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Women's absence in Sri Lankan politics:

Lessons on the effectiveness and

limitations of quotas to address under-

representation

This is an accepted manuscript. The final version of this article appears in

Women's Studies International Forum (2020) 81: 102371.

The definitive version is available at https://doi.org/10.1016/j.wsif.2020.102371

Abstract

After decades of resistance to quotas – or reserved seats – as a means of addressing women's

lack of representation in politics, Sri Lanka introduced a highly complicated and little-

understood series of electoral laws to establish a quota for women at the local government level

(LGL). Local government elections in February 2018 marked their inaugural implementation.

Drawing on nearly five decades of global academic literature analysing quotas and utilising a

five-pronged framework for understanding what goals quotas are designed to achieve, this

paper assesses the LGL quota against those goals. Based on key-informant interviews and data

from the 2018 election, I consider (i) whether there has been an increase in the space and respect

for women politicians in Sri Lanka, (ii) the likelihood that elected women can deliver a gender-

responsive political agenda for their female constituents and (iii) the extent to which the quota

helped to redefine political norms in Sri Lanka.

Key words: Quotas, women, local government, Sri Lanka, representation

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1. Introduction

Few Parliaments in the world can boast more than 30 per cent representation of women (Inter-Parliamentary Union 2019b). While it is debatable whether such a critical mass necessarily brings gains for women (Beckwith 2007; Beckwith and Cowell-Meyers 2007; Studlar and McAllister 2002), we continue to globally pursue these targets. The result of these policies has been modest gains overall and even gender parity in some countries and regions (Inter-Parliamentary Union 2019a). In fact, only a handful of countries still have participation rates that can be described as abysmal (Gray, Kittilson, and Sandholtz 2006).

Sri Lanka is one such country. Its "façade of a progressive nation" (Yatawara 2016, 10), with high measures of social development in areas such as health and education, hides the political reality of having one of the world's lowest levels of representation of women in Parliament (Kaviratne 2016, 8). Being able to boast having had the world's first female head of government in the world might in fact leave many surprised by Sri Lanka's poor record when it comes to gender and politics.

At the level of local government, Sri Lanka's record has been particularly poor, a shocking 1.9 per cent of women's representation (Election Commission of Sri Lanka 2019) prior to the country's most recent local government election. Despite such stark numbers and an evident gap in women's progress towards equality in the country, it took a two-decade long struggle before the introduction of a quota at the Local Government Level (LGL). Sri Lanka was in fact among the last Asian countries to introduce a political quota for women (Krook 2009; Jalalzai and Krook 2010). This was despite Sri Lanka's South Asian neighbours – India, Pakistan, Bangladesh and Nepal – all performing significantly better than Sri Lanka on the issue of women's political participation, a point that activists were quick to point out in attempts to gain support for a quota (Gomez 2018; Kodikara 2018).

Legislative changes over 2016 and 2017 finally introduced a two-pronged quota (LGL quota) composed of (i) a mandatory reserve seat quota of 25 percent for women in 2016, through a one-third increase in the total number of seats, entirely reserved for women in an "independent group" and (ii) legislative mandates in 2017 instructing parties to nominate women on both First-Past-the-Post (FPTP) and Proportional Representation electoral lists. Local government elections in February 2018 marked the inaugural implementation of these measures at the LGL. This article reflects on whether the introduction of the LGL quota – which may be replicated at the provincial and national levels – delivered its intended effects beyond an increase in numbers.

Quotas are well-understood as a tool to address various aspects of under-representation in its broadest sense (Sawer 2000). As will be elaborated in Part 2 of this paper, quotas: (a) are frequently introduced to address women's right to participate in equal numbers with men; (b) play a symbolic role, i.e. to advance the status of women as a group and their aspirations; (c) promote a woman's perspective in politics i.e. to represent women's interests; and (d) foster role models and increase the pool of talented women who have the capacity to continue in politics. Yet it is far from a guarantee that quotas can achieve these multi-pronged aspects of representation (Bari 2005; Bird 2004; Childs and Krook 2006). The Sri Lanka local government quota is one such example of a quota that, to date, has barely achieved its aims.

In this article, I argue that while the LGL quota resulted in a significant increase in the number of women in local government following the February 2018 election, in almost every other aspect, the quota has failed to achieve its potential. Part 3 elaborates the reasons why, describing how Sri Lanka designed and introduced a highly complicated and little-understood series of electoral laws to establish the quota for women. Moreover, when it came to the law's implementation, in the lead-up to the election, women candidates justified their right and ability

to participate in politics based on normative constructs reliant on women's place being the home and women politicians as representatives of social – understood as 'soft' – issues. Even when successful, women candidates were seen as filling a secondary and weak space, carved out just for women. Few successful candidates left constituents hopeful that the quota would help bring about the type of transformative politics that women's rights activities had struggled for.

The findings discussed in this article, based on data from February 2018 election and interviews conducted with experts in Sri Lanka, suggest that the current quota system is unlikely to deliver the representation of women's interests in politics, create new ideas about how women 'do' politics or establish new role models for future women considering a political career. Moreover, we cannot ignore the reality that the result of the February 2018 election was women occupying approximately only 23% of local government positions, far short of equal representation. I conclude the article by naming a few key recommendations for future implementation of the quota both at this local level and if it is scaled-up to the provincial and national levels.

