery process, contribute to positive state–society relations at the local level. Conversely, negative experiences of program delivery such as delays in receiving benefits, process inefficiencies and lack of transparency were often linked with poor relations with state officials.

The study highlights that program delivery engages citizens with the state through their every-day interactions with state officials. These interactions contribute to building state-society relations at the local level by shaping positive or negative perceptions of the "state". To illustrate, the values and attitudes of local level officials, such as the GN, Social Services Officer and *Samurdhi* Officer, transferred in the delivery process, play an important role in determining satisfaction or dissatisfaction with program experience. If these officials understand and respond to people's needs, treat them with respect, address grievances, complaints and follow up on commitments made, people are more likely to be satisfied with the programs and with the state that delivers them. Similarly, the existence of procedures which are transparent and efficient, as well as grievance mechanisms and accountability systems that people have recourse to are important for overall satisfaction with programs and contribute to positive relationships between the state and its people. In this sense, social protection program delivery provides a space for state-society interactions and an opportunity to build

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state-society relations, which have been fractured by a prolonged conflict.

Building state-society relations is an important aspect of the social contract between the state and citizens and a path to building longer term legitimacy based on the concept of performance legitimacy. Given Sri Lanka's post war context in which the state has made a concerted effort to roll out social protection programs to the war affected, the country context provided an opportunity to explore the link between social protection delivery and state legitimacy. Whilst the paper provides insights in the ways that program delivery engages citizens with the state and helps (re) state-society relations at the local level, the difficulties of scaling the link to focus on social protection delivery as a driver of legitimacy is more complex as consideration must also take into account the country's long history of social welfare provision and how it shapes people's expectations of the state, historical relations between the state and its citizens and trajectories of war and post war life experiences with state delivery system. The study findings thus resonate with Mcloughlin's position that "the notion that basic service delivery can instrumentally enhance state legitimacy appears something of a leap of faith" (Mcloughlin, 2013, p. 2).

#### References

- Alailima, P. (1995). Provision of Social Welfare Services. Sri Lanka Journal of Social Sciences,18(1&2). Retrieved from http://dl.nsf.ac.lk/bitstream/handle/1/4942/JSS%2018\_1.pdf?sequence=1
- Babajanian, B. (2012). Social protection and its contribution to social cohesion and state building. Deutsche Gesellschaftfür Internationale Zusammenarbeit (GIZ) GmbH, Retrieved from

http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7759.pdf

 Batley, R., & Mcloughlin, C. (2010). Engagement with non-state service providers in fragile states: Reconciling state-building and service delivery.
 Development
 Policy
 Review,
 28(2).
 Retrieved

 fromhttp://pureoai.bham.ac.uk/ws/files/3895202/Batley\_2010\_DevelopmentPolicyReview.pdf
 Retrieved

Bellina, S., et al. (2009). The legitimacy of the state in fragile situations.

- Norwegian Agency for Development Cooperation (NORAD). (2011). Norad Report 20/2009 Discussion. Retrieved from http://www.norad.no/en/tools-and-publications/publications/norad-reports/publication?key=134243
- Carpenter, S., Slater, R., & Mallet, R. (2012). Social protection and basic services in fragile and conflict- affected situations. Working Paper 8, ODI.
- Devereux, S., & Sabates-Wheeler, R. (2004). Transformative social protection. *Working paper 232*, Institute of Development Studies, Brighton.

Eldon, J., & Gunby, D. (2009). States in development: State building and service delivery. London: HLSP.

- François, M., & Sud, I. (2006). Promoting stability and development in fragile and failed states. *Development policy review*, 24(2), 141-160.
- Gunetilleke, G. (2005). Negotiating development in an evolving democracy—Lessons from Sri Lanka. *Harvard Asia Pacific Review*.
- Haider, K. (2011). State-society relations and citizenship in situations of conflict and fragility, governance and social development resource centre (GSDRC). Retrieved fromhttp://www.gsdrc.org/docs/open/CON88.pdf
- ILO. (2008). Social security in Sri Lanka, A review of the social security system for the Ministry of Labour and Man Power. ILO. Social Security Department, International Labour Office, Geneva.
- Lakshman, W. D. (1998). Sri Lankave Duppatkama Adukirime Abyasayan: Poverty in Sri Lanka-Measurement and Alleviation Exercises (Leelasena, W. M. & Adikariaya, Samurdhi, Trans.) (p. 41)
- Mcloughlin, C. (2013). Performing to expectations? (Re-)Building state legitimacy via service delivery in fragile and conflict-affected situations, Paper to be presented at *ISA Annual Convention panel on "Theorizing Intervention"* San Francisco, 3-6 April 2013. Retrieved fromhttp://ssrn.com/abstract=2240902
- OECD. (2010). Conflict and fragility: The state's legitimacy in fragile situations: Unpacking complexity. Organization for Economic Co-operation and Development, OECD. Retrieved from http://www.oecd.org/dac/incaf/44794487.pdf
- OECD. (2008). Concepts and dilemmas of statebuilding in fragile situations. OECD/DAC Discussion Paper, Organization for

Economic Co-operation and Development. Retrieved fromhttp://www.oecd.org/dac/incaf/41100930.pdf

- Perera. K. K. S. (2013). 53: Conception of the two-party system60th anniversary of Hartal. Retrieved from http://www.island.lk/index.php?page\_cat=article-details&page=article-details&code\_title=85552
- SLRC. (2012). Sri Lanka—Livelihoods, basic services, social protection and perceptions of the state and conflict-affected situations household survey 2012, first round. Retrieved from http://microdata.worldbank.org/index.php/catalog/2254 in http://www.securelivelihoods.org/content/2261/SLRC-Survey
- Teskey, G., Schnell, S., & Poole, A. (2012). Beyond capacity—Addressing authority and legitimacy in fragile states. Draft, siteresources. Retrieved December 28, 2015, from http://www.worldbank.org/PUBLICSECTORANDGOVERNANCE /Resources/285741-1343934891414/8787489-1347032641376/GettingBeyondCapacity.pdf
- Uyangoda, J. (2011). Liberal peace in question: Politics of state and market reform in Sri Lanka. London: Anthem Press.
- VomHau, M. (2013). *State capacity and inclusive development: New challenges and directions, 2013.* Working paper 2,Effective States and Inclusive Development Research Centre (ESID).
- Whaites, A. (2008). *States in development: Understanding state-building*. DFID Working Paper. Retrieved fromhttp://tna.europarchive.org/20081212094836/http://dfid.gov.uk/pubs/files/State-in-Development-Wkg-Paper.pdf
- Wild, L., Menocal, A. R., & Mallett, R. (2013). *State legitimacy through service delivery*? Towards an Analytical Framework. Final Draft.