
Local government in Bangladesh plays an important role in initiating and implementing development programs; disputes resolution or providing judicial redress through village courts to local disputes to the people at the grassroots level. But the local bodies have always been subjected to the domination of the bureaucrats and the national level politicians, since the inception of the system. Again, until recent years, women had only symbolic representation in the form of nominated member in local bodies. The above suggests that the governance at the local level, for obvious reasons, lacks broad based participation, transparency and accountability.

Currently, local government and local governance issues are receiving increasing attention of all in general and the development partners in particular. A number of interventions are on with their support for strengthening local government and local level governance.
processes, and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences. On the other hand, the Commission on Global Governance defines governance as the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative actions may be taken. It includes the formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest (Guhathakurta and Karim, 1998). A number of inferences can be drawn from the above definitions. First, governance includes exercise of authority or power. It encompasses the state’s institutional and structural arrangements, decision making process and implementation capacity. Second, it is intimately related with politics, economics and law of a given society. Third, it necessitates a dynamic relationship between the government officials and the public. Fourth, it has an intimate relationship with such values as good and quality.

It appears from the above analysis that the governance concept is imbued with normative issues. Governance in positive sense, argues for less government interventions to set people free to work, and for better government to enable others to be productive. There is also a clamour for an attack on corruption from the highest to the lowest levels, making political leaders and administrators more accountable to the people and government business or operations more transparent. Governments should promote the rule of law, the freedom of press and human rights, seek grassroots participation and build pluralistic structures. However, some of the characteristics of good or effective governance are, participatory; responsive to people; able to develop the resources and methods of governance; able to mobilize resources for social purposes; operate by rule of law; engenders and commands respects and trust; enabling and facilitative; regulatory rather than controlling; service oriented; sustainable; acceptable to people; promotes equity and equality; promotes gender balance; tolerates and accepts diverse perspectives; strengthens indigenous coping mechanisms; efficient and effective; accountable; able to define and take ownership of national solutions; and minimizes non-participatory area of decision making (Sobhan, 1998).

Local government is an integral part of the whole governance process. Like the central government, local government institutions at different levels perform many, similar functions such as, agriculture, health, education infrastructure development etc., within their legal jurisdictions. The scale and scope of these activities are, however, limited but being closer to the community the development activities and the services provided by the local government institutions can have immediate impact on their lives. The division of functions between the central government and the local government bodies when determined on distinct and clear-cut principles can ensure productivity and efficiency, cost effectiveness for both and thereby improve overall governance.

As local government institutions are nearer to the community these can ensure participation of them in the planning and implementation of development programs and projects; supervision of various local institutions like, schools and colleges, hospitals and other publicly funded institutions and organizations, mobilization of support for various initiatives like campaign against dowry, child labour, human trafficking etc.; mobilization of local resources. On the other hand, local government institutions as the representative organization of the people can ensure accountability of the national government authorities. The more aware, vigilant and active the community becomes through their participation in the local government units, greater will be the pressure on these institutions to become transparent and accountable (Hye, 1998).

The local government usually refers to administrative bodies, boards, committees appointed or set up by the government. They are composed of a number of inhabitants appointed or nominated by the government. They are given by the government a sum of money to be spend on the poor, the roads, the slum clearances etc. They have no independent authority to raise funds. They exercise powers that are delegated to them by the order of the government. They act, on the whole, as the agents of the government. On the other hand, local self-government has been defined in different ways by various authorities. According to the Encyclopedia of Social Sciences,
Local self-government involves the conception of a territorial non-sovereign community possessing the legal right and the necessary organization to regulate its own affairs. Local self-government has also been defined as a representative organization, responsible to a body of electors, enjoying wide powers of administration and taxation, and functioning both as school for training in responsibility and a vital link in the chain of organisms that make up the government of the country (GOI, 1930). Local self-government has also been defined as that part of the government of a nation which deals mainly with such matters that concern the inhabitants of a particular district or place and which it is thought desirable should be administered by local authorities subordinate to the central government. According to the United Nations, local self-government refers to a political sub-division of a nation or state which is constituted by law and has substantial control of local affairs, including the power to impose taxes or exact labour for prescribed purposes. The governing body of such an entity is elected or otherwise locally elected. The Bangladesh constitution defines local government as bodies composed of persons elected in accordance with law (GOB, 1972, for details, please see, Articles 9, 59, and 60 of the Constitution of the Peoples’ Republic of Bangladesh).