It is, however, important to acknowledge that women's lack of representation in formal politics does not mean that Sri Lankan women are not active in informal politics. Women have and continue to influence policy makers. This is evident alone in the work of the *Mothers Front*, a grassroots group that emerged first from northern Sri Lanka in 1984 and then from the East, in protest of the failure of officials to identify the bodies of the "disappeared" sons and other male relatives as a result of fighting between the State and the Liberation Tigers of Tamil Eelam (LTTE) (De Alwis 2008).

Nonetheless, formal politics including at the local level, is a key space for women to be seen and to make change. It is therefore essential to evaluate efforts, progress and outcomes to improve women's representation in this space. It is also important to acknowledge the

criticisms directed towards the excessive attention paid globally to the *introduction* of quotas when compared to analysis of their implementation and effect (Dahlerup 2006, 10). This article offers a perspective on what emerged from the most recent local election in Sri Lanka, which even recent studies on local governance in Sri Lanka have failed to capture in their entirety (Rameez 2018). Importantly, however, it speaks to the broader question of politics as a key space to advance women's right and interests. It sheds light, therefore, on the larger question of whether or not there is continuing value in resuscitating quotas as a tool for advancing equality between men and women (Vijeyarasa 2019).

2. Methodology

The research presented in this article is based on interviews conducted in Sri Lanka in August 2018. In-person interviews were conducted with 16 Sri Lankan experts. They were selected to capture a broad cross-section of views, from formal politics, civil society, academia and aid/development. Specifically, I interviewed current and former national-level ministers, academics, civil society activists from a cross-section of local NGOs (human rights and faith-based) and international NGOs and a non-Sri Lankan senior-management-level expert at an international aid agency. Two of the interviewees were male. All interviews were conducted in English, recorded with the consent of participants and transcribed and coded using grounded theory. The initial coding was open-ended while the second-phase of coding was more directed with the rich history of academic writing on quotas in mind, and specifically, as against the five goals for quotas that I discuss in the following section.

This analysis also draws on the official results of the February 2018 elections. This posed several challenges. First, the Government of Sri Lanka has released extremely limited data, although it is publically available via the Sri Lankan Election Commission in English, Tamil and Singhalese (Government of Sri Lanka 2019). This data includes the overall results of the February 2018 elections, results by ward and results per party in fulfilment of the hybrid (First-

Past-the-Post and Proportional Representation) counting system. However, in addition to such limitations as the absence of gender-disaggregated data, I have identified disparities between the official figures published by the Election Commission, the information provided to me during fieldwork by interviewees and data cited in recent literature on the topic (see for example Krishnamohan 2018). There is, for instance, neither complete clarity on the number of potential positions for councillors under just the ward system nor the overall number of successfully elected candidates at the end of the February 2018 election. Attempts have been made to highlight these inconsistencies, reflect on what such inconsistencies mean for transparency in elections in Sri Lanka and the limitations posed by the lack of gender-disaggregated data for evaluating the quota's effect.

3. Five decades of quotas: What goals do they serve?

Despite a constant erosion of barriers to women's active engagement in politics, progress globally has been slow. A series of omnipresent sociocultural, political and economic barriers have and continue to hindered women's political participation (Reynolds 1999, 551), including narrow gender-roles, restrictive religious doctrines, unequal laws, education, discriminatory socio-economic conditions, male party bias and 'women-unfriendly' political systems (Reynolds 1999, 551), some or all of which may be relevant in any one particular context. In light of these obvious barrier, it is unsurprising that there is widespread agreement that women's underrepresented in political spaces has and continues to be a substantial global challenge (Phillips 1998, 60; United Nations Development Programme 2018).

Quotas have been used as a correctional measure in response to underrepresentation since as early as the 1970s, i with their popularity reaching a peak in the late 1990s and 2000s (Krook 2006). Their purpose and, to a degree, their success has been discussed extensively in a wide

range of academic literature – from a feminist perspective (Gunasekara 2018; Weerasinghe 2018); for their role in the pursuit of gender equality (Bystydzienski 1995); in the political sciences (Aili Mari Tripp and Kang 2008; Rule and Zimmerman 1994); for their limitations (Bari 2005; Bird 2004; Childs and Krook 2006; Mansbridge 2005; Squires 2007); and for their nuances (Schwindt-Bayer 2009; Paxton and Hughes 2014; Baldez 2007).

Quotas take many forms. These differ depending on whether they aim at changing the composition of: (1) the pool of potential candidates, here called the aspirants; (2) the candidates who stand for election; and (3) those elected. Electoral quotas may be defined as regulations that in public elections require a certain minimum in numbers or percentage of a specific group at one of these levels (Dahlerup 2006, 19). In Sri Lanka, the quota introduced at the local government level focused on shaping the composition of the candidates in a dual-track manner, as a percentage of party nominations ('candidate quotas') and in the form of 'reserved seats' for women.

While several Nordic countries are used as the exemplar when it comes to quotas, in reality, *voluntary* (and not mandatory) electoral quotas were introduced in many of these countries after women already comprised 20 to 30 per cent of parliaments (Dahlerup 2006, 7; Caul 2001, 640). Nonetheless, these misconstrued role-models helped shape the debate in Latin America, South Africa and in many other countries (Dahlerup 2006, 7). By contrast to the Nordic region, where quotas helped build on what was pre-quota incremental progress towards equal representation, Sri Lanka was faced with the other extreme case. The quota was used as a "jump start" to abruptly address extremely low participation of women in politics.

