

Local government in bangladesh assignment



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Bangladesh has repeatedly experimented with decentralization in the post-colonial and post-independence period. Every successive regime between 1957 and 2001 attempted to reform the local government structure. The induction of local government, however, failed to ensure access and participation to the poor. The absence of tangible rewards for participating in local affairs often resulted in apathy and frustration to the villagers.

The main concern of this essay is to evaluate the process of decentralization that took place under different regime in Bangladesh and analyses to what extent decentralization has been ensured. The Problem Local government Is part of overall governance. Local government Institutions, being nearer to people, can Involve them In various ways: (a) planning and Implementation of projects (b) supervision of educational institutions, hospitals and other government balanced units (c) manipulation of support for new initiatives like campaign against dowry, child labor etc. D) enforcement of laws regarding gender discrimination, violence against omen, environment protection (e) manipulation of resources in the form of taxes, fees, tolls etc. Popular participation also assumes importance because of its potential for holding the local government institution accountable to the community. On the other hand, local government institutions can enforce accountability of the central/ national government authorities.

The more aware, vigilant and active the community becomes through Its participation In local government bodies, the greater Is the pressure on both local government Institutions and the government authorities to become transparent and responsive (Z. R. Khan: 1999). The potential of local

government institutions can be realized more effectively where there is decentralization and devolution of power.

Accountability, transparency, participation, empowerment, equity and all other attributes of good governance can become a part of the daily work of both the government and local bodies when decentralization and devolution take place. Without decentralization and devolution, local government bodies remain paper organizations without any effective role. It is no exaggeration to say that it is in a decentralized local government system that most of the attributes of DOD governance have a chance to survive and prosper.

Strengthening of local government Institutions can, therefore, be seen as a positive trend towards good governance. All successive governments In Bangladesh felt the need to have viable local government for ensuring effective governance. As a result, we have seen ' decentralization' as an important policy agenda of all governments. The repetitive Pakistan as a post-colonial extension. However, the necessity to reform the existing structure of local government by various successive governments in Bangladesh indicates their failure to create effective institutions for enhancing local democracy and delivering development programmer.

In order to analyses the process of decentralization in Bangladesh and its Justifiability, the following questions need to be addressed: 1) To what extent have the governments of Bangladesh been successful in ensuring decentralized local government? 2) What are the major issues associated with the decentralization of local government in Bangladesh? Local Government In some countries, the local extensions of the central

government, and in others, rotational local power structures utilized for supporting field administration, have been misconstrued as being equivalent to local government.

At times local government has been mistakenly considered an insignificant segment of the government. However, in industrialized countries, the number of civil servants at the local level is much larger than is commonly believed. In the United States, for example, there are four times as many local government employees as federal employees; even in a developing country, like India, the number of local level employees is as high as 40 percent that of federal employees (Suicide, 1994: 2).

Ninth a view to avoiding confusion, it is better to differentiate ' local government' from local politics' and ' local administration'. Local politics is a wider term and covers a host of areas besides local government. On the other hand, local administration means implementation of decisions by not only local government institutions but also national/ provincial government units operating at the field level. In South Asia, local government is widely known as local self-governments .

For the purpose of this essay, local government is defined essentially in terms of some attributes: first, its statutory tutus; second, its power to raise finance by taxation in the area under its luridness; third, participation of the local community in decision making on specified subjects and administration; fourth, the freedom to act independent of central control; and lastly, its general function, in contrast to the single-purpose character of many autonomous bodies.

Constitutional and Legal Basis of Local rent In any democratic polity, local government is given legal recognition either by an act of Parliament or by incorporation of relevant provisions in the Constitution (Khan, 1996: 1).

Bangladesh Constitution of 1972 clearly spelt out the legal basis and responsibilities of local government. Article 59, Chapter III of the Constitution states that, ' Local government in every administrative unit of the Republic shall be entrusted to bodies composed of persons elected in accordance with law.

Article 60 of the Constitution states for the purpose of giving full effect to the provision of article fifty nine, Parliament shall, by law, confer powers on the local government bodies referred to in that article including power to impose taxes for local purposes, o prepare their budgets and to maintain funds (Constitution of People's Republic of England's, as modified up to 30th of November, 1998).

