

When Does Service Delivery Undermine State Legitimacy? Evidence from Sri Lanka

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Contents

Summary

1. Introduction	1
2. Service delivery, state (il)legitimacy and (in)stability	3
3. Higher education and state de-legitimation in Sri Lanka	7
4. Discussion and conclusion	16
References	19

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Summary

State-building scholars have argued that the effective provision of highly desired public services can be a source of legitimacy for fragile and conflict-affected states, yet few studies have examined this relationship in-depth, or over time. Likewise, the reverse proposition, that poor public services might undermine a state's legitimacy and contribute to processes of state de-legitimation, remains relatively neglected.

This paper explores the role of public service provision in undermining state legitimacy. It analyses why higher education aggravated a dual crisis of the legitimacy of the Sri Lankan state during the critical juncture of 1956-1974. During this period, political manipulation of the rules governing entry to higher education was a significant radicalising force behind an insurrection in the south of the country and the germination of what would become an armed separatist movement in the north.

Both the insurrection and the emergence of armed separatism were exacerbated by particularistic education reforms intended to legitimise the state with its majority constituency – the rural Sinhalese – but which had the opposite effect of helping to de-legitimise it among elements both within that majority and within the Tamil minority constituency. State failure to deliver on the nationalist promise of 'democratising' access to education and lift up the rural masses contributed to the breaking of the social contract between the state and Sinhalese youth insurrectionaries in the south. At the same time, the pursuit of 'equalisation' in access to higher education as part of a wider nationalism-fuelled legitimisation strategy underpinned a series of reforms that were perceived by Tamils and other groups as unfair and significantly aggravated the resort to armed separatism in the north.

Sri Lanka's experience illustrates that the political manipulation of highly valued public services can exacerbate processes of state de-legitimation. In this case, the rules governing access to education were manipulated in such a way that they challenged expectations implicit in the social contract, undermined social norms and principles, and (re-)produced perceptions of unfairness in both the distribution of services and decision-making processes. The impacts of particularistic reforms on the education system were magnified in the context of wider grievances about the inequitable distribution of resources among different groups in society. The education system was a highly visible and politically salient area of public policy that came to symbolise this wider perceived unfairness.

This case study's findings suggest that perceptions of fairness in service provision – whether distributive justice or procedural fairness – can be significant for processes of state legitimation and de-legitimation. The perceived fairness of the allocation of highly desired public goods can symbolically and materially represent the state's commitment to upholding certain rights and entitlements. At the same time, unfair services can symbolise broken promises, discrimination, predation or neglect on the part of the state. There are no universal criteria against which fairness is evaluated. Rather, perceptions of fairness are subjective, tied to group identity, formed within the temporal political climate, and historically contingent. Fairness may be closely linked to group identity where access to services is considered a marker of group self-esteem and social status. The fairness of service provision is evaluated in, and cannot be divorced from, the perceived fairness of the political system and the distribution of resources and power in society as a whole. Likewise, the fairness of who gets what services, where and how is evaluated in the context of expectations of rights or entitlements that are historically embedded in the social contract between the state and different social groups.

Particularly in divided societies, different understandings of fairness in the allocation and distribution of public services among groups represents a potential source of contested legitimacy and an associated risk to stability. Sri Lanka's experience shows that nationalistic or particularistic policies can undermine legitimacy and create legitimacy trade-offs, where reforms intended to realise one group's understanding of fairness confront and contradict another (competing) group's understanding of fairness. Public and political narratives about the fair allocation of highly desired public goods can matter for perceptions of the state and people's willingness to comply with its authority. A challenge, for both states and aid actors, is that how service provision is *perceived* by different groups may be as significant for legitimacy and stability as how equitably they are distributed in objective terms. This suggests the public and political discourse surrounding service delivery may influence its significance for the state's legitimacy as much as the hardware of investment.

This study provides a qualitative, historical case study of the political role of service delivery in processes of state (de-)legitimation. It shows that the significance of service provision for the acceptance, or not, of the state's right to rule is politically and historically contingent. In particular, adopting a long-term perspective highlights connections between political legitimation strategies and their (sometimes unintended) effects over time. Moreover, an empirical focus on periods when legitimacy is either consolidating or unravelling may be fruitful, because during these critical junctures the normative basis for legitimacy, or indeed illegitimacy, is thrown into stark relief.

Introduction

When a state is legitimate, citizens believe in its right to exercise power over them and voluntarily comply with rules and obligations without the threat or use of coercion (Gilley, 2009). Legitimacy is a highly valuable resource for a state, because it generates order, predictability and stability in society, which in turn makes the task of ruling more efficient (Tyler, 2006). The degree to which a state can accrue legitimate power has been shown empirically to improve prospects for sustained, long-term political order and economic growth (Booth & Seligson, 2009; Englebert, 2002). In recognition of its significance, legitimacy has enjoyed a recent resurgence on the international aid agenda, where building legitimate institutions is now a central peace- and state-building goal.¹

In the context of growing international attention to state legitimacy, there has been a specific concern with whether and how the delivery of vital public goods and services such as education, health and water might become a source of legitimacy for the state. Until recently, received wisdom was that there is a direct and positive relationship between the provision of highly desired public services on the one hand, and legitimacy gains for the state on the other (see for example: DFID, 2010; OECD, 2008). However, closer inspection of this theory and recent evidence has questioned this intuition, suggesting the relationship is neither automatic nor straightforward. In practice, any link between public services and state legitimacy may depend on citizens' prior expectations of what the state should and can provide, or whether they perceive there to be distributive justice or procedural fairness in the allocation of services. It may also depend on whether the quality of the user experience is subjectively good, how easy it is for citizens to evaluate and attribute (credit or blame) the quality of services to the state, or whether the delivery of a particular service is part of the so-called social contract (McLoughlin, 2015b). In sum, whether the state accrues any legitimacy gains from public service provision hinges on certain subjective and historically contingent criteria against which citizens are likely to judge performance.

If public service provision can theoretically improve state legitimacy when certain subjective criteria are met, what happens when those criteria are not met, or when norms and expectations around service delivery are violated? Under those conditions, can service delivery have the opposite effect of undermining a state's legitimacy? Recent case studies have highlighted how grievances about access to, and the distribution of, public services can precipitate popular protest.² This paper goes further in exploring when perceived deficiencies in service delivery might lead to a more fundamental questioning of the state's right to rule, and contribute to processes of state de-legitimation. In broader theoretical perspective, processes of state de-legitimation happen when there is a misalignment between how the state exercises power and the norms or principles that citizens or subjects believe should govern that exercise of power (Beetham, 1991). In effect, legitimacy begins to unravel if power is used in ways that are not justifiable according to social norms. Following this proposition, service provision could theoretically contribute to wider processes of state de-legitimation when it symbolises or reinforces a system of power that is perceived as normatively unjustifiable. Exploring this empirically could signal to international aid agencies certain conditions under which service delivery could inadvertently harm the very legitimacy and stability they seek to support.

To examine when services might do harm to legitimacy and stability, this paper presents an in-depth case study of the role of education in processes of state de-legitimation in Sri Lanka. Based on fieldwork combining key informant interviews, discourse analysis and archival research, it explores why reforms in higher education – a politically salient area of public policy – aggravated two separate acts of dissent against the Sri Lankan state that consolidated during the critical juncture of 1956-1974. During this time, political manipulation of the rules governing entry to higher education became a significant radicalising force behind an insurrection in the south of the country and the germination of an armed separatist movement in the north. The aim here is not to explain the emergence of these two violent dissents against the state, the multidimensional causes of which have been explored extensively elsewhere.³ Rather, it is to isolate and interrogate the narrower role that the system of higher education played in producing the enabling conditions for their emergence, to inform wider theories about when public service provision might undermine state legitimacy.

1 Legitimate and inclusive politics is enshrined in the New Deal as Peacebuilding and State-building Goal (PSG) I. See: <http://www.pbsdialogue.org/>

2 For a recent example, see the case of South Africa: (Akinboade, Putuma Mokwena, & Kinfaek, 2013; Alexander, 2010)

3 See for example: (DeVotta, 2004; Moore, 1993; Pfaffenberger, 1991; Welhengama & Pillay, 2014)

Sri Lanka's experience illustrates that the political manipulation of highly valued public services can exacerbate processes of state de-legitimation. In this case, the engineering of rules governing access to higher education over time led to broken promises and perceptions of unfairness among different groups. Both the insurrection and the emergence of armed separatism were exacerbated by particularistic education reforms intended to legitimise the state with its majority constituency – the rural Sinhalese – but which had the opposite effect of helping to de-legitimise it among elements both within that majority and also the minority Tamil constituency. The state's failure to fully deliver on the promise of democratising access to education and with it, raise the social mobility of the rural Sinhalese, helped rupture the social contract between the state and Sinhalese youth insurrectionaries in the south. At the same time, increasingly drastic reforms to deliver equal access to higher education for this Sinhalese constituency were perceived as unfair by sections of Tamil society, and aggravated the resort to armed separatism in the north. The state's legitimation practices in the education arena had a splintering effect on its legitimacy: on the one hand, reforms had not gone far enough to satisfy sections of the Sinhalese; on the other hand, they had gone so far as to alienate Tamil groups.

In wider perspective, the Sri Lankan case serves as a reminder that highly valued goods and services have political capital that makes them susceptible to manipulation in the pursuit of political legitimation. It shows how, on the one hand, the manipulation of services for legitimation can lead to rapid, unplanned and highly politicised reforms. On the other hand, particularistic reforms can, over time, have negative feedback effects on legitimacy. In this case, legitimacy was undermined when populist political leaders failed to deliver on inflated promises of social justice and enhanced social mobility, and where politicised reforms (re-)produced and symbolised perceptions of unfairness around social exclusion and the abuse of power. Together, these crises point to the significance of evaluations of fairness in service provision – whether distributive justice or procedural fairness – as significant for understanding when services support or undermine legitimacy. The paper shows that these evaluations are formed in the context of, and cannot be divorced from, the perceived fairness of the wider political settlement. Likewise, the fairness of who gets what services, where and how is evaluated against expectations of rights and entitlements embedded in the social contract between the state and different social groups.