Whatever form they take, quotas aim to achieve representation in its broadest sense (Sawer 2000). Quotas strive for 'equality politics,' moving from the idea of equality of opportunity to equality of results (Dahlerup 2006, 9). Drawing on nearly five decades of global academic

literature discussing quotas, I identify here a classification for how we can understand the purpose and effect of quotas. I use this framework as a tool against which to evaluate the success of quotas.

To begin with, the first goal of quotas relates to numbers. Quotas are about increasing the numbers of women in political spaces to equate to that of men or, at least, create a male-female balance. In a comprehensive study of the implementation of quotas across the world, Dahlerup writes, "Contrary to what is usually expected, a quota provision of, say 30 per cent does not automatically lead to a considerable and rapid increase in women's representation" (Dahlerup 2006, 10). As will be discussed below, the Sri Lanka case proves this statement somewhat incorrect. Yet, quotas are meant to achieve more than numbers.

Quotas are meant to contribute to good governance and ensure that we do not exclude minority opinion (Reynolds 1999, 548), what some have called "substantive representation" (Ford and Pande 2012, 11). This second goal acknowledges that quotas are in fact a response to the structural inequality facing women as a group. Such discrimination fostered a tendency, until the point of the quota's introduction, among voters to choose an equally qualified man over a woman, or kept women outside of the field of politics through socialisation and practical barriers (Mansbridge 2005, 628). Quotas therefore aim to address the exclusion of a marginalised group — women, who in some contexts may constitute more than half the population — from politics.

A third goal takes this one step further and relates more closely to the substance of what women in politics fight for and speaks to the ability of women who succeed as a result of quotas to specifically represent issues that matter to women, what is known as 'descriptive representation' (Ford and Pande 2012, 11). Importantly, this goal is grounded on the

acknowledgement that interests are gendered, but without presuming a unitary set of women's interests (Phillips 1998, 57).

Yet a fundamental aspect in achieving descriptive representation depends on the design of quotas. Dahlerup poses a question that is very applicable in the Sri Lankan context: Can "quotas [...] have the unintended consequence that [...] women politicians will lack a power base of their own and thus have difficulties using their elected position as they want?" As discussed in Part 4 below, if the quota rules do not actually match the shortcomings of that particular electoral system, as is the case where women politicians lack their own constituency because their seats are 'added', then tokenism can be a consequence (Dahlerup 2006, 14). This effect significantly undermines the ability of elected women to speak for women's issues.

A fourth goal reflects on the question of women's status, what one might call 'ideational gains' (Caul 2001). When women are seen as 'doing politics', whether or not it is particularly beneficial for women, rising to a position of power changes women's status. Quotas enable nominated or elected women to participate in politics *alongside* men. Quotas therefore can play a symbolic role, raising women's status as a group, regardless of what issues they promote (Sawer 2000). Self-imposed stereotypes may also be lifted (Ford and Pande 2012, 12). This goal is therefore closely intertwined with a final forward-looking goal of providing a pool of talented and experienced female political actors to continue to serve in politics and motivate other women to do so.

In the following section, I discuss the extent to which each of these goals was achieved in the Sri Lankan context. In an ideal scenario, a quota can be designed and implemented to achieve all of these goals. However, before continuing, it is important to contextualise this discussion about quotas in Sri Lanka. Even if well-designed and implemented, the quota was set in a context of a highly patriarchal society – despite statistics evidencing women's relatively well-

being. Lack of financial resources to contest, obstructions caused by certain religious leaders, and impediments caused by family members are all challenges women candidates face. Women also faced aggravated difficulties campaigning during the night when compared to their male counterparts (International Foundation for Electoral Systems 2018a, 3). Wider socio-political issues are also relevant in Sri Lanka. For example quotas promoting ethnic representation are a contentious issue, and other existing quotas may affect the design of gender quotas – namely a mandatory youth quota that previous existed in Sri Lankan that was removed as a result of the 2012 amendments discussed below.

The quota for women discussed in this article, therefore, cannot be looked at in a vacuum. In the words of one key informant, "You are always trying to fit in and negotiate within this larger debate about electoral reform that was going on" (Kodikara 2018). Nonetheless, although these issues may explain part of the struggles for the quota's success, they cannot serve to justify the failure of the LGL quota to promote significant change for women.

4. Designing and implementing an LGL quota in Sri Lanka

In February 2018, Sri Lanka held its first local government election with the quota law in place, an election that was delayed for almost two years due to the extensive number of changes to the electoral system (International Foundation for Electoral Systems 2018b). In the lead-up to the quota's introduction, there existed some acknowledgement, albeit far from universal, of the need for correctional measures to address Sri Lanka's abysmal record on women's participation in politics. Women's representation in local government had consistently been extremely lowabout 2 per cent for several decades. This was coupled with a low number of nominations of women by the major political parties — anywhere between 3 per cent and 7 per cent of those nominated (Kodikara 2014, 2).