Local Government in Bangladesh

The history of local government (LG) is very old in this part of the world. Local institutions existed from ancient time. The institution of village-self government (VSG) is as old as villages themselves. The VSGs were autonomous units responsible for their internal administration and socio-economic development. But VSGs took different forms and functions in different times and places. Nevertheless, two institutions – the Headman and the Panchayet – seem to have been in existence since ancient times, with considerable variation in their powers and functions. The ‘Headman’ usually belonged to the most powerful family of the dominant caste in the village. He was not elected by the people. His importance lied on the fact that all political and administrative contacts between the village and the higher authorities were exclusively routed through him. The village Panchayet was an elected body with executive and judicial functions (Khan, 1996). But the present form and structure of local government in Bangladesh was the British innovation that was initiated with the enactment of the Chawkidari Panchayet Act of 1870. In later years, the LG system under went many changes during the British, Pakistan and Bangladesh periods.

At different points of time, various efforts were taken to strengthen these bodies. However almost all of the major LG reform efforts, as a matter of fact, mostly addressed secondary issues, i.e., number and level of tiers, relationship between tiers, and composition etc. The substantive/core issues like devolution of authorities and powers and transfer of wide ranging functions to the local bodies for enabling them to function as decentralized self-governing local units did not receive adequate attention (Hussain and Sarker, 1995). The study of the functioning of local government units in Bangladesh reveals that these have all along been under strict administrative control and supervision of the public bureaucracy and close political control of the national government/party in power. Many times, LG has been used to provide political legitimacy to the regimes that usurped state powers through unconstitutional means (CPD, 2001). All these point to the fact that there were no strong will or compulsion in the different government’s reform initiatives to actually decentralize local governance. In consequence, LG remained weak and ineffective as representative units of local governance. As such, local government units in this country can be labeled as mere extensions of the national government with guided and limited local participation. These remained institutionally and financially weak, poorly managed and as such lack social and political credibility.

Currently, legal provisions in the form of Acts have been passed for a four-tier LG system with units at the district (Zila Parishad), Upazila (Upazila Parishad), Union (Union Parishad) and village (Gram Sarkar) levels. At present, elected LG bodies exist only at the Union level where Union Parishads were constituted through election in 2003.

Constitutional and Legal Framework of Local Government in Bangladesh

The Article 59 of the Constitution of the People’s Republic of Bangladesh states that there shall be local elected local governments at every level of administration (GOB, 1972). However, in Bangladesh local government units were never established at all the tiers of administration at the same time. These institutions are constituted by parliamentary enactment. These local government Acts define the role,
functions, relationship with central government (bureaucracy and elected Members of Parliament), election procedures, financing including resource generation procedures and other relevant components of the local government system in Bangladesh. Moreover, the functions of the local bodies are guided and regulated by a large number of intricate and complicated orders and circulars from different ministries/agencies which in many cases contradict the spirit of original legal framework (Khan, 2000).

The review of the various Acts and Ordinances on local government reveals that the legal frameworks are control oriented and do not ensure or facilitate the process of devolution; and some of the rules are outdated and inconsistent with the sprit of decentralization/devolution. In reality, the local bodies in Bangladesh are mere tools of the national government. A number of factors are responsible for such state of affair. Firstly, LG units were created during the colonial period when the main purpose of the government was to ensure control through regulation for effective revenue collection. This also got reflected in the local government system, as an instrument for implementation of such governance strategy. Secondly, after the creation of Pakistan, democratic form of governance was not practiced for a considerable period of time. During this period, the LG system was used for providing political legitimacy to usurpers of state power. Naturally, these regimes never intended to devolve powers to the LG units. After the emergence of Bangladesh, the same phenomenon was repeated as military rule prevailed for a large part of the country's lifetime. A third factor is that the politicians at the national level also did/ do not want to devolve powers to LG units for the fear of curtailment of their authority and influence and losing control over those institutions. Absence of democracy for long period of time hindered the growth and development of democratic institutions and practices and created a political culture of fear and insecurity especially among the politicians leading to control and centralizing tendencies. To this, the bureaucratic interest was added. Bureaucracy with a colonial legacy is also not accustomed to work under democratic leadership both at the central as well as local levels. In addition, the long absence of legitimately elected government at the national level resulted in the consolidation of powers in the hands of an ever-pervasive central bureaucracy (Khan and Hussain, 2001).