It is necessary to mention the constitutional and legal basis of the local government of Bangladesh because if demarcated by the Constitution or by the act of the parliament, or if there is no scope for the government to decentralized powers to elected local bodies, it is difficult to devolve powers. It is evident that the legal basis of the local government is clearly spelt out in the Constitution and the Constitution through Article 59, Chap III has ensured the devolution of power to local government bodies. Rife Background ere institution of Local Government (LAG) in Bangladesh goes back a long way.

The origin of the existing local government institution can be traced back to the demand for self-government in British India. Initially local government

was developed by the British to maintain law and order in the rural areas with the help of local elite backed by local police (All, 2001). The local elites were to be nominated in the local government institutions from among those who were trusted by the colonial authority. The British rulers institutionalized this system to perpetuate their political, economic and administrative ends and colonial extortion (All, 2001).

In 1870, they introduced 'Judiciary Panchayat' as the local government institution. This system was later changed and renamed in different regimes from the British period to present Bangladesh as three-tier Union Committee (1885), two-tier Union Board (1919), four-tier Union Council (1959), and Union Parish (1973) (Shank, et. Al, 2001 : 3). After 1973, Union Parish became the lowest unit of local government in Bangladesh. There are two distinct kinds of local government institution in Bangladesh - one for the rural areas and another for urban areas.

The local government in the rural areas represents a hierarchical system comprising four tiers: Gram Panchayat, Union Parish, Panchayat Parish and Gila Parish while the urban local government consists of Panchayat and Municipal Corporation (Lam, 1984: 48). The following figure shows the existing local government structure in Bangladesh: Figure-I (Existing Structure of Local Government in Bangladesh) Decentralization in Bangladesh British period Decentralization in Bangladesh began even before the country's liberation in 1971. The British colonial administration established local governments through the Local Self-Government Act of 1885 to maximize land revenue collection and maintain law and order. Local officials during this period came from the local elite. But the process of decentralization during British rule

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was obscure. The British were not interested in any degree of devolution. What appears from the real practice of local bodies is a picture of oppression and exploitation. There has not been any positive result for rural people apart from the fact that these experiments served the colonial interests of the empire.

Although India was the first colony to become the experimental ground for such policies of decentralization, the British reluctance to implement any real degree of decentralization is also evident. One example of such reluctance is Inch recommended an elected Penchant (Tinker, 1967: 87). Pakistan period Reforms regarding local governance were also introduced during the Pakistan period. A new system of local government, known as the system of Basic Democracies, was Introduced in the late asses.

According to Czarina Raman Khan of the University of Dacha, ' General Buy Khan devised a decentralization policy for rural development under the banner of the Basic Democracies System, which offered a four-tier government reflecting a mix of decertification and devolution. ' Raman and Khan 11997: 8) also added that the system of Basic Democracies was designed as a blend of democratic and bureaucratic values. It was, in other words, between ' devolution' and decertification' having nothing in common with the ' principles' and ' characteristics' of a democratic decentralized system.

Though explicitly propogated as a programmer of decentralization, the system actually helped the military regime of General Buy Khan in extending the stronghold of bureaucracy to the local level. Bangladesh period As a

result of the long history of struggle for freedom and democracy, Bangladesh saw the importance of developing a sound democracy and increasing people's participation in the political process, decision-making, and development of the country after it emerged as an independent nation.

Though slow in progress, reforms to strengthen local governance and expand democracy were made. Decentralization was viewed as a strategy that would allow democratic governance and encourage people's participation. It was also a response to the challenge of reducing poverty.

The Constitution... Gives enough opportunity to the lawmakers to develop viable self-governing local government institutions. However, as far as the implementation of the objective is concerned, the achievement is far from satisfactory. (Meijer and Sings) The following are the various decentralization strategies and developments in the local government system after 1971: The Mujib Period (1972 to 1975) After the independence in 1971, the Mujib League government, headed by Sheikh Mujibur Rahman, brought the following reforms in the local government. 1) The system of basic democracies was abolished and government bodies carried over from the days prior to independence were dissolved. 2) Public officials were authorized to form committees at different tiers of government to fill the void created by the termination of some government bodies.

The committees created would, for the interim, perform local functions. 3) District government was introduced in 1973. This provided for a three-tier system with a directly elected Union Parish (Council), a development committee under the control of the sub-divisional officer, and a Gilla Parish under the control of deputy commissioner. An almost replica of Buy Khan's

Basic Democracies - De.) 4) Union councils were elected but were not able to function effectively due to the coup in 1975. Mujib paid more attention to national than local issues.