Opposition to the quota was strong. Male leadership of political parties in particular repeatedly contested the idea, "Women in Sri Lanka are fine, they are not discriminated against, we don't need affirmative action...for 18 years, we heard variations of how we don't need a quota" (Kodikara 2018). The Electoral Commission was therefore key in pushing back and voicing the opinion that a 25 per cent quota was indeed needed (Hagerdon 2018).

Even some women politicians contested the idea of the quota, voicing a preference for a different solution. In fear that unqualified women who were unwilling to fight for women's concerns would be nominated, for instance, some argued instead for demarcated constituencies of multiple members, with a requirement that at least one must be a woman. Proponents of this solution considered that this would ideally create "a system where a woman identifies herself as a person wanting to go in there to make a change. And the people vote her for that" (Ashraff 2018). Such a quota would get a woman in "because her talents and attitudes match the political needs of the country" (Ismail 2018). While members of the national-level Women's Political Caucus – 12 women parliamentarians from across political lines – expressed the view that they had collectively and openly supported the LGL quota (Fernadopulle 2018), others disagreed. One informant named them "completely absent from the struggle," questioning, "What were women in political parties doing when we were struggling to get *them* a quota?" (Kodikara 2018). An overview of these and other aspects of the struggle for a quota will be discussed in the next subsection.

Yet, before exploring those issues, it is necessary to systematically present the series of legislative changes which today compose the LGL quota system in Sri Lanka. I discuss below the three key legal amendments that were introduced the system. As is evident from the discussion below, the Sri Lankan system of voting is a complex one and the law itself poorly drafted. Additionally, I analyse the consequences of this weak drafting, in terms of the

preparedness for the quota's implementation among Sri Lankan women candidates, civil society actors supporting them and their parties.

a. The legislative design of the quota

The LGL quota was the outcome of three key electoral reforms between 2012 and 2017. Yet, even prior to these three key legislative reforms, various actors had tried to introduce a formal quota requirement. For instance, the draft Constitution of 1997 made provision to reserve 25 per cent of all nominations for women at the local government level. By contrast, its final wording only demanded "adequate representation of women, as far as practicable" (Kodikara 2014, 4), and even this reference was considered by some actors from Sri Lankan civil society as "smuggled" into the Constitution (Gomez 2018).

The first key reform was the Local Authorities (Elections) Amendment Act No. 22 of 2012. The Act sought to replace the proportional representation (PR) system of elections with a hybrid system that combined a PR system with a first-past-the-post system (FPTP) (Democratic Socialist Republic of Sri Lanka 2012, vol. No. 22, para. 44). However, the amendment also abolished the 40 per cent mandatory quota for youth that had been introduced in 1990 and instead provided that "25 percentum of the total number of candidates and additional persons whose names appear in each nomination paper ... may consist of women and youth" (Section 22(4)(2B) of the Local Authorities Elections (Amendment) Act). In this sense, this law could be considered a set-back for young women's representation in politics for having lowered the compulsory representation of youth. The use of non-mandatory language in the provision ("may consist") did not contribute to an effective increase in the overall numbers of women either.

The law also altered electoral divisions. It established a National Committee to make recommendations to the Minister on the division of each local authority into wards (Democratic Socialist Republic of Sri Lanka 2012, vol. No. 22, para. 3(b)(1)). The wards, still existing today, are territorially and demographically smaller than the previous voting unit. This change sought to increase the participation of the community and community-based organisations, facilitate management and diversification of development and economic needs of smaller areas and ensure a democratic representation of minorities and communities. As a related consequence, the number of people potentially elected to be part of the local government was increased. Although Sri Lankan stakeholders often argue that women only entered local government because Sri Lanka increased the number of elected positions overall, it is important to recognise that this increase came before the final quota for women.

The 2012 law was undermined by poor drafting. For instance, when it came to the hybrid PR and FPTP system, the law failed to provide clarity on how this would operate in practice. In particular, while the amendment provided that not more than 30 per cent of Councillors would be selected through the PR system, there were no provisions in the law on exactly how to count and apportion votes (Wijesundara and Gajanayake 2014, 17).

The LGL quotas were only introduced in two subsequent legal changes. The *Local Authorities Elections (Amendment) Act, No. 1 of 2016* increased the total number of candidates by one-third (Democratic Socialist Republic of Sri Lanka 2016, vol. No. 1, para. 2) and went on to state that this increase in numbers will form the list of women candidates (referred to in the law as the "independent group") contesting at the elections (Democratic Socialist Republic of Sri Lanka 2016, vol. No. 1, para. 2(2)). Parties therefore were required by the amendment to submit two lists. The first list was composed of two separate nomination papers (the first under the FPTP system and the second under the PR system) containing the lists of candidates in respect

of all wards for each local authority (Democratic Socialist Republic of Sri Lanka 2016, vol. No. 1, para. 3(1)). The second one was a list of names of women candidates in order of priority to form the "independent group" (Democratic Socialist Republic of Sri Lanka 2016, vol. No. 1, para. 3(3)).

The legislative amendment saw an increase the total number of seats at the local government level by one third i.e. by 2206 seats, taking the total number of seats from 6619 to 8825 (Kodikara 2016, 14). Others quote a lower figure of 8387 seats (Krishnamohan 2018), while others a higher one, 8690 (Commonwealth Local Government Forum 2018). These are significant differences when it comes to issues of clarity and transparency. These new seats would be awarded to women candidates nominated by political parties on a *separate list* according to the proportion of votes obtained by each party at the level of each local council, with seats allocated in order of priority on this list as decided by the party (Kodikara 2016, 14).