The paper is structured as follows. The next section lays the theoretical groundwork for examining when service provision might support or undermine processes of state legitimation and briefly introduces the analytical framework used in this study. Section three goes on to explore the role of higher education in aggravating two separate acts of dissent against the Sri Lankan state during the critical juncture of 1956-1974. The conclusion summarises the emerging propositions about when services undermine legitimacy, before reflecting on the wider significance of the Sri Lankan case for the theory and practice of building legitimate states.

2

Service delivery, state (il)legitimacy and (in)stability

The idea that service provision is important for a state's legitimacy has been central to prominent state-building models (see for example DFID, 2010; OECD, 2008). Several models envisage a 'virtuous circle' between the state's effectiveness in delivering vital public services and increased legitimacy and stability (McLoughlin, 2015b; Schmelzle, 2011). The underlying theory of change is that service delivery improves people's acceptance of the state and their belief in its right to rule, which in turn generates more compliance with rules and laws. Greater compliance makes the task of ruling more efficient and effective, which affords the state greater capacity to deliver more and better services. Hence, the cycle of services and legitimation continues. In recent years, however, new evidence has questioned a key connection in this virtuous circle – that is, the link between service delivery and measures of (perceptions of) state legitimacy. Improvements in service delivery may fail to address deeply ingrained legitimacy deficits in the aftermath of conflict, even when those services bring significant improvements to well-being (Krampe, 2016). Across conflict-affected countries, surveys have found only weak correlation between measures of access to services and reported perceptions of the state (Mallett, Hagen-Zanker, Slater & Sturge, 2015).

It is not that service provision doesn't matter for people's perceptions of the state, just that the connections between services and state legitimacy are more conditional than originally envisaged. Exclusion from access to vital life-saving goods and services is a clear signal of state neglect and remains a key source of everyday grievance in conflict-affected communities (Bleck & Michelitch, 2015). In Lebanon, for example, deteriorations in service delivery at the municipal level following the massive influx of Syrian refugees, and concerns over the fairness of distribution in light of strain on resources, is driving rising social tensions linked to deteriorations in legitimacy (Rocha Menocal, Perera & McLoughlin, 2016). In their recent analysis of survey data in post-conflict Nepal, Fisk and Cherney (2016) found that people primarily evaluate institutional legitimacy on the basis of the fairness of decision-making and the quality of treatment. Likewise, whilst cross-country surveys have found no correlation between perceptions of the state and measures of access to services, knowledge of the presence of a grievance mechanism (not the actual use of it), or knowledge of (or participation in) a service-related meeting was positively correlated with improved perceptions of the state (Mallet et al. 2015). One common theme in these studies is that perceptions of distributive justice or procedural fairness may mediate any relationship between service delivery and perceptions of state legitimacy.

Though emerging research has begun to question any automatic relationship between legitimacy and objective measures of service provision, few studies have offered an in-depth account of this relationship in place of earlier state-building models. Significant gaps in understanding remain. One is how specific public services become significant for the state's legitimacy through historical processes of state transformation, and how these processes tie states and societies together and create certain expectations of service delivery against which performance is later judged. Another is how public services are used or manipulated by state actors as part of conscious political legitimation strategies, and the associated effects of those strategies on who gets what, where and how.

The reverse proposition – that underperforming public services might undermine a state's right to rule, producing *vicious* rather than virtuous circles – also remains relatively neglected in a field of research that has been primarily concerned with identifying the (positive) effects of external aid to service delivery on state-building. This is surprising given that, particularly in fragile and conflict-affected states, poor services have been found to exacerbate negative cycles of instability and underlie persistent legitimacy deficits (Brinkerhoff, Wetterberg & Dunn, 2012). In these contexts, it may be more likely that weak social contracts reproduce poor services, which compounds legitimacy deficits and generates grievances and, sometimes, opposition to the state. The state expends more energy responding to opposition through coercion, and service delivery capacity declines, further threatening to weaken legitimacy (Min 2015; Min & Golden 2014). In effect, a negative rather than virtuous cycle may be a more typical state of affairs.

In part, gaps in understanding and the skewed framing of the debate also emanate from the limited repertoire of empirical approaches to legitimacy. Research on service delivery and legitimacy has typically used snapshot surveys that compare indicators of public service performance with certain proxies of legitimacy (McLoughlin, 2015a). These studies are usually time-limited, investigating correlations between indicators at narrow, usually indiscriminate points in time.⁴ Like broader

4 An important exception is the research being undertaken by the Secure Livelihoods Research Consortium, which is applying innovative panel surveys to track changes over time.

legitimacy research, these studies have been preoccupied with legitimacy measurement (Weatherford, 1992).⁵ In contrast, there has been less concern with understanding the processes, actors or ideas that lie behind any observed changes in indicators, or situating findings in political context (Mcloughlin, 2015a). These approaches are not, nor do they claim to be, geared towards addressing more political questions about the normative basis of citizens' evaluations, the political context of those evaluations, or the historical formation of state-society relations.

2.1 Analytical framework

This paper aims to provide a political account of the services-legitimation link through an analysis of the relationship between education and state (de-)legitimation over time in Sri Lanka. The analytical framework builds on an earlier formative analysis of the factors likely to mediate the services-legitimacy relationship (Mcloughlin, 2015). To adopt a political approach, the study applied three broad layers of analysis (see table below). The first layer is an historical analysis of the social contract between the state and different social constituencies, and their expectations and ideas about rights and entitlements that it embodies. A second, political layer of analysis focuses on the nature of the political settlement and groups' inclusion in, or exclusion from, access to power. The third layer examines the perceived justifiability of service delivery among citizen/subjects – that is, the degree to which service provision is perceived by different groups as both favourable and normatively acceptable. The underlying assumption is that these historical, political and service-justifiability dynamics are inextricably linked: the justifiability, or not, of service provision cannot be divorced from historical processes of state formation that embed certain expectations and ideas about services, or from the wider political context which impinges on evaluations of the state at any given point in time. These three layers, and the propositions they generate, are briefly set out below.

Layers of analysis

	Factors affecting the services-legitimacy relationship
Social contract	Expectations of rights and entitlements Ideational significance of services
Political settlement	Legitimacy deficits / strategies Group inclusion / exclusion
Justifiability of delivery	Outcome favourability (Perceptions of) distributive justice (Perceptions of) procedural fairness Normative acceptability (e.g. merit, inclusion, equity)

(Source: Mcloughlin, 2015b)

Prominent theories inform us that processes of state legitimation are essentially relational, underpinned by deliberation, persuasion, and contestation over competing rules and norms (Beetham, 1991). This continual process involves forming and reforming a mutually agreeable accord between rulers and ruled (Coicaud, 2002). The basis of that accord – what might be called a social contract – establishes certain expectations of rights and entitlements to goods and well-being on the part of citizens, in exchange for their consent and compliance (Migdal, 2001; Tilly, 1992). The provision of vital public services is theoretically important in this process of social contract formation. This is not only because services supply tangible, material benefits (i.e. well-being, self-advancement) that give content to the social contract (Rotberg, 2004), but also because they represent and reproduce the core norms and values underpinning that contract (Kruk, Freedman, Anglin & Waldman, 2010). Service delivery is an expression of the norms and rules that govern the state, and of the values it seeks to uphold. It is a means of transmitting what Gupta (1995) called the 'main myths and symbols' of the state. Any in-depth account of the role of public services in state (de-)legitimation might therefore explore how certain services help to embed the state within society, both materially and morally (Gilley, 2009). At the heart of this is understanding expectations of rights and entitlements, their significance for the idea of the state, and what consequences there are for the state's legitimacy when these are not met.

The relationship between public services and processes of state (de-)legitimation is also likely to be conditioned by the prevailing political context in which those goods are delivered and therefore evaluated by citizens/users. Political settlements – or the informal rules governing power⁶ – have a deterministic influence over the flow of resources between the state and different social groups, and are part of the environment in which citizens in turn evaluate performance. A recent review of the literature

5 As Weatherford writes: '...a research area is excessively measurement-driven if the bulk of activity consists of debate or experimentation involving alternative indicators and the separate measurement innovations rival one another, rather than successively contributing to the ability to explain empirical findings by grounding them in a larger theoretical context' (Weatherford, 1992, p. 151)

6 See: (Laws, 2012)

on the politics of 'what works' found pro-poor service provision is more likely where the political settlement is inclusive, or the state derives or seeks to enhance its legitimacy by providing a particular service and/or targets the main constituency that supports the ruling party (McLoughlin, 2014). On the other hand, where the political settlement is stable and exclusionary, there is unlikely to be a strong incentive to extend public goods to excluded groups where this excluded and disempowered constituency cannot confer legitimacy, and their support is therefore not a prerequisite for state power (North, Wallis, Webb & Weingast, 2007). When a group is excluded from access to power, services are evaluated in the context of a wider environment of mistrust and exclusion (Levi, Sacks & Tyler, 2009). For these reasons, the services-legitimacy relationship cannot be divorced from the wider political environment in which service provision is evaluated. Specifically, a politically-situated account is essential for examining both why certain public policies come into being that may be particularistic, and ultimately divisive, and why certain groups may in turn evaluate them more harshly than others.