Although the Union Parish (Council) was designed as a decentralized body of local government and the election in 1973 was to ensure grassroots democracy, the Mujib League did not hold elections to the higher level councils, nor did it take any measures to devolve authority to any of them. There was substantial lack of political and behavioral support among Mujib League leaders. Mujib abolished the parliamentary system altogether, introduced presidential rule under one-party rule known as BASAL, along with the 'governor system' introduced at the district level (Raman and Khan, 1997: 8).

Under General Curia Raman (1975 to 1981) In August 1975, Major General Curia Raman seized all power as the Chief Martial Law Administrator. Nevertheless, Gen. Aziza played a critical role in reviving the local government institutions in the country. The Local Government Ordinance 1976, promulgated by Aziza, created Gram Kasbah (village councils) in an attempt to decentralized government down to the village level. In 1980, two years after General Aziza became the elected president, all the Gram Kasbah were transformed into Gram Karakas (village government) in each of the 68000 villages of Bangladesh.

The Gram Karakas was a body consisting of gram piranha (village executive) and 11 elected members representing different classes of the village. The Gram Karakas was a mini- government which could undertake planning and

promotional programmer Chowder, 1987: 20). The reforms initiated by Gene. Aziza were different from the earlier policies of decentralization. The bureaucracy was given a free hand to control the local councils once again. These bodies of local government remained as the deconsecrated form of decentralization. The only exceptions were the Union Parishes and Gram Karakas.

The Gram Karakas had many characteristics common to those of Manhood model of decentralization. Although for the first time in England's, the Gram Karakas provided for an equality of representation to various functional interests, many argue that implicit objectives of the reform package of decentralization during Sis's period was to gain direct political support for the military regime in its process of civilization (Hosing, 1989). Lieutenant General Rasher (1982 to 1990) After Gene. Aziza was assassinated by a military coup d'etat in 1981, the Gram Karakas Nas abolished by the new military regime of Rasher, which seized power in March 1982.

In his first year of office, Rasher initiated the reform measures to decentralized the administration through the abolition of former subdivisions and upgraded the arenas into Pastille (sub-district). In hundreds of public meetings in the beginning of reform, Rasher and his associates of the Pizza model pronounced that improving access and promoting participation were the primary goals of their reform. In contravention of this pledge to the nation, the military regime exploited every possible opportunity to weaken the democratic forces in the country and strengthened the autocratic bureaucracy.

The political history of Bangladesh was repeated in the asses as the Pizza was politicized in favor of the ruling military regime the way Pakistanis dictator Buy Khan used the system of Basic Democracies In the asses, and the Gram Karakas of the asses (Raman and Khan, 1997: 9). Under Chalked Sis's Five-Year Rule (1991 to 1996) It took Prime Minister Chalked Aziza only a few months after she came to power to abolish the Pizza Parish and reinstate the previous bureaucracy-dominated than administration by promulgating the Local Government (Pizza Parish and Pizza Administration Reorganization) (Repeal) Ordinance, 1991.

In June 1992, a cabinet division resolution was passed to replace the Pizza Parish with Than Nas also due to the fact that her party Bangladesh Nationalist Party (BAN) had only a handful of chairmen in the Pizza of the country. Since BAN had not taken part in the first Pizza election in 1985. In the second Pizza election in 1990, BAN was laced at the 5th position getting only 24 Pizza (out of 460) under its control Maximum Bart, 31 March 1990).

However, the abolition of the Pizza is seen as a dictator of the bureaucrats whose plan during this crucial period was to exploit the changed political situation to their own benefit. Ironically, the democratically elected government of Chalked Aziza indulged in anti-democratic practices with regard to decentralization. Begum Chalked Aziza, who failed to provide any new form of local government during her five-year rule, is criticized for the persistent crisis in governance. The local government institutions have become weak. The No's effective intervention rendered the local government institutions purposeless since they failed to perform.

The rural people apparently getting more resources from the foreign funded Nags seemed to have distanced themselves from local government Bahamas and Khan, 1997: 9). Sheikh Hessian's Period (1996 to 2001) En the Bangladesh Miami League came to power in 1996, it constituted a Local Government Commission and came up with a Report on Local Government Institutions Strengthening in May 1997. The Commission had recommended a four- ire local government structure including Gram/Pallid (Village) Parish, Union Parish, Than/Pizza Parish and Gila (District) Parish.