A year later, the *Local Authorities Elections (Amendment) Act, No. 16 of 2017* offered further guidance on the quota's implementation. It stated that 60 per cent of seats would be elected by the FPTP system and 40 per cent via the PR system(Democratic Socialist Republic of Sri Lanka 2017, vol. No. 16, sec. 8) It further stated that that not less than twenty five per centum of the total number of members in each local authority should be women members (Democratic Socialist Republic of Sri Lanka 2017, vol. No. 16, sec. 7). It offered further guidance on the two nomination papers under the FPP and PR system. It stated that the nomination papers submitted by a political party or independent group should meet the following requirements: for the nominations for the FPTP system, at least ten per cent of candidates to be elected and returned in the first nomination paper must be women, and not less than fifty per centum of the total number of candidates in the additional PR nomination paper should be women (Democratic Socialist Republic of Sri Lanka 2017, vol. No. 16, para. 8(3)).

It would be understandable for the reader to be lost at this stage. Many actors and stakeholders in Sri Lanka still disagree about what the provisions mean (Hagerdon 2018; Kodikara 2018). In broad terms, however, the system could be describe as composed of two separate parts. First, two lists of candidates must be presented, one for single member constituencies demarcated within each local government area on a first-past-the-post system and another list of members elected from a proportional representation list. Second, a (newer) part contains the nomination paper listing only women, from which a certain number would be elected, based on the proportion of votes obtained by the party within the whole local council area (Kodikara 2016, 14).

Within those three lists, there are three distinct quotas. 10 per cent of *elected members* under the FPTP must be women, 50 per cent of *candidates* on the PR list must be women, and all of the people on the third list must be women. As a result, while often described as a "25 per cent quota" for women, the laws together created the potential for the total number of women's representation at the local level to surpass 25 per cent (see Table 1). In any case, the law seemed to be clear about one thing: the final result must be that not less than 25 per cent of *elected members* per ward must be women, which is guaranteed if necessary through the reward quota ("independent group").

Table 1: Key legal amendments to the Sri Lankan local government electoral system

Amendment	Key changes
Local Authorities	Introduced a hybrid First Past the Post (70 per cent) and
(Elections) Amendment Act	Proportional Representation (30 per cent) system
No. 22 of 2012	Removed a compulsory 40 per cent quota for youth introduced
	in 1990

	 Created a voluntary 25 per cent quota for party candidate nominations for women and youth Appointed a National Committee to divide each local authority into wards, considerably increasing the number of electable counsellors 	
Local Authorities Elections	Increased the total number of candidates by one-third to be filled	
(Amendment) Act, No. 1 of	by women candidates only ("independent group)	
2016		
Local Authorities Elections	Required not less than twenty five per cent of total number of	
(Amendment) Act, No. 16 of	members in each local authority shall be women members	
2017	Required that for the FPTP system (which would select 60 per	
	cent of councillors), at least ten per cent of candidates to be	
	elected and returned be women	
	Required that for the PR system (which would select 40 per	
	cent of councillors), not less than fifty per centum of the total	
	number of candidates be women	

b. A quota with baggage

Part of the explanation for the substandard legal drafting of the quota and the ensuing confusion about how to implement it was the inadequacy of the parliamentary debate over the 2016 bill. Only six Members of Parliament spoke during its reading - among them the then Prime Minister Ranil Wickremesinghe, who presented the bill. The reading was interrupted by the storming of parliament by the so-called 'Joint Opposition'. Although not explicitly opposed to the bill, the theatrics of the scene, in the words of one local activist, were a 'parody of the attention given

to the issue of women's representation in political institutions by politicians over the years" (Kodikara 2016, 13).

What resulted was a law that was little understood. Terms 'chaotic' and 'confusing' were used by key informants to describe the level of understanding of the new electoral law once passed, both at the time of the nominations process in the lead-up to the February 2018 election and at the time of the counting and allocation of the seats after the vote. Frustration was particularly rife among women who were actually trained to run precisely "because they knew enough about it to know that what was happening wasn't normal, and it was chaotic and didn't make sense" (Hagerdon 2018).

Even when it came to calculating seats, "it was almost as if there were only two or three people in the country who could explain it", including in the count those in the Electoral Commission who had to train poll workers (Hagerdon 2018). The example of the "overhangs" is quite telling. Although beyond the scope of this article, it speaks to the complexity in the law's design and implementation. Where the number of candidates elected through the FPP system exceeds the number of available positions in a particular ward, the law contains additional exemptions for whether or not the quota for women would apply (Democratic Socialist Republic of Sri Lanka 2017, vol. No. 16, sec. 65AA. (1)). Such exemptions, along with the lack of clarity around counting and awarding of seats to elected councillors, severely undermined transparency and the potential of individuals to engage with the electoral process. Some interviewees noted how several months after the election some female candidates did not know if they had been elected or not (Hagerdon 2018) These issues became a matter of contention and shifted the attention to administrative matters instead of placing the value of the quota in the need for women to be equally represented in government.