In any political context, the extent to which service delivery is viewed as justifiable (or not) by citizens or users may also depend on how far it can satisfy certain subjective criteria. Perhaps the most obvious is the tangible improvements that services can bring to people's daily lives – that is, their outcome favourability. Outcomes are favourable when they positively benefit one's self-interest (Skitka, Winqvist & Hutchinson, 2003). However, outcome favourability is unlikely to be the exclusive criteria against which citizens judge services. Citizens may also judge service delivery against local interpretations of equity, merit, procedural fairness or distributive justice (McLoughlin, 2015b). For example, a vast empirical body of research has shown that people are more likely to view procedures as fair when they have an opportunity to participate, when they consider authorities to be neutral and following impartial and objective rules for decision-making, when they trust the motives of those authorities, and when they are treated with dignity and respect by authorities (Tyler, 2006, 2010, 2011). In addition, they are more likely to accept unfavourable outcomes where there is perceived procedural fairness (Skitka et al., 2003). Distributive justice is another kind of fairness: it more specifically refers to whether the allocation of benefits and rewards among different social groups can be justified according to norms (such as need or equity). It builds on the theory that people evaluate the distribution of outcomes, and experience deprivation, not against any objective measure, but against their perceptions of the deprivation of others (Gurr, 1970). Each of these justifiability criteria are normative and locally constructed.

A perception of, or actual, violation of any of the above normative criteria – where services breach the social contract, reinforce exclusion from the political settlement, or violate norms around distributive or procedural fairness – could in theory exacerbate, and perhaps even catalyse, processes of state de-legitimation. Indeed, major sociological works have demonstrated this empirically. Easton (1975, p. 445), for example, argued the frustration of expectations can jolt the 'deeper loyalties' of the members of a system such that their diffuse support falls into precipitous decline. A long period of social development and rising expectations followed by a sharp reversal in fortunes has historically been a causal factor in revolution (Davies, 1962). Exclusionary political settlements have been shown to formulate and implement particularistic public policies that can de-legitimise regimes if they undermine common interest principles (Beetham, 1991). Surveys show that unfairness in processes can erode legitimacy by undermining citizens' perceptions of impartiality (Seligson, 2002; Sacks, 2011). Distributive *injustice* can de-legitimise a system of power where it exacerbates existing perceptions of the relative deprivation of groups, or over time creates relative differences between them in wealth and social conditions (Easton, 1975). These broader state-building propositions are highly relevant for the contemporary debate about the relationship between services and state legitimacy.

Studying legitimacy means studying the normative basis for the rightful exercise of power in society, and the processes of deliberation and political contestation behind that normative determination. Taken together, the three layers of analysis used in this study – the historical significance of services for the social contract, the wider distribution of power in the political settlement, and the perceived normative justifiability of services – seek to advance an approach to understanding and explaining the significance of service delivery to legitimacy that embraces the concept's political core.

2.2 Case study methodology

This study uses a qualitative, historical institutionalist lens to examine the relationship between public services and processes of state (de-)legitimation over time in Sri Lanka. It is part of a larger, in-depth research project that zooms in on critical junctures during which time legitimacy was first consolidating and later unravelling, and examines the legitimacy politics behind these junctures. Critical junctures were identified through consultation with key informants, who were asked to talk about memorable periods in time when education had been important for state-society relations. This paper focuses on a critical juncture when the state's legitimacy was violently rejected and traces the role of the education system in that de-legitimation process. Whereas legitimacy is an otherwise notoriously difficult phenomenon to observe, the consequences of not having it can manifest rapidly through changes in behaviour towards the state. When a state loses legitimacy, either mass publics or influential elites act in ways that withdraw consent – for example through mass demonstrations, strikes or civil disobedience (Beetham, 1991).⁷ In the Sri Lanka case, the emergence and consolidation of violent opposition and armed dissent were behavioural markers of de-legitimation motivated by a fundamental rejection of the state's right to rule.

⁷ This should be distinguished from normal oppositional politics – and can only be called attempted de-legitimation when 'it is designed to make the policies of government unworkable, or actively bring it down, or to demonstrate allegiance to a different political order' (Beetham, 1991, p. 209).

Studying periods of time when state legitimacy is unravelling and dissent emerges provides an opportunity to examine the normative basis for legitimacy. During these times, the criteria for legitimacy – whether they be norms around the (mis) use of power, or fairness in procedure or outcomes – is often articulated more clearly and widely through public voice, open contestation and media deliberation. In this way, the salient criteria by which the state holds (or loses) its right to rule, and the threshold of the acceptable use of power, can suddenly be thrown into stark relief. Processes of legitimation and de-legitimation are, after all, social processes of '(re-)categorising' actors and institutions inside or outside the boundaries of moral acceptability (Kelman, 2001). Whereas much legitimacy research seeks to capture perceptions of legitimacy through one-off opinion surveys, this study sought to trace de-legitimation in the public sphere using the medium of political debate, media reporting, and first-hand narrative accounts (Beetham, 1991). In adopting this approach, the study builds on previous scholarship that has applied a discourse approach to the study of legitimation, which focuses on legitimation as a process of deliberation (Hurrelmann, Krell-Laluhová, Nullmeier, Schneider & Wiesner, 2009).

Data were collected through a combination of archival research, policy analysis and key informant interviews. The archival research involved retrieving and analysing policy documentation, political speeches, parliamentary records and news media reports related to the history, evolution and political significance of university education in Sri Lanka over more than a decade. More than 250 newspaper articles were analysed covering the period of interest, primarily to explore: i) dominant political narratives in the sphere of education, and ii) public reasoning and deliberation about the moral appropriateness and justifiability of education system/reforms, and their significance for fuelling violent rejections of the state's right to rule. This documentary analysis was combined with a series of over 50 key informant interviews conducted between 2011-2016. The sample included past and contemporary political elites, retired government officials, academics and (former) students from both Tamil and Sinhalese groups who gave first-hand, narrative accounts of the significance of education for the state and (de-)legitimation processes in Sri Lanka over the period of interest. These sources were combined and triangulated to construct the analytic narrative presented in the next section.

3

Higher education and state de-legitimation in Sri Lanka

The period 1956-1974 marked a critical juncture in the history of post-colonial state formation in Sri Lanka and simultaneously a formative moment in the history of one of the most politically salient areas of public policy, both then and now – higher education. Critical junctures – moments in time when the relatively stable ordering of rules and institutions shifts and new possibilities open up – are what Krasner (1988) famously termed 'punctuated equilibrium'. Two separate acts of dissent against the state consolidated during this critical juncture, signalling a double puncture of the equilibrium and a dual crisis of the state's legitimacy. The first was an armed insurrection orchestrated by the Janatha Vikmuthi Permamuna or JVP (the People's Liberation Front), largely carried out by educated young Sinhalese who stockpiled weapons on university campuses, from where they launched co-ordinated attacks on state apparatus. This youth revolt unexpectedly gripped the island in crisis and, though ultimately unsuccessful, represented an open challenge to state authority. The second, concurrent, legitimacy crisis was the consolidation of armed groups committed to fighting for a separate Tamil state in the north. This resort to separatism culminated in Sri Lanka's devastating civil war between the Sinhalese state and the Tamil minority, which lasted almost 30 years. As with the insurrection, armed separatism found its recruitment base among Sri Lanka's educated but unemployed youth.

These two violent forms of dissent against the state – insurrection and armed separatism – are typically analysed in isolation from one another, and sometimes bifurcated at a general level into 'class' and 'ethnic' conflicts, respectively (Bastian, 2013). Of course, no act of dissent can be explained by a single factor, and the aim here is not to claim that the system of higher education was primarily or even largely to blame, nor to rule out alternative explanations. The multiple grievances that fuelled the JVP insurrections are well documented elsewhere.⁸ They included disillusionment with government, widespread unemployment and restricted social mobility. Similarly, several areas of public policy came to symbolise the increasing and seemingly deliberate exclusion of the Tamil minority from access to state power and subsequently rallied the Tamil separatist cause. Among them were divisive language policies, failure to devolve constitutional power, and land settlement disputes.⁹

In spite of their differences in scale, magnitude, ideological underpinnings and political opportunity structures, both of these legitimacy crises were exacerbated by reforms in the system of higher education. These reforms had their origins in the state's own political legitimisation strategies. They partly resulted from a state-orchestrated process of setting unsustainable expectations, pursuing particularistic and discriminatory policies, and violating entrenched rights and entitlements in the sphere of higher education. The role of the education system in exacerbating each of these de-legitimisations is analysed in turn below.

3.1 Education and insurrection

On the night of 5th April 1971, gangs of armed assailants attacked police stations in an orchestrated effort to ignite a popular uprising. Over the course of the next 24 hours, insurgents attacked a further 25 police stations, prompting an island-wide curfew.¹⁰ Sporadic attacks on the state apparatus continued through April, when a further 90 police stations were reportedly targeted (Arasaratnam, 1972). Fighting between police, security forces and insurgents continued as the state sought to regain control of 'pockets of resistance' dispersed across the island.¹¹ Suspicions of dangerous developments had been brewing and a state of emergency declared earlier in March 1971. At that time, a police raid had discovered a 'veritable arsenal' following an explosion at a Hall of Residence at the University of Ceylon, Peradeniya.¹² A government communique released in early April characterised the insurrection as 'a culmination of insurgent preparations in various parts of the island calculated to

8 For contemporary accounts, see: Arasaratnam, 1972; Obeyesekere, 1974; Samaranayake, 1999.

9 A large volume of academic work has been produced seeking to examine the causes and consequences of Sri Lanka's civil war. Among them are: Bush (2003); de Votta (2004); Bastian (2013); and the edited volume of Manor (1984).