While local government bodies' exercised some degree of local autonomy, the central Government or a higher body in the administrative hierarchy of the state closely supervised them. Westward (2000) observes that, ' like the previous local government systems, the local bodies are controlled by the central government in all aspects. ' Meijer and Sings, in their study on the impact of decentralization in Bangladesh, describe the patron-client relationship existing between the national ND local governments.

According to them, the territorial Jurisdiction, functions and revenue/expenditure patterns of different tiers of the local government are determined by central legislation and their activities are guided and supervised largely by departments/agencies of the central government. ' The present government Since 2001) ere present government, after assuming power in 2001, initiated a change in the local government structure. Gram Karakas in place of Gram Parish has been introduced. There has been recent legislation creating Gram Karakas. These bodies Nil be created at the Ward levels.

Each Gram Karakas will represent one or two 'alleges comprising about 3,000 people at an average. The UP member elected from the Ward will be the Chairman of the AS, which will have other members both males and female elected in a general meeting of the voters of the Ward under the supervision of a 'prescribed/ directing authority'. There are defined functions of the Gram Karakas (AS) and other functions may be assigned to it as may be specified by the government from time to time. Gram Karakas will have the right to constitute issue-based standing committees as and when required, and determine the membership of such committees.

The way the Gram Karakas Act has been passed and TTS members selected in each ward, has been criticized by every section of society. It England's Nationalist Party in the rural areas. Major Issues ere local government bodies had never been, in independent Bangladesh, 'self-governing bodies in the true sense of the term. They could simply be labeled as an extension of the central government with guided and limited local participation.

Consequently, local governments have always been institutionally and financially Neck, poorly managed and lacked social and political credibility.

The importance and significance of earlier reform efforts with regard to local government lie in their contribution towards some incremental strengthening of the system. However, there is a consensus that the following issues should be taken into consideration in any future attempt to reform the local government institutions and reorganize them to make them truly decentralized, institutionally effective, financially viable, participatory, gender sensitive, transparent and accountable. Role and functions

rotationally, Local Government (LAG) in Bangladesh has limited Jurisdiction over specific (and limited) developmental functions.

The area of regulatory administration has always been kept aside from the purview of the role and functions of these bodies (Hussein and Sacker et al, 1994). Most of the developmental functions for Inch LAG units are made responsible under the legal framework, such as: family Enlarge, education, public health, social welfare, etc. , are administered by different agencies of the national government. For example the JPG has no authority other than reviewing and reporting to the Pizza Nirvana Officer (NUN), a national government functionary.

UPS virtually have no scope to get involved in the Implementation of development projects initiated by these agencies at the local level. ere exact relationship between the field level units of various government departments and the LAG is vaguely defined. Local level infrastructure development is one of the important functions of the LAG. These projects are generally implemented through food aid and grants received from the national government. Food aids are Channeled thorough different agencies of the national government.

In this area, for example the role of UP as a Local Government (LAG) unit is again limited to the selection of the possible projects only. Such selected projects are finally approved by the NUN in consultation with the Pizza Engineer (LIE) and the Project Implementation Officer (POI). The above type of scenario clearly suggests that the role and functions of LAG units are restricted in the area of development administration. In addition the other

functions of the LAG units are again subjected to bureaucratic supervision and guidance (Khan, 2000).

Centre-local government relations In the context of the LAG, central-local government relations have always been an issue. In Bangladesh, statutorily, the central-local relationship has been authoritative in nature. This may be due to the colonial legacy and the absence of democratic government at the centre for a considerable period of time. The central or the national government primarily exercises its control over the LAG bodies through its field level government functionaries such as the Deputy Commissioner (DC) and the NUN, heads of district and Pizza administration respectively.

In addition, LAG units are further controlled through a web of intricate and complicated orders and circulars from different agencies/ministries which very often contradict the original inquiries into the affairs of local government institutions. And after such inquiry, if the government considers that a LAG unit is 'unable' to discharge its duties; or 'fails' to meet its financial obligations; or otherwise exceeds or abuses its power, then the government may suspend such a local government unit for a period as may be specified by the law.

This provision allows the district administration to axe an LAG unit such as the UP at any time and consequently, make them extremely vulnerable to the political and administrative whims of the government. In addition, the central government also exercises substantial financial and administrative control over the coal government institutions in different ways. The annual budgets of the LAG units are scrutinized and approved by different levels of

central government agencies. Again, in the case of UP authority over the appointment and payment of salaries of the staff is held by central government bureaucracy.