5. The outcomes of the 25-year struggle

In the following section, I return to the five goals outlined in Part 3 to assess the quota's impact at the local level in Sri Lanka. What becomes clear is that despite a significant increase in numbers, the quota had a limited effect on raising women's status and qualitatively addressing underrepresentation.

a. An increase in numbers

Feminists offer the progressive argument that, even though disappointing, the first step in the battle is to have more women physically present before addressing the matter of substantive equality (Kaviratne 2016, 9). In the Sri Lankan context, for many women academics and activists, the local government election was indeed an "historic" "overnight" "game-changer for all women" (Kodikara 2018).

Yet, it is a reflection of the inadequacies of the Sri Lankan electoral system that at the time of fieldwork (August 2018), and more than six months after the election, official figures relating to the number of elected women leaders remained unknown. In the words of the Director of the International Foundation for Electoral Systems in Sri Lanka, "We have asked the Election Commission, and we have asked the Ministry of Provincial Councils and Local Government for what we thought was simple information: how many women have been elected, which constituency or which local government authority are they currently sitting on, and which party were they from. There's no centralised list of this information" (Hagerdon 2018). However, shortly after the election, the Electoral Commission had indeed released information on the aggregate numbers of women voted and the numbers of women elected in each of the 25 districts (Fernando 2018).

This contradiction is explained by the significant lack of clarity of the data published and a dire need for accurate sex-disaggregated data. Notably, there is an uncertainty about the total

number of elected councillors overall, as well as how many women were elected under the PR system. Some rough numbers have been, however, generally accepted and repeated throughout the interviews, namely that approximately 2500 women were successfully elected as councillors in the February 2018 election, which includes 535 women candidates were elected under the FPTP list to represent one of twenty-five wards.

It was published as well that only fifteen Local Authorities failed to meet the female quota requirement of 25 per cent of all elected councillors. The explanation given for this was that they fell within the scope of one of the above-referenced exceptions in the law, concretely one referring to the number of parties contesting but not winning more than three seats (Commonwealth Local Government Forum 2018). However, two of these Local Authorities did not have a single elected female councillorⁱⁱ (International Foundation for Electoral Systems 2018a). Based on this data, in aggregate terms, 95.3 per cent of the Authorities islandwide were successful in meeting the 25% quota. Overall, 30 per cent of political parties and independent groups' candidates in the 2018 election were women (International Foundation for Electoral Systems 2018a) (see Table 2).

Table 2: Assumed results of the February 2018 LGL election (as of August 2018)

Assumed results of the February 2018 LGL election (as of August		
	2018)	
Number of women elected	535 women (represents just over 10 per	
under FPTP list to represent	cent of the total number of councillors –	
a ward	understood to be 5,081 (The Sunday	
	Times 2015) – elected under the ward	
	system	

	Represents 6.2 per cent of total number
	of women elected
Number of elected women	Approximately 1991
from "independent group"	
Total number of women	2,526 women
elected	
Number of elected women as	28.6 per cent (out of 8825 elected
a navigantage of elected	councillors) – according to NGO reports
a percentage of elected	councillors) – according to NGO reports
councillors overall	29.1 per cent (out of 8690 elected
(dependent on total number	councillors) – according to
of councillors)	(Commonwealth Local Government
	Forum 2018)
	,
Pre-election percentage of	1.8 per cent
elected counsellors	
Overall percentage of party	30 per cent
candidates that were women	

b. Minority representation and good governance

Despite such an evident and noteworthy improvement when compared to the pre-electoral situation, a number of disclaimers are required, which erode the conclusion that the LGL election made a fundamental change for minority representation. As drafted, the revised electoral laws left it to party organisers to exercise unrestricted discretionary powers when

making nominations (International Foundation for Electoral Systems 2018a, 3). What resulted was the overt selection of party members' relatives. The quota therefore did little to challenge patronage politics whereby nominated women are relatives of existing politicians, a "widows, daughters and wives syndrome" (Kodikara 2018). Even beyond familial ties, district level organisers "selected women who they can control" (Perera 2018). Nominations often went to "people that they thought was weaker" while "women who were trained, and who actually knew about what was happening and all that, were sidelined" (Perera 2018). The quota did very little to improve minority representation as it failed to bring new or alternative views to the table.

The new LGL quota also failed to challenge the incumbency of male politicians, because the majority of women were voted to added seats rather than pre-existing ones (Kodikara 2016, 15). Only 6.2 per cent of elected women were elected to specifically represent a ward. By creating a dichotomy between the previously-existing general seats and the newly created "women's seats" where women are likely to have less power and "definitely less credibility" (Kodikara 2016, 15), women are unlikely to be seen as "real" political players. For those women who were elected to represent their local government at large – rather than specifically represent a particular constituency within a ward – it is likely to be harder to identify concrete changes needed and assess those women's political successes against those goals.

Nonetheless, it is important to acknowledge the efforts made by women candidates and civil society organisations to enable elected women to represent and voice issues that may otherwise be neglected in their wards. *She Leads* trainings run by the International Foundation for Electoral Systems, for instance, coached women to review the local media to identify issues of local concern, enabling such women to be better exemplars of good governance: Women candidates were trained to address questions such as "What's your stance on the drought and

how is it affecting the farmers?" or how the "lack of roads [affect] the farmers to get their goods to market." (Hagerdon 2018). The goal was to enable such women to "take on other social and economic issues at the same level as the men had been doing" (Hagerdon 2018). These trainings and potential effect, therefore, are not to be dismissed in the context of evident patronage politics.

c. Descriptive representation: Women for women's issues

It is broadly acknowledged in research on women in politics that the gender and race of political actors influence the issues that concern them. Mansbridge notes that female legislators, for instance, in almost every measured representative body – from the United States House of Representatives to Indian panchayats – give more attention than male legislators to issues such as education and women's rights (Mansbridge 2005, 625).