10 Staff writer: (1971, April 6). An island-wide curfew – 6pm-6am. *The Times of Ceylon*

11 Resistance was reported at: Ambalangoda, Galle, Matara, Hambantota and Tismaharama. Staff writer: (1971, April 8). 125 insurgents killed in 3 days. *The Times of Ceylon*

12 In Parliament in August 1971, the Prime Minister stated that government had been aware that "something really dangerous was afoot" in March, when several halls at Peradeniya were found to contain weapons and materials to manufacture bombs. Hansard, August 11th, 1971, col 1829

create disorder and to disrupt the machinery of the Government'.¹³ Only with foreign assistance was the government able, some weeks later, to flush the insurgents out of urban areas into retreat to the jungle. Though the figures are disputed, the government reported that by the time the insurrection was fully quashed, some 1,200 'terrorists' had been killed and 14,000 taken into custody.¹⁴

This was the first of two insurrections orchestrated by the Marxist JVP,¹⁵ both of which were ultimately unsuccessful in overthrowing the state, and failed to gain widespread popular support, but nevertheless left a lasting impression on it, not least in the higher education sphere. This scale of organised violence was unprecedented in Ceylon,¹⁶ and albeit part of a global revolutionary impulse, had its origins firmly in local conditions. The social base of the JVP was the non-elite, *swabasha*-speaking rural class (Moore, 1993). The vast majority (77%) of the suspected insurgents arrested by the government were aged between 17 and 26, 94% were Sinhala-Buddhists, and only 6.3% of them had secure employment with reasonable financial rewards (Obeyesekere, 1974, p. 368). A significant portion of those who had participated in the insurrection were educated up to or above G.C.E. Level (Kearney, 1975), many in the Maha Vidyalayas, or government high schools, established through the free education scheme (Obeyesekere, 1974). The insurrection's leaders were connected by the social networks formed through common experience of university education (Moore, 1993). These educated children of the rural poor had provided the recruitment base for revolution to gain a temporary foothold in Sri Lanka.

The education system had contributed to the enabling environment for the insurrection in a number of ways. Nationalist education reforms of the 1950s and early 1960s had led to rapid, unsustainable expansions in the numbers of students at university. This produced, over time, a structural mismatch between the education system and the needs and absorptive capacity of the economy, which exacerbated problems of educated unemployment and helped provide a recruitment base for the insurrection. At the same time, continued inequalities added to the grievances of the educated Sinhalese insurrectionaries, whose continued restricted social mobility and educational disadvantage came to symbolise not only broken political promises but wider frustrations around access to power. The inability of the state to deliver on the earlier promises it had made in pursuing a social demand model of education revealed fundamental cracks in the social contract between the state and this, its core constituency, and helped fuel the rejection of its legitimacy.

3.2 'Democratisation' of education as a legitimisation strategy

In the decades preceding the insurrection, the pursuit of a so-called social demand model of education had led to rapid, unsustainable expansions in access to university. Throughout the 1960s, political promises of the democratisation of educational opportunity and the extension of university to the masses had gathered momentum and, in turn, had generated heightened popular demand for increased access. The government was pressed to open up more universities and upgrade existing ones. Organised student bodies, including the Ceylon National Union of Students, began to put pressure onto government to increase the number of places. The government responded by announcing it would expand the number of universities in October 1970, from four to eight. Universities faced persistent political pressure to take in more students far in excess of what they could reasonably accommodate. In some cases, university-level admission decisions were 're-scrutinised' and overturned through ministerial interference.¹⁷ Students themselves protested and successfully agitated for increases in faculty admissions.¹⁸ The scale of the expansion was astonishing – the number of students seeking admission to university rose from 1,612 in 1948 to 14,000 in 1970 (Samaranayake, 1999, p. 101). The student population trebled between 1960 and 1965/6, from 3,181 to 10,723 (Jayaweera, 2010, p. 49). This democratisation of the education system, and the associated rapid expansion, was part of a 'social demand' model of education in the sense that it both stirred and responded to public demand.

The driving political legitimisation strategy behind this social demand model of education was the need for the Sinhalese political elites to consolidate and court a 'special relationship' with the majority rural Sinhalese constituency. This relationship was characterised by both ideological paternalism and instrumental necessity (Bastian, 2013). Since the advent of universal suffrage and the opening up of the political system to democratic representation in 1931, politics in Sri Lanka had been driven by the logic of appealing to large constituencies of the poor and undereducated (Pieris, 1964). Courting these constituencies was essential for political actors seeking to control the reins of the state (Bastian, 2013). Even before independence, the colonial Donoughmore Commission had catalysed this political logic by instigating a period of 'power without financial control' during which time legislators were elected, but budgetary control remained in the hands of non-elected colonial administrators (Jayasuriya, 2010, p. 94). This early disconnection between politics and budgetary responsibility enabled elected legislators to pass progressive social legislation 'without any acknowledgement of how this package of social legislation was to be implemented in terms of social welfare programmes and services'. From that time onwards, 'proposals for social reform poured out of the legislature like lava from an erupting volcano' (F. R. Jayasuriya, 1969, p. 630). Members of the State

13 Staff writer (1971), April 6. Curfew imposed in five districts. *Ceylon Daily Mirror*

14 Others estimated insurgent deaths closer to 3,000 (Arasaratnam, 1972)

15 The second unsuccessful revolt between 1987-1989 was less intense but longer-lasting. See: (Moore, 1993)

16 (Arasaratnam, 1972) Ceylon had seen no major anti-Colonial violence.

17 Staff writer; (1970, November 18). Re-scrutiny reveals many more have made the grade. *Ceylon Daily Mirror*

18 Staff writer; (1970, December 12). Furore over English Faculty Admissions. *Ceylon daily Mirror*

Council were keen to 'woo their electorates with promises of indefinite extension of educational opportunities, without any reference to the employment prospects of educated youths' (Pieris, 1964, p. 466). In this way, the social demand model was a continuation of the populist politics of mass welfare.

The democratisation of education also aligned with the post-colonial anti-elitist ideology and political commitment to social justice. By 1964, the University of Ceylon had become the object of populist criticism precisely because it symbolised the privileges of an elite group of English-educated graduates who still dominated access to the professions (Pieris, 1964). There was a legacy of critique of the university, as ivory-tower and elitist, because it was modelled on Oxbridge. The ideological momentum behind an anti-elite expansion escalated when, in 1956, the opposition Sri Lanka Freedom Party, led by S.W.R.D. Bandaranaike, was elected on a pledge to pursue popular socialist reforms. In the realm of higher education, the major policy idea was to transform the system from an elite to a mass model. Several Commissions during the early 1960s had reiterated both the instrumental logic behind the expansion of access to higher education and the egalitarian ideology underpinning it.¹⁹ One report stated that 'nothing should be done to deny university education to any student who has the capacity to benefit from it' (Universities Commission, 1963). Political actors courted this language to legitimise reforms. Then Education Minister Mr Badiuddin Mahmud said that 'many bills had been prepared to transform a colonial education system to fit a socialist society'.²⁰ In sum, a combination of ideas and political conjuncture had produced conditions that were ripe for Mr Bandaranaike to 'open the doors' to university education.²¹

A change in the medium of instruction – from English to vernacular languages – was a key enabler of the social demand model of education. Even before independence, in 1943, a major commission – the Kannangara Commission – had lamented how the colonial language legacy had segregated the education system at all levels; whilst the majority was learning in the vernacular languages (Tamil, Sinhala), a privileged minority was learning in English. English, moreover, remained the language of access to power, and poor English literacy was a formidable obstacle to the social mobility of the Sinhalese youth. Employment in the professions was blocked to non-English speakers. Though the clerical service examination was conducted in all three media from 1953 onwards, some contemporaries felt there was room for bias because interviews were still conducted in English (J. E. Jayasuriya, 1969). As the Kannangara report noted: 'English has become a badge of social superiority, thus dividing the population into two more or less watertight social compartments, the English-educated and the vernacular-educated' (ibid., p. 70). A census in 1946 had revealed that only 6% of the country were literate in English (ibid., p. 280). The medium of instruction in schools was changed from English to the local, vernacular languages (Swabasha) and, though they resisted a wholesale changeover, universities were compelled to provide arts courses in Sinhalese and Tamil from 1945 onwards. As a former education secretary recalled, 'with the medium change, larger numbers became entitled to university education'.²²

3.3 Mismatch between education and the economy

The massive, unplanned expansion of education resulting from the politically-motivated social demand model of education ultimately proved economically unviable and therefore unsustainable. From the 1960s onwards, financial pressures on the education system came from a combination of rapid population growth and sluggish economic growth. Sri Lanka's colonial export economy, built on coffee, tea, rubber and coconut, was vulnerable to global market fluctuations, and suffered badly when both raw commodity prices and level of demand dropped during the 1960s and 1970s. Reduced revenue and greater reliance on foreign loans precipitated a period of retraction of the Sri Lankan welfare state and a transition to a market economy, beginning with the abolition of the rice subsidy in 1968. By the end of the 1960s, economic growth rates had declined whilst the labour force increased. The unsustainability of the welfare state was exacerbated by population growth. Since independence, and partly due to the eradication of malaria, the population had risen by an average of 2.7% per year, and its absolute size had nearly doubled, from 7 million to almost 13 million in 1971. It proved impossible to extend the promised benefits of the welfare system to a population growing at such a remarkable rate.

Sri Lanka's increasingly stagnant economy could not absorb the sheer number of graduates produced through the mass expansion of higher education. By the late 1960s, nearly half a million young men and women were educated but unemployed. An imbalance between the total supply and demand for labour had seen a steady increase in unemployment rates from 10.5% in 1959, to 19.9% in 1975 (Jayaweera, 1990, p. 64). A Presidential Commission on Youth reporting in 1990 concluded that the nature and quality of education in the decades following Sri Lanka's independence had significantly contributed to the dual insurrections that occurred in the south, starting in 1971 (Government of Sri Lanka, 1990). It was argued by the commission, and later by academics, that rapid and unplanned expansion of access to higher education produced a ready cohort of disaffected youth, imbued with fresh expectations of social mobility promised to them after independence, but faced with the harsh reality of (under)employment in a failing economy. A significant portion of those who had participated in the insurrection were educated up to or above G.C.E. level (Kearney, 1975). This educated class had become a key recruiting ground that enabled the insurrection to gain momentum (Kearney, 1975; Wickramasinghe, 2012).