In the internal functioning of LAG, the national government functionaries also exercise control over them. For example, the Local Government Ordinance requires a UP to constitute a number of standing committees and for the formation of any additional committee it needs the formal approval of the DC. The above facts reveal that the LAG units in Bangladesh are being constantly controlled by the national government through various mechanisms for almost every aspect of their operation and functioning.

Such practices, in reality, have turned the local government institutions in Bangladesh into mere extension of the national government and of their various agencies. Resource manipulation Local government bodies have been chronically resource poor in Bangladesh. The LAG regulations empowered them to immobile resources from local sources through assessment and levy of taxes, leasing of local Hats and Bazaars, water bodies, etc. But they do not receive the total resources generated from their entitled sources.

For example, in the case of LIPS, of the revenue generated from the leasing of the rural market, 25 per cent is retained by national government, 10 per cent by the Pizza, and 15 per cent is earmarked for the maintenance of the market, and the rest 50 per cent is the entitlement of the UP. Another feature of financial control is that the NUN receives funds transferred from UP mobiles resources like share of land transfer tax, market lease money for

retention in the accounts maintained by him for later striation to I-JSP on basis of prescribed government guidelines.

This shows that the I-JSP have no direct control even over resources generated from their jurisdictions. Such practice of regulating and controlling of the financial resources by the national government functionaries keeps the LAG units ever resource poor and resource dependent on the national government (Khan, 2000). The local government institutions are entitled to Annual Development Plan (ADAPT) grants from the national government. The local government regulation holds strict instructions that the block rant must be used specifically in certain sectors determined by the central government.

This pre-determined sector allocation seriously limits the scope of local level planning as well as the flexibility of local bodies to utilities the financial resources for satisfying the immediate needs of the community. This also runs contrary to the concept of functional autonomy of the LAG units.

Institutional capacity Institutional capacity includes both human competence and logistics. Relevant studies reveal that the overwhelming majority of the chairmen and members of LAG of these bodies (Amazonian, 1998). They are also unaware of the intricate rules Ninth regard to budgeting, planning, and resource management.

Moreover, for example, Union Parishes are required to maintain and preserve more that 100 registers (for general office management, village courts, test relief programs, food-for- Nor programs etc.). It is a huge task considering the managerial capacity of the LAG unit. In effect, very few registers are

actually maintained. This is due to the fact that 'ere little effort has been made over the years to impart training in the relevant fields of local institutional operations to the elected officials and salaried staff particularly the Union Parish secretaries.

Moreover, relevant institutions have inadequate facilities and the training modules are also outdated. Most of the LAG units have inadequate physical facilities. Accountability and transparency Accountability and transparency of operations and functions of the LAG units are essential for ensuring their credibility to the electorate. This can only be achieved through adequate supervision and monitoring. Legally the Monitoring & Evaluation Inning of the Local Government Department of the Ministry of Local Government Rural Development and Cooperatives (ALGER) is responsible for monitoring the functions of the local bodies.

But its monitoring mechanism is weak, inadequate and ineffective. The other mechanism is through the inspection and visits by the field level government functionaries, such as, the NUN and the ADDLE. However, their functions are more of control than monitoring. The relevant LAG regulations prescribe that I-JSP are to ensure public display of (in the UP notice board) the budget and major decisions of the UP meetings particularly with regard to development projects. But this practice is almost absent in most Union Parishes.

Conclusion In Bangladesh there have been six major attempts to reform local government under ix different governments.

The objective of all, at least at the level of rhetoric, was to introduce participatory and accountable local governance through decentralization of

functions and powers to locally elected institutions. All these governments also recognized the relevance of the role of decentralized local institutions in planning and implementing need-based development projects for poverty alleviation and reduction of socio-economic inequality. However, the objectives were not realized and the governments failed to keep their commitment towards grassroots democracy ND to devolve power to the people at lower levels to manage their own affairs.

Nevertheless, every successive government of Bangladesh has used the local government bodies to strengthen their own political base in the rural areas, ignoring the principles and importance of decentralization of power to the local level. Consequently, the primary goal of poverty reduction, economic equity and gender balance remained unfulfilled. (Prang Kumar Pandas is an Assistant Professor in the Department of Public Administration, University of Rajahs, Bangladesh. He can be reached at: Com) End Notes 1 .

The term local self-government originated during the colonial times when most of South Asia did not enjoy any self government, either at the central or provincial State) level. At some point in time, a decision was taken by the British Government to associate South Asians in administering local affairs. It meant a slice of self- government for the people. Today the term self-government has lost its old national level.