In the Sri Lankan context, leaving aside women nominated by male relatives, who were not seen as representing their constituency in the first place, "and certainly not a women's constituency" (Kodikara 2018), iii many were of the view that if elected, women would focus on vulnerable communities, including women, children and the differently-abled (Kaviratne 2016, 9). History shows how when making representations to the Sri Lankan Public Representations Committee on Reconciliation Mechanisms, women's focus tended to fall on issues faced by women as a collective, calling for criminalisation of street harassment, the making of a new constitution that acknowledged the role of women and promoted equality and the removal of discriminatory aspects contained in the island's various personal laws (Kaviratne 2016, 9).

However, during the two-decade struggle for "a" quota, much of the conversation had revolved around "just trying to get women in there" to "equalise politics". With the quota in place, the

conversation started to shift: "What are they going to fight for? What are they going to argue for? Are they just going to take mainstream issues? Or are they going to look at how to bring in women's concerns into that picture?" (Kuru-Utumpala 2018). The practical challenge facing women candidates was finding a balance between reinforcing narrow and stereotypical representations of women and their roles and the ability of such women to identify what could be broadly understood as the concerns of women.

Women were naturally oriented towards stereotypical slogans, "from kitchen to your parliament" or "from the kitchen to your local council". Having never been in politics before, candidates had a sense of being "reduced to their gender roles" (Hagerdon 2018). Interestingly campaigning on the issue of corruption became a widespread avenue for many women, given the extent of mismanagement of funds at the local level: "We are new and we would not misuse the money" (Hagerdon 2018). This is an approach paralleled by female campaigns in other countries and there is some evidence that women may be less prone to corrupt behaviours(Esarey and Chirillo 2013).

The extent to which the elected women are now able to deliver on the expectation that women enable a more transformative and feminist-oriented political system are a further issue. Post-election, elected women identified significant challenges to delivering the demands of constituents: "It's like having your hands tied behind your back, so the expectations go up, but they're not being given the resources," (Hagerdon 2018) with some women indicating they had more power to effect change when working within an non-governmental organisation.

d. Ideational gains: Advancing the status of women

Beyond the question of numbers and qualitatively, the issues that elected women bring to the table, there is an overarching expectation that quotas will help raise the status of women,

individually and as a group. In the case of Sri Lanka, with a clear dichotomy between the previous ward seats and the carved-out seats for women, it is questionable the extent to which the quota would succeed in advancing the status of women.

Moreover, it is important to acknowledge the limitations of quotas to effect change. Specifically, in the case of Sri Lanka quotas are one political tool that need to be set within the context of much-needed socio-economic and cultural reform as well. It may be unrealistic, therefore, to assume that the introduction of a quota to address political inequality will necessarily be able to address some of the other obstacles that women face that equally affect the political sphere.

For instance, if we reflect on the actual treatment of women candidates during the election itself, we see the way in which these political, social and economic factors are intertwined, particularly with respect to incidence of violence. Violence against women in elections is defined as gender-based violence against women that is directed at a woman because she is a woman as opposed to electoral violence that can equally impact any citizen – man or woman – and is not based on one's gender. It therefore does not count all election-related violence that happen to women but rather is restricted to the forms of violence that are carried out against a woman because she is a woman.

While there were very low number of *recorded* instances of violence against women in the February 2018 LGL election, the actual numbers might be quite different. Both the People's Action for Free and Fair Elections and the Center for Monitoring Election Violence utilised gender-specific monitoring tools for the first time in the February 2018 election. CMEV recorded 758 incidents of violence, of which 47 were identified as violence against women, or 6.2 per cent of all incidents. PAFREL recorded 33 incidence of violence against women candidates (International Foundation for Electoral Systems 2018b). These ranged from one of

the most serious incidents of sexual violence where a woman candidate reported being raped by a campaign supporter during the election period; to the burning and destroying of the cutouts of female candidates through to the most widespread forms of violence against women in elections which is the use of psychological violence, including intimidating, humiliating and degrading actions, such as threats to one's family and fake news (Gunasekara 2018; International Foundation for Electoral Systems 2018b).

As a manifestation of the unequal power relationships between men and women, we can see how the quota is only one response to the political, social and economic inequality felt by Sri Lankan women that all effect their representation in the political sphere. Also telling is the lack of structural support to prevent and respond to such instances of violence. The Elections Commission had at the time of the February 2018 election completely inadequate female representation, with no female Commissioners and only one female among the assistant commissioners. Police lacked training to manage an election with an overt increase in the number of women contesting, laughing "at women who come to lodge complaints for being verbally harassed." (Gunasekara 2018). Moreover, both the Elections Commission and the Police "generalise gender-based violence as normal election-related violence" (Gunasekara 2018). In this sense, it is important to recall that politics mimics the broader reality. We therefore need to contextualise the expectations on what the quota can achieve in terms of elevating women's status within the broader socio-economic dynamic in Sri Lanka, particularly regarding male dominance in both the institutions of religion and the household.

e. Role models: Cleaning up politics as a space for women

An unanswered question in Sri Lanka relates to the role model effect of having women in politics. There are two potential considerations here: first, women are the local government

level can climb to what are often considered positions of higher status – positions at the regional or national level. There is a sense, therefore, that you do need a continuous influx of women and the LGL quota could be a solid starting point.