19 National Education Commission (1961); Technical Education Commission (1961); Universities Commission (1962)

20 Staff writer: (1971, April 16). Return to your parents. *The Times of Ceylon*

21 Interview with public intellectual, Colombo: April 30, 2016

22 Interview with retired government official, Colombo: October 12, 2014

It was not only that the social demand model had created a structural problem of educated unemployment, but that there was a perceived mismatch between the education system and the needs of the economy. The very specific problem of educated unemployment was not only a product of lack of capital caused by economic decline but also of an ill-balanced education system (Jayaweera, 1969). The 1990 Commission argued that the orientation of the system burdened young people 'with attitudes such as preference for white-collar jobs and absence of dignity of labour which fore-closed many avenues of gainful employment'. This orientation of the system towards white-collar jobs was considered out of sync with the needs of the economy. Prime Minister Sirimavo Bandaranaike herself reportedly bemoaned "the present tendency among those who graduated or passed the S.S.C to adopt a negative attitude towards labour".²³ Indeed, level of education was *inversely* related to the likelihood of employment.²⁴ A retired judge and principal of the Buddhist Ladies College, Mrs T. S. Fernando, observed this in 1971: "Those young men who pass out of the universities are not willing to go into the rural villages and engage themselves in farming. If they do engage themselves in farming the country's economy could be developed."²⁵

Rapid and politically driven expansion without the attendant resourcing also inevitably led to a decline in the quality of education.²⁶ Contemporary academics described how standards slipped under the weight of the unprecedented, politically driven expansion (De Silva, 1978). The Presidential Commission noted a general belief that 'the universities have so evolved that they are imparting an education of lesser quality to an increasing number of students' (Government of Sri Lanka, 1990, p. 33). In December 1965, students demonstrated at the University of Ceylon's Colombo campus over the poor state of facilities in the arts faculty. The university system was not fit to take in these numbers, or to adequately cater for the change in the language of instruction. When the first students educated in Swabasha entered the universities in 1963, there were no science textbooks in Tamil or Sinhalese. Expansions in the size of the student population were not adequately resourced; in fact, the size of the grant reduced. In 1960, a student population of 3,181 was given LKR 3000 per student; in 1966, a population of 10,725 was given LKR 1396 per student (J. E. Jayasuriya, 1969, p. 162). This amounted to around a 200% increase in the population but only a 50% increase in the size of the government grant. This discrepancy between political promises and financing exposed the gap between what the state had promised and its capacity to deliver.

Student protest and disquiet grew from the mid-1960s onwards. Grievances over 'improper' admissions were particularly acrimonious, often resulting in campus closures. For example, in November 1970, police tear-gassed students at Moratuwa for staging a demonstration alleging that 23 Muslim students had been improperly admitted via 'a special registration and a special letter'.²⁷ The Universities Commission of 1962 raised serious concerns about a general deterioration of educational standards and 'a serious deterioration in the standards of discipline among university students in the last few years' inspired by 'a small proportion of undesirable elements who should never have been admitted' (Universities Commission, 1963, p. 498). Overcrowded halls of residence, large classes, inadequate facilities and the political indoctrination of students by political parties were identified as causes.²⁸ Such was the scale of overcrowding in the universities that by 1965, the university was forced to acquire, on an ad hoc basis, the adjacent Colombo Race Course, to deliver lectures over loudspeakers in the open air. The local people called it 'ashva vidyalaya' (meaning 'university for horses'). The social demand model had generated a highly politicised sense of entitlement regarding the right to education that was left unfulfilled. In this way, unfunded political promises had contained the seeds of their own destruction.

3.4 Broken promises

It was not merely that the skills of graduates were misaligned with the economy, but that their expectations were misaligned with what government had been promising them. Grievances grew as expectations remained unmet. The historian and then Deputy Chairman of the University Grants Commission recalled how the expectation of new graduates was that the government that had provided free education should also be responsible for finding employment for them (Pathmanathan, 2000).²⁹ In this context, the staggering levels of educated unemployment were 'an abrupt shattering of new expectations' (Kearney, 1975). The failure of earlier schemes to resettle unemployed young people on rural land and train them to cultivate

23 Anonymous (opinion page). (1970, October 19). Churning Graduates. *The Daily Mirror*

24 A survey carried out by the Ministry of Education in 1971 found that there was higher unemployment among arts graduates than at any other level of employment: No education (18%) Grades 1-5 (28%); Grades 6-8 (47%) Grades 9-10 GCE OL 72 %; Grades 11-12 GCE (AL) 84%; University Science 2% and University Arts 50%.

25 T.S. Fernando. (1971, April 1st). They want to destroy country before governing. *The Daily Mirror*

26 Interview with retired academic and former member of education committees, Negombo, October 4, 2014; Interview with public intellectual, Colombo: April 30, 2016.

27 Staff writer. (1970, November 9). Police tear gas students. *Ceylon Daily Mirror*.

28 Tutorials could take up to 40 students, the halls of residence were accommodating double the numbers they were designed to, and 'many students go through their university careers without ever having spoken to some of their professors and lecturers' (p. 499)

29 He went on to note that 'such a perception still lingers and some sections of the public and University employees seem to think so even now'. (p.10)

paddy, rural livestock and food crops had been unpopular and was indicative of this disjuncture.³⁰ The government had planned to set up a vocational training centre for graduates: using American Aid, it would train them in teaching, agriculture and commerce.³¹

Young people felt jobs were unfairly allocated, and the avenues for accessing the spoils of the state were closed to them (Obeyesekere, 1974). Contemporary accounts suggest that patronage intensified in the context of job scarcity: favours to the wealthy, elite kinsmen of local MPs replaced open employment. The old system in which English was the language of access to power remained intact, and a swabasha-educated youth remained shut out of access to elite networks. As Obeyesekere wrote in 1974 (p. 383): "rarely could a village lad, even with a B.A., get an administrative job in a firm or large business because of his poor knowledge of English". This personalisation of politics created a deep sense of injustice among young people and a motivation for joining the insurrection.

The significance of these broken promises can only be understood in the context of expectations of rights and entitlements implicit in Sri Lanka's welfare-based social contract. Sri Lanka was an exceptional performer on measures of social development because it established a welfare-oriented social contract soon after independence. Free education from kindergarten to university acquired a special place in this contract, both because of its symbolic significance in the anti-colonial, anti-elite struggle, and its material significance for opening new routes to social mobility for the main constituency of the state – the Sinhalese rural majority. In 1943, Sri Lanka's first post-independence Education Minister, Christopher William Wijekoon Kannangara, had embedded this right in the national psyche. As a member of the majority political party, the UNP, Kannangara was able to usher in a right to education act that established two fundamental rights that would prove hard to contest: the right to equal opportunity, and the right to free education. As J. E. Jayasuriya wrote in 1969, free education 'had such an emotional appeal to the enfranchised masses that it became a slogan with them' (p. 25).

As elsewhere, education in Sri Lanka has been in high demand because of its significance for social mobility and for that same reason, has been highly susceptible to political interference (DeVotta, 2000; Jayaweera, 1990). Decisions about education were always taken at the highest level, whether in government or community authority structures (ibid). Consistently high levels of social demand for higher education arose not only because of its material benefit, but also – if not primarily – because of the social prestige attached to obtaining a degree. Access to higher education was ideationally significant because it was seen as an avenue for redistribution and a way to break through social hierarchies (Dunham & Jayasuriya, 2000). By the 1950s and 1960s, the intergenerational benefits of free education had started to bear fruit, and more children were born to educated parents with better economic opportunities than preceding generations. As these intergenerational effects were felt, demand for education grew (Aturupane, 2009). Education was also a route to a government employment – a prize that, in Sri Lanka's predominantly agrarian economy, promised a kind of stability otherwise unavailable to village children.

It was in this context of high expectations of rights and promises of greater access to education and social mobility that the realisation that social mobility remained blocked was acutely felt. Though the social composition of universities changed, social segregation continued through language, accommodation and quality of learning. The need to teach in three languages – English, Tamil and Sinhalese – meant that pupils were taught by different teachers with different levels of competency in their field. At the same time, language divided students by the ability to access textbooks. Students studying in the vernacular languages who knew little English were dependent on poor quality textbooks or lecture notes, whilst English-competent students could access a world of knowledge (De Silva, 1978). The majority of new entrants were studying in the arts faculties, where Swabasha did not present an entry barrier. This led to a burgeoning of those faculties. By 1967, 68.9% of the 10,280 students enrolled at the University of Ceylon were studying the arts and oriental studies (J. E. Jayasuriya, 1969, p. 162). At the same time, science and maths education continued to be largely denied to the masses. Admission to the science-based courses – the ultimate prize – was still largely dominated by Tamils from Colombo and Jaffna (De Silva, 1974).³² These embedded inequalities meant that 'free education was more a mirage than a reality in so far as the masses were concerned' (Jayasuriya, 1981, p. 87). Students' representations to the 1990 Presidential Commission demonstrated their frustration over these continued restricted opportunities for self-advancement. The commission concluded that in retrospect, and as a warning for the future, 'in such a situation the scope for youth unrest cannot be underestimated' (Government of Sri Lanka, 1990, p. 30).

Viewed from this perspective, the insurrection aligns with Easton's (1975) theory that a period of rising expectations followed by a precipitous decline in material conditions can induce the withdrawal of diffuse support for a state. Youth were frustrated with the slow pace of development and the lack of opportunities, which they associated with the elites who were controlling the government. As one retired government official put it: 'our problem has been a failure to meet the increasing demand which we have created'.³³ A former MP of the late 1970s similarly reflected: 'Every graduate who passed out of the University of Ceylon got employment in the 1950s. But then with population growth, the government couldn't keep delivering on these

30 'Another bid to help jobless, Ceylon Daily Mirror, July 26th, 1966

31 'Vocational training for Graduates', Daily Mirror, February 6th 1969

32 In 1966/67, 40% of science students and almost 50% of engineering and medical students were Tamil (C. R. De Silva, 1974, pp. 154-155).

33 Interview with retired senior government official, Colombo, October 12, 2014

promises. They had promised so much.³⁴ Over-extended political promises to this constituency amplified the consequences of under-delivering. Senator M. Tiruchelvam lashed out at government in parliament, and said that the government's corrupt practices and its failure to live up to the promises made to youth were the causes of the insurgency. This paradox, he argued, was why the government had 'encountered a revolt from its most ardent and enthusiastic supporters'.³⁵ A misalignment between politically-engineered high expectations and the state's weak capacity to deliver the services to which people had been made to feel entitled had helped de-legitimise the state within its core constituency.

3.5 Education and armed separatism

During the same critical juncture in which the insurrection was planned and orchestrated, a cluster of armed groups claiming to represent an increasingly excluded minority Tamil population was also consolidating and gathering momentum, including most notably the Liberation Tigers of Tamil Eelam (LTTE). This liberation movement would subsequently launch an armed struggle against an oppressive state administration, culminating in a civil war that lasted almost 30 years. It was during this time that the group widely described as a precursor to the LTTE, the Tamil Youth League, was formed – largely from within the student population. Simultaneously, Tamil political representatives escalated their demands for federalism to calls for a fully separate state, and by the late 1970s this separatist movement was committed to armed struggle (Bastian, 2013).

Persistent political interference with the rules governing entry to higher education, beginning in the 1960s and escalating in reaction to the violent turbulence of the insurrection, contributed to existing perceptions of discrimination among Tamil youth, and added momentum to the development of these oppositional groups (Pfaffenberger, 1991). Most significant among the rule changes was the introduction of the incendiary policy of so-called media-wise standardisation, introduced early in Mrs Bandaranaike's landslide government (Wickramasinghe, 2012). Up until 1969, university admissions had been made on the basis of merit, or raw marks in secondary school examinations. The 1971 policy introduced varying 'cut-off points' or quotas for entrance, based on the medium in which the entrance test was taken. All marks were reduced to a uniform scale, meaning that the number of students admitted in each medium was proportionate to the number of students sitting the examination in that medium. As a result, because Tamils represented a larger proportion of applicants, they were required to score higher raw marks than their Sinhalese counterparts to qualify for university (De Silva, 1974).³⁶ This policy was condemned by a Cabinet subcommittee in 1973, but irreversible damage had already been done. A crucial fracture point in ethnic relations, this change more than any other helped cement the view already held by some Tamil groups that the Sri Lankan state was determined to discriminate against them. By 1975, the highly contested issue of university admissions had become a focal point for deteriorating relations between the minority Tamil community and majority Sinhalese-dominated state, strengthening separatist forces (De Silva, 1974).

Reforms around access to higher education aggravated the resort to armed separatism in a number of ways. The particular political conjuncture of ideas about social justice, rising nationalism, the consolidation of an ethnocratic state, and the legitimacy crisis in the south gave rise to discriminatory reforms intended to 'equalise' higher education to further legitimise the state with its core constituency – the rural Sinhalese. These reforms were, in their way, prompted by perceptions of unfairness, and sought to pursue a particular interpretation of fairness, or social justice, for the Sinhalese. They were ultimately perceived as unfair, both in a distributive and procedural sense, by Tamil and other groups. They sent a strong signal that the state was no longer operating on the basis of fair procedures or acceptable norms. This normative unjustifiability was magnified in a context of wider escalating discrimination against the Tamil minority and violations of long-held rights and entitlements embedded in the social contract.

3.6 'Equalisation' of education as a legitimisation strategy

The introduction of the inflammatory policy of media-based standardisation occurred in a distinct political conjuncture characterised by ethnic majoritarianism and the legitimacy crisis of the southern insurrection. In this context, standardisation had its origins in the pursuit of fairness for the rural Sinhalese, and in politicised and populist ideas of social justice for that group. If the social justice orientation of the post-independence, anti-colonial state was to be realised, then maximum educational opportunities had to be extended to rural children, who should be given more opportunities to learn science in particular.³⁷ Standardisation was reasoned on the basis that it was only fair to level the playing field between the rural Sinhalese and urban populations by positively discriminating in favour of the Sinhalese. A former MP at the time argued³⁸ this was justified by the need to overcome the systemic legacies of Colonialism, which had perpetuated divisions between the elites and the proletariat. He remarked that 'the proposed system of distribution, by mixing up of the so-called brighter students with the less bright will prevent the emergence of a so-called intellectual elite, with its attendant evil of intellectual robbery'.³⁹

34 Interview with retired former MP, Malabe, April 29, 2016

35 Staff writer: (1971, May 21). Corrupt practices led to revolt: Senator Lashes out at government. *Ceylon Daily Mirror*

36 Media-based standardisation was later replaced with a district-based quota system, which set cut-off points based on either the birthplace of the candidate, or the place where they sat the entrance exam. Each district was then allocated a number of places proportional to the percentage of the population living in that district.

37 Staff writer: (1972, January 13). Equality of education opportunity aim of government, *The Daily Mirror*

38 A former MP for Batticaloa Mr A.H. Makan Macar

39 Makan Makar: (1970, November 19). MP on varsity admissions, *The Daily Mirror*

Equalising educational opportunities and privileges in the provision of educational facilities became a key political commitment that reflected widely-held views about the need to re-establish fairness in the system.⁴⁰ A Press Statement released to the House of Representatives in 1971 justified standardisation through reference to “a vicious circle that operates against the rural child, particularly in the field of science and technical education. He has neither the facilities nor competent teachers that would enable him to compete on an equal footing with his more fortunate counterparts from the urban areas”.⁴¹ It went on to state that “however brilliant the rural child may be, he is denied a place in the sun”.

Even with the rapid expansions in the higher education arena, access to coveted science and engineering courses was still closed to many Sinhalese children. The ethnic composition of university entrants had altered significantly in a short period, with a greater portion of the Sinhalese recorded as attending in 1967 (84.1 %) than in 1950 (66.6%) (Arachchi, 1973, p. 77). Nevertheless, crucially, the distribution of ethnic groups across faculties remained uneven. Ceylon and Jaffna Tamils were reported to be overrepresented in the more coveted science faculties (engineering, medicine, agriculture, veterinary science), whilst the Sinhalese made up high proportions of ‘under-privileged’ faculties (ibid). In 1969, it was still the case that some 47% of schools with science facilities up to university entrance level were concentrated in the provinces where English-speaking schools had clustered during the colonial era (De Silva, 1979). A survey carried out by the ministry in 1971 had found widespread imbalances in educational facilities (buildings, laboratories, qualified teachers) across urban versus rural areas and between developed and less developed parts of the country. Students of science-based faculties were predominately from Colombo South and Jaffna, and several rural districts were not represented at all (Jayaweera, 1969). These inequalities in access to the science-based faculties were politically unacceptable to a government intent on giving equal opportunity to rural Sinhalese children.

Populist promises to deliver social justice in education had been amplified by an increasingly ethnic majoritarian state. From the 1950s onwards, the two major Sinhalese parties had sought to correct perceived educational inequalities, and in particular perceived Tamil advantage, in what some scholars have termed a process of politicised ‘ethnic outbidding’ (DeVotta, 2004; Sriskandarajah, 2005). Promises to deliver fairness in education were amplified by frequent electoral competition. Between 1956 and 1977, the ruling Sinhalese party, or some coalition including minor parties, had changed five times.⁴² These pendulum swings magnified the electoral pressures for social justice for the rural Sinhalese masses that characterised the post-colonial period. By 1970 the full-blown ethnocratic state was at its apex with the landslide victory of Mrs Sirimavo Bandaranaike. In this, her second, term her focus shifted from democratisation of education to the issue of equity. A deep and rampant politicisation of education gave way to rapidly conceived and ad hoc political changes, including upgrading the two universities with a more nationalistic outlook – the Vidyodaya and the Vidyalandara (centres of Buddhist learning).⁴³ Standardisation was conceived, as one former MP recalled, as another way to ‘appease the masses’.⁴⁴

Another key feature of this political conjuncture was that during this period of escalating nationalism the southern, Sinhalese insurrection had taken place. Rapid reforms to the rules governing entry to the higher education system, which had already been blamed for the insurrection, were a response to this crisis of legitimacy. Specifically, the insurrection had highlighted an emerging fracture point in the ‘special relationship’ between the state and the rural Sinhalese masses, and strengthened the need to expand and equalise opportunities for higher education for this constituency. As Wickramasinghe (2012) surmised, the government ‘had taken note of the expectations of the rural Sinhalese middle classes for a more even-playing field’. This is exemplified in strong statements made by Dr Baduidain Mahmud, then Education Minister, in the days and months after the insurrection calling for a complete overhaul of the education system. He stressed the need for quick reforms, stating ‘we cannot afford to dilly-dally any longer so we must take the shortest cut possible’.⁴⁵ The insurrection had demonstrated that the pace of change towards the vision of social justice – and fairness for the Sinhalese – had been too slow.

40 Staff writer: (1971, November 9). Education lessens job prospects, *The Daily Mirror*

41 Hansard, August 11th, 1971, column 515

42 Election victories were as follows: 1956, Sri Lanka Freedom Party (SLFP) led by S.W.R.D. Bandaranaike; 1960 (March) United National Party (UNP), led by Dudley Senanayake (could not form a government due to insufficient majority); 1960 (July) Sri Lanka Freedom Party (SLFP), led by Sirimavo Bandaranaike; 1965 United National Party (UNP), led by Dudley Senanayake as National Front coalition; 1970 Sri Lanka Freedom Party (SLFP), led by Sirimavo Banaranaike as United Front coalition; 1977 United National Party (UNP) led by J.R. Jayewardene

43 Legislation to confer university status onto the two Pirivenas was allegedly so hastily put together that The Gunewardena Commission of 1962 lambasted its architects, many of whom were employed as teachers at the Pirivenas, and made a drastic recommendation to repeal the Act (Universities Commission, 1963).