At the same time, informants were better able to identify role models in certain political positions – the first female Mayor of Columbo, Rosy Senanayake, for instance – than others. Few believed that women in politics had many role models to look up to or could be role models for future women. This is quite stark in a country which h had the first female (non-hereditary) head of government in the world. Therefore, if the quota delivered both more strong elected women but also ill-equipped female councillors, the end result could be discouraging women from entering politics in the future or tainting the path for those women. The election of a poorly qualified woman creates "ammunition for those who believe women's participation is not a priority, and that women are not capable of playing leadership roles" (Dissanayake 2016, 18).

There remains an obvious need for elected women in Sri Lanka politics to challenge the preexisting norms and stereotypes about women's roles. Even among renowned women activists
who have participated for decades in the struggle for equality, there remains a sense that women
are nurturing, which demands a "kind of civility, a sensitivity, lack of rigidity" unsuitable for
politics (Ismail 2018). At the same time, there is an evident thirst for a new feminist model of
a politician (Ismail 2018; Rajakumar 2018; Jabbar 2018) and it may be that the massive influx
of women in local government helps to diversify people's understandings of what a woman
politician should or can be.

In the early post-quota period, how elected women reflect on future women politicians was also very evident and a pressing concern for informants.

6. Conclusions

In the words of journalist Dulrukshi Handunnetti, in Sri Lanka, "It is difficult to trace women's collective footprint – and excluding the privileged footprint of a few – women are conspicuous by their absence" (Handunnetti 2016, 4). To some degree, the LGL quota has shifted this reality, with a sudden upshot in the number of women in politics at the local level. What remains to be seen is what those women will do. With a separate and in many respects, delegitimised space carved out for women, many of those elected do not have the status of their male counterparts, reducing the quota's effect on advancing the status of such women.

Reflecting on the experience of Sri Lanka's near neighbours, we might be more hopeful. When women in India were "caught unaware as the gates of the political arena were suddenly thrown wide open" to more than 1 million elected women representatives, women experienced "magnificent gains" (Nanivadekar 2006, 123), with wives shedding the identity of proxy for their husbands and women elected from minority groups demonstrating considerable achievements in their 5-year term and emerging as role models for other female representatives (Nanivadekar 2006, 124). Nanivadekar's generous assessment of the impact of India's quota goes on, with the quota having "increased the self-esteem, confidence, and motivation of women in general" and "brought about a dramatic qualitative change in the self-esteem of the average woman" (Nanivadekar 2006, 124).

This begs the question of what is needed in Sri Lanka to see the same results. The greatest barrier is the system's design and the reality that most elected women have emerged from the sideline and devalued "independent group" list as created by *Local Authorities Elections* (Amendment) Act, No. 1 of 2016. The quota system is unlikely to be amended in the near future and it is therefore important to turn to other mechanisms to help bring about positive outcomes for women.

First, it is important to benefit from the quotas while challenging essentialism. While in some cases, elected women will bring the concerns of some – or even the majority – of women to the table, we need to challenge the notions that women have particular traits that define them, or that such traits mean that women cannot be adequately represented by men (Mansbridge 2005, 623). It is important for Sri Lankan women in politics to own these multiple identities and to acknowledge where they are socially constructed and performative, as has been widely accepted in academic analysis of gender and rights.

The importance of political parties cannot be underestimated. Sri Lankan political parties need to value the quota and invest in getting more women into mid-level and leadership roles (Caul 2001, 641). This would inevitably raise the number of suitable candidates and create a readiness, should the quota be implemented at the provincial and national levels.

When running and once elected, women need greater support networks. This is particularly the case with candidates willing to take on feminist issues. Support from civil society networks, including women's rights organisations, could span anything from doing research to help them have an evidence-base for the agenda through to guidelines on what changes they should be including in their agendas (de Alwis 2018)

The "dying days of the youth quota" were a real loss for young women, an "absolute missed opportunity" (Kodikara 2018). Yet, there is an evident interest in politics among younger generations of Sri Lankan women. This is coupled with a recognition by older generations of activists that consultations need to engage "with all the generations" (Ismail 2018).

With a stronger investment in women within parties and once elected, there may be greater prospects to see the types of "magnificent" results that some have witnessed in India. Provincial and national-level quotas are also an obvious next steps since "if you really want women to

make a difference in terms of policy, practice, law and so on, you need to start at both ends." (Gomez 2018). Sri Lanka's 20-year struggle, therefore, was not for nothing but it may be another decade before the struggle sees significant gains.

7. References

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ⁱ For instance, in Denmark, Sweden and Norway, political parties introduced voluntary gender quotas in the 1970s

ⁱⁱ Manmunai Pattu Pradeshiya Sabha of Batticoloa District and Kinniya Municipal Council of Trincomalee District.

iii Such sentiments were reiterated in interviews with the International Foundation for Electoral Systems.