44 Interview with retired former MP, Malabe: April 29, 2016

45 Staff writer (1971, May 11). Education system to be overhauled. *The Daily Mirror*

3.7 Competing understandings of fairness

Standardisation was conceived as a way to address perceived unfairness towards the Sinhalese and, as such, had its origins in a particular understanding of fairness for them. The ostensible pursuit of 'fairness' and 'equity' for the ethnic majority Sinhalese collided with, and contradicted, perceptions of fairness among Tamil minority groups. Though the objective effects of standardisation on enrolment in the universities are disputed, ethnically there is little doubt that the major blow fell on the Sri Lankan Tamils, whose share of higher education places in engineering fell from 24.4% in 1973 (standardisation only) to 16.3% in 1974 (De Silva, 1974).⁴⁶ Tamil political representatives, students and civil society organisations reacted with immediate hostility and dissent. This reform sparked an emotive reaction before any *realised* effects or changes could be felt, because it signalled that the Tamils' prospects for social mobility were being unfairly, and unjustifiably, cut off. In November 1970, it was reported that up to 10,000 students from Jaffna staged a protest against university admissions. An effigy of the minister was taken in funeral procession with tom tom beating, and cremated at the Jaffna esplanade. The students delivered an ultimatum to the minister: reverse the injustices done to Tamils under the new entrance scheme before 10th December, or they would take 'further action'. When asked what that 'further action could mean', a student leader replied 'It can mean anything. We shall show the government what we are capable of doing'.⁴⁷ This was indicative of the emotive hostility that standardisation evoked, particularly among student groups.

The policy of media-wise standardisation was rejected as normatively unjustifiable inside and outside the Tamil community. What had been considered positive discrimination by the Sinhalese political leaders was received by Tamil groups as blatantly racist. Newspaper opinion pages revealed that whatever the policy intent, standardisation was condemned as blatant racism and perceived as 'discriminating against a particular community and bestowing undue advantages on others'.⁴⁸ It represented a clash of norms and different understandings of fairness – specifically, an unjustifiable subversion of the principle of merit in the name of social justice. As one former university student recalled, 'there was a clash between the normative goal of social justice on the one hand, and then distributive justice'... At one level, you have democratisation of higher education. At the same time, you have these contradictions'.⁴⁹ Objection was also raised on the basis that the system had veered away from one of the basic principles laid down by the Kannangara Committee: the equal right to education. Recognising this, the Presidential Commission on Youth (1990) would later urge the state to return to policymaking based on fundamental principles (equality of opportunity, equality and efficiency, and respect for diversity) and reverse the political subjugation of education.

The given justifications for standardisation were perceived as illogical not only by Tamils but also other commentators. It may well have been the case that differences in language resulted in different understandings of exam questions, and produced disparities in marking, but as De Silva (1974) wrote: 'what media-wise standardisation achieved in 1973 was to relatively reduce the Tamil medium raw marks and to relatively increase the Sinhalese medium raw marks in Pure and Applied Mathematics, the two subjects for which standardisation has probably the least justification' (De Silva, 1974, p. 162). Another key objection was that the stated aims of the policy – levelling the playing field – did not appear to justify its means. Several commentators argued that if the policies were an attempt to remedy the imbalance between the educational facilities in urban and rural areas, then the solution surely lay foremost in correcting those imbalances in facilities, rather than in adjusting criteria for entry. In November 1971, for example, the principal of Jaffna Hindu college spoke out against the proposed system to this effect. He wrote: 'If certain areas lacked facilities for higher education, it must be remedied forthwith and those children provided with all amenities for better education rather than denial of admission to children who deserved a place in the university'.⁵⁰ Standardisation could not be justified against any objective logic because it was not perceived as an effective way to achieve the stated goals of social justice.

3.8 Political exclusion

In a wider context in which the political settlement was increasingly excluding Tamil minority groups, standardisation magnified perceptions of exclusion, and brought to the surface 'doubts they harboured about the impartiality of the state in its dispensation of social justice' (Wickramasinghe, 2012). It was not so much the realised social outcomes but the feeling of being cheated, and the assault on group identity and self-esteem, that contributed to the de-legitimation of the state in the eyes of this minority group. The first-hand accounts of those who experienced standardisation also illustrate the major blow to group self-esteem. A former vice-Chancellor of the University of Jaffna and graduate of the first standardisation batch recalled how in the acrimony of admissions he was moved to Moratuwa (at that time a college with no degree program): 'Some of us had nervous breakdowns. A few who could afford it, went abroad. The vast majority who stayed for lack of any other choice, were radicalised and moulded into communalists'.⁵¹ As one elite Tamil businessman from a family closely connected to power recalled, 'it was Mrs Bandaranaike's betrayal of her closest advisers and friends that really undermined our status. I mean,

46 It was not only the English-speaking Tamil middle classes who were disadvantaged by the system. The main urban centres of Jaffna, Colombo and Galle also lost out to Sinhalese from rural areas.

47 Staff writer: (1970, November 22). 10,000 Jaffna students protest against varsity admissions. *The Daily Mirror*

48 Opinion (1970, December 7) Standardisation violates a fundamental right, *The Daily Mirror*

49 Interview with senior academic and former activist, Colombo, October 7, 2014

50 Mr. E. Babalingham. (1971, November 5). Head deplures proposed varsity entry scheme. *The Daily Mirror*

51 Professor S. Ratnajeewan H. Hoole, (2003, July 17) Standardisation, the true picture. *Ceylon Daily News*

Tamils owned a lot of businesses, and the state needed them. We were running the state, basically. My father could've gotten my cousin into any university he wanted if he'd used his connections with the PM'.⁵² The unfairness of standardisation was acutely felt as a blow not only to norms, but also to Tamil group status – a group whose access to power was increasingly being closed off.

Standardisation also sent a clear signal to Tamil groups that the state was not operating on the basis of fair, transparent or impartial procedures. The justification for media-based standardisation was not publicly debated before the policy's introduction. University admissions were surrounded by secrecy and procedural unpredictability. Admissions for the academic year 1970 had been particularly fraught, beset by delays and allegations of favouritism. Criteria for entry were not released until October 1970 – almost 10 months after examinations had been sat in December the previous year. All of this contributed to a feeling of mistrust and suspicion of the state's motives.

At the same time, surfacing grievances about university admissions were not perceived as being properly addressed. The Sinhala Theruma Sanvidhaanaya (a pro-government youth organisation) alleged a committee of inquiry appointed by the government to review the marking of engineering scripts had failed to conduct a proper enquiry. As early as 1970, Tamils were complaining they were being admitted to the Tamil rather than English medium,⁵³ and in November 1970, the turbulent year of admissions, a peaceful demonstration over allegations that 23 Muslims had been improperly admitted to the college of technology was put down with tear gas.⁵⁴ In this way, the reform came to symbolise not only the increasing exclusion of the Tamil minority from fair access to the state's resources, but also the limited prospects for using fair process to remedy perceived inequalities and redress grievances.

After the introduction of standardisation, suspicion over the fair application of rules of entry to the universities only grew. This was not least because university authorities themselves did not have direct access to raw marks, but were instead presented with a list of standardised marks, leading to inevitable questions about whether the rules were being fairly applied (De Silva, 1974). Concerns about the fair application of rules were shared across ethnic divides. Mrs Jayaratne, Principal of the Buddhist Ladies College, remarked that although the policy of standardisation was justified in its pursuit of a socialist form of education, "the standardisation should not be in the hands of politicians and partisan bureaucrats. The standardising process should more properly be in the hands of the university authorities". The ad hoc politicisation of policymaking reduced the predictability of, and trust in, the system of admissions. Opinion pages were replete with scorn over the government's vacillation and expediency. As one observer wrote, 'the authorities can claim no consistency of standards not point to any stable principle on which the admissions were granted'.⁵⁵ Unfairness in the allocation of spaces spilled over to alleged unfairness in the allocation of public sector jobs. In October 1970, it was reported that up to 2000 graduates went to the ministry to protest foul play in the allocation of public sector jobs, but the minister refused to see them or hear their demands. Overall, the government's handling of the fallout from standardisation provided little reassurance that they were operating by legitimate rules.

The hostility to the state that standardisation generated among Tamil minorities in particular was magnified because of the significance of education to group identity. This reform was perceived as removing expected rights and entitlements that were embedded in Sri Lanka's welfare-based social contract. As one interviewee summarised: 'language based standardisation was very unfair... they felt they were not getting what they had. It's a question of what had, you know? Privileges were taken away...'⁵⁶ Second, changes to the higher education entry system were a tangible and graphic illustration of the removal of wider minority rights that had an everyday resonance. As one former Tamil student recalled: 'The riots and even the Citizenship Act were distant to the Tamil in the north east. But standardisation was seen even by those who never would have entered university as blocking them out.'⁵⁷ Finally, the apparent blocked social mobility took on added significance during the economic downturn of the 1970s, and the scarcity of resources for higher education. As one senior academic recalled: 'The public sector universities at that time were very crucial because there were only a few universities. And also for public sector employment, because our capitalism was less developed at that time, so there were very few private sector job opportunities. So therefore university was a symbol of social prestige and upwards social mobility'.⁵⁸ Because the propagation of modern education had been such an integral part of a state-led development process, it had opened up opportunities for greater competition among already competing ethnic groups and classes vying for much-valued public service jobs. In this context, perceived discrimination or exclusion provided particularly fertile ground for group political mobilisation (Little & Hettige, 2013). Standardisation had become a highly significant policy that helped to unhinge both the material and ideational basis of the social contract between Tamils and an increasingly ethnic majoritarian, Sinhalese state.

52 Interview with prominent Tamil business leader, Colombo, 29 April, 2016

53 Staff writer: (1970, November 11). University admissions: Tamil students complain. *The Daily Mirror*

54 Staff writer: (1970, November 9). Police tear gas students. *The Daily Mirror*

55 Opinion page (1970, November 18). Varsity Admissions. *The Daily Mirror*

56 Interview with civil society activist and retired academic, Colombo, October 17, 2014

57 Professor S. Ratnajeewan H. Hoole, (2003, July 17) Standardisation, the true picture. *Ceylon Daily News*

58 Interview with senior academic and former activist, Colombo, October 7, 2014

4

Discussion and conclusion

4.1 Education and state de-legitimation in Sri Lanka

Two separate legitimacy crises consolidated in Sri Lanka during the critical juncture 1956-1971: insurrection in the south of the country, and armed separatism in the north. These distinct crises had multidimensional causes and effects, but both were exacerbated by politicised reforms to the system of education. A series of particularistic education reforms intended to legitimise the state with its majority constituency – the rural Sinhalese – had the opposite effect of helping to de-legitimise it among elements both within that majority and within the Tamil minority constituency. The reforms broke key terms of the social contract between the state and those groups, violating social norms around merit, equity and competing perceptions of fairness, and (re-)produced and symbolised wider perceptions of unfairness and discrimination in how the state was exercising power.

An anti-colonial, anti-elitist 'democratisation' legitimisation strategy provided the motivation behind a social demand model of education that ushered in rapid, unsustainable expansions of higher education and a series of ill-planned reforms that would privilege access at the cost of quality. This compounded a structural problem - a mismatch between education and the needs and absorptive capacity of the economy - which produced high levels of educated unemployment and a cohort of frustrated young recruits to fuel an ideologically-loaded insurrection. Continued inequalities, declining quality and restricted social mobility in the sphere of education came to symbolise not only broken political promises and wider frustrations about access to power, but fundamental cracks in the social contract between the state and this, its core Sinhalese majority constituency.

At the same time, a conjuncture of social justice ideals, rising nationalism, the apex of an ethnocratic state, and a legitimacy crisis in the south gave rise to reforms intended to 'equalise' higher education to further legitimise the state with its core constituency. These reforms were based on one conception of 'fairness' among Sinhalese, and the need to remedy colonial injustice. But they were widely perceived as unjustifiable and unfair; both in a distributive and procedural sense, among both the Tamil minority and other groups. They sent a strong signal that the state was determined to discriminate against Tamils. This normative unjustifiability and unfairness was magnified in a context of wider escalating discrimination, the closing down of political space, threats to group identity, and violations of long-held rights and entitlements embedded in the social contract. Education reforms were highly symbolic of this wider set of grievances, and as such helped catalyse the resort to armed separatism in the north.

4.2 Understanding the services-(il)legitimacy relationship: A turn to fairness?

Sri Lanka's experience illustrates that the allocation and distribution of highly demanded public services can influence evaluations of the state's legitimacy, though perhaps not in the instrumental sense depicted in prominent state-building models. The mechanisms through which service delivery influences legitimacy are not primarily about material self-interest or satisfaction; they are about norms and ideas about what is right and, crucially, what is perceived as fair. For an authority to be considered legitimate, which means morally justified, it has to deliver not only what is personally beneficial, but also what people think is right (Tyler, 2000). What people think is right depends on a larger social system of norms, values, morals, practices and procedures such as merit, equity, or relative need (Zelditch, 2001). In the same way, this study finds that services may be significant for state legitimacy to the extent that they represent the wider set of values and norms through which authorities operate and exercise power over people.

This case study's findings suggest that perceptions of fairness in service provision – whether distributive justice or procedural fairness – can be significant for processes of state legitimation and de-legitimation. This aligns with previous research on the links between a state's performance and its legitimacy (Gilley, 2009: 72). There are no universal criteria for fairness. Rather, perceptions of fairness are normative, group-based, influenced by the temporal political climate, and historically contingent. Perceptions of fairness in the distribution of services may also be group-based, where access to services is considered a marker of group identity or social status. These findings echo a core strand of legitimacy theory, which argues that citizens are more likely to confer legitimacy when they feel institutional arrangements are beneficial for group identity and, crucially, for group self-esteem (Jost & Major, 2001).

The fairness of who gets what, where and how is ultimately evaluated in the context of expectations of rights or entitlements that are historically embedded in the social contract. The expectations of particular groups can also be engineered through a period of particularism and populist politics. Likewise, the fairness of services is evaluated in, and cannot be divorced from, the perceived fairness of the political system and the distribution of resources and power in society as a whole. Deprivation and inequity is more likely to be tolerated in a context where the wider political system is justified – that is, where the broader social system is perceived as fair (Jost & Major, 2001). Taken together, these insights suggest fair services are significant for legitimacy because they represent and reproduce group identity, convey social norms, and signal the wider fairness of the political system as a whole.

This case study shows how perceived *unfairness* in service provision can contribute to processes of state de-legitimation and do harm to the stability that international actors seek to support. Services are a tangible, everyday and ‘real’ aspect of public policy where discriminatory procedures or unfair allocation can have immediate consequences, providing a stimulus for popular mobilisation. They send signals to citizens about the operating rules, norms and moral justifiability of the state. Where they send signals that prospects for well-being or social mobility are closed off, that the state is not committed to distributing services and goods fairly, or that the chance of ever having an impartial government seems impossible, they can undermine legitimacy. Perceptions of unfairness in the allocation or distribution of services symbolise and can reinforce wider grievances about the state’s abuse of power, or mistrust in the state. Changes to access may challenge state legitimacy where they are perceived as a challenge to group social status. Understanding group perceptions of fairness in relation to service delivery may therefore be significant for understanding the likelihood of service provision contributing to (de-)legitimation and instability. This may be particularly significant in divided societies where perceptions of fairness may differ between groups.

4.3 Dilemmas for aid

These findings around the centrality of fairness raise dilemmas for aid to service delivery in fragile and conflict-affected states. Fairness embodies a set of norms – about qualities such as equity, merit, and rights – that are by nature context-dependent and group-specific, and for which there can be no universal criteria. Expectations of fair outcomes – or distributive justice – may look different in contexts where patronage or caste systems are so engrained that unequal treatment is tolerated, for example (Fisk & Cherney, 2016). People may accept norms that discriminate against them as well as for them. Regularity and predictability may be found as much in the informal rules of clientelism as in formal institutionalised procedures. What is fair in any given society is an open question. For these reasons, translating fairness into replicable criteria for fair and stabilising service delivery is by no means straightforward.

A related dilemma for aid is that, as leading agencies already recognise, different groups within society can have different criteria for fairness (Alexandre, Willman, Aslam & Rebosio, 2012). Particularly in divided societies, different understandings of fairness in the allocation and distribution of public services between groups represents a potential source of contested legitimacy and an associated risk to stability. Differences in group perceptions of fairness creates the potential for legitimacy trade-offs. Political legitimation strategies that pursue changes in service provision according to one group’s understanding of fairness may create conflict where they collide with and contradict another (competing) group’s understanding of fairness. In turn, perceptions of unfairness in the allocation of highly demanded public goods and services can undermine legitimacy with that group. In theory, therefore, service provision may be simultaneously improving legitimacy with one group, and undermining it with another.

This case study, in line with other research in this field, also illustrates that it is not necessarily objective measures of access, uptake or participation – the technical criteria against which services are typically measured – that may matter for the link between legitimacy and services. Perceptions of unfairness and norms violations may matter more. Indeed, perceptions may matter more than objective reality. Elsewhere, research has shown that perceptions of inequality are more influential in determining social stability than statistical measures of inequality (Alexandre et al., 2012; Stewart, 2000). Surveys of horizontal inequalities in African countries, for example, have found significant mismatch between measurable inequalities and perceptions of inequalities between groups (Langer & Mikami, 2013). This case study similarly finds that how service delivery reforms are *perceived* by different groups may be as significant for legitimacy evaluations as how equitably they are distributed in objective terms. As Davies (1962, p. 8) surmised in his analysis of the cause of revolutions, ‘the crucial factor is the vague or specific fear that ground gained over a long period of time will be quickly lost’.

This suggests the public and political discourse surrounding service delivery may influence their significance for the state’s legitimacy as much as the hardware of investment. Politically sensitive aid to service delivery in divided societies implies understanding how service delivery reforms are likely to be perceived by different groups – specifically, how they align with group perceptions of fairness – as well as how equitable services are in objective terms. This calls for attention to the communication strategies, political narratives and deliberative processes surrounding service delivery, as much as the hardware of infrastructure investment.

4.4 Future research

This paper provides a qualitative, historical case study of the political role of service delivery in processes of state (de-) legitimisation. A number of potential avenues for research arise from this exploratory approach.

First, the study indicates that the relationship between state effectiveness and state legitimacy is circular. Specifically, it was the main legitimisation *strategies* of the state that provided the impetus for public policies that would ultimately come to undermine its legitimacy among sections of the population. These legitimisation strategies arose from a combination of ideas and political conjuncture. Political legitimisation strategies can lead to overpromising and a raising of expectations in the process of winning loyalty. This indicates the potential benefit of adopting a long-term perspective on the role of public services in processes of both state legitimisation and de-legitimisation that allows political legitimisation strategies to be connected with their (sometimes unintended) effects over time.

Second, the study suggests public services can affect state legitimacy as much through perceptions as experienced material conditions. In both cases, higher education became an acutely politically salient area of public policy because it represented not only the capacity of the state to deliver, but symbolised its normative commitment to distribute public goods fairly and through predictable and non-discriminatory procedures. Studies examining the link between service delivery and state legitimacy have focused on correlations between measures of outcome favourability and legitimacy. This study suggests, however, that research concerned with the (de-)legitimising effects of service provision might incorporate an analysis of local norms about fairness. Focusing on periods in time when legitimacy is either consolidating or unravelling is a fruitful methodological strategy, because at these times the normative basis for legitimacy, or indeed illegitimacy, is thrown into stark relief.

Finally, this case illustrates that legitimacy is an empirically variegated phenomenon, and that processes of state legitimisation can entail trade-offs among different social groups. In other words, states may deliberately seek to legitimise themselves with one key constituency at the cost of their legitimacy among others. This potential for legitimacy trade-offs could be further explored in research on building legitimate states.

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