Development Partners and Local level Governance

In recent years, Bangladesh’s development partners are showing increasing interest in governance especially local level governance. A number of projects are being under implementation with their support in different parts of the country with varying objectives. The policy framework and specific project interventions for improving local level governance of some of the development partners are discussed below.

United States Agency for International Development (USAID)

The United States Agency for International Development (USAID) is one of the traditional development partners of Bangladesh. It pursues a sectoral approach in extending development assistance. The sectors are health and population; economic growth; and democracy and governance. Local level governance falls within the purview of the broad sector of Democracy and Governance. Recently, the USAID has implemented a project titled ‘Democracy Partnership’ in Bangladesh. The Asia Foundation was the implementing and BRAC served as a decision-making partner of the project. The goal and objective the project was to ‘increase the responsiveness of local elected bodies and government institutions’. The project was implemented in partnership with 11 NGOs working in different parts of the country. Of the 11 NGOs, 5 (International Voluntary Services (IVS), CARE- Bangladesh, BNPS, WAVE and Uttaran) worked exclusively with the Union Parishads and the rest (Rangpur Dinajpur Rural Services (RDRS), Rupantar, CDS etc.) worked with the Union Parishads as well as with local communities. Lessons learned from the implementation of the ‘Democracy Partnership’ project were that powers and authority of Union Parishads are very limited and as such it is almost impossible to establish them as an efficient local government body; the resource base of the Union Parishads is very limited and these institutions also have limited financial authority; just creating islands of excellence is not enough, the whole country i.e., all the Union Parishads should be covered under project interventions; and serious and far reaching local government policy reforms are needed.

Recently, the USAID has launched a new project ‘Building a National Constituency for Strong Local Government’. The project aims to develop a coalition of different sections of the civil society for advocacy for policy reform for establishing strong local government system in
the country. Various sections of the civil society under the project include politicians, champions for strong local government in the bureaucracy, academics, media, NGOs and different associations of local government bodies. The specific activities envisaged in the project and under implementation are action research, rapid field appraisal, seminars and workshops, public dialogues, exchange visit of local government functionaries and use of media especially, folk media. The project activities are targeted at the grassroots and the national levels.

World Bank (WB)

The World Bank (WB) is a traditional development partner of Bangladesh. The Bank pursues a sectoral approach in providing assistance to Bangladesh. Governance, both national and local, is a crosscutting issue that pervades through various specified sectors identified for extending assistance by the Bank. Currently, the WB is of the view that the decentralization offers promise for Bangladesh to improve governance and urban and rural development. While local development is taking place through mechanisms other than local government units, such as NGOs, the Local Government Engineering Department (LGED), a government agency, and other community-based programs of the government, there is a consensus that these mechanisms are insufficient to substitute for roles normally played by local government units, such as democratic representation of the constituency, local integrated economic management and ensuring provision of key public goods and services. On the policy front reforms have also picked up with the passage of three local government Acts and subsequent election to the Union Parishads in 2003.

Currently, no Bank support is provided for rural local government. The WB and the Asian Development Bank (ADB) is providing financial assistance for the development of Paurashavas (Municipalities). But in view of the realities stated in the preceding paragraph, the WB intends to pursue a cautious and focused strategy for furthering decentralization through partnership/constituency building and supporting the voices of champions for decentralization. The WB is of the opinion that the decentralization program is not a substitute but a complement to the ongoing activities of the LGED, government agencies and NGOs. The focus of assistance would be the Union Parishads.

However, subject to government’s interest and commitment the WB’s priorities for assistance with respect to local level governance would be: facilitating, informing and promoting public debate on various aspects of decentralization; supporting management of the reform process; fiscal decentralization with a focus on enhancing local revenues; support for clarification of roles, powers and functions of various tiers of local government and line agencies; and demonstrating in practice how local government units could be made to work. The Bank intends to support the above activities through a small pilot project that would cover both technical assistance for policy reform and capacity building and investments for local development in some of the best Union and Upazila Parishads in the country (World Bank, 2001).

NORAD

The external development assistance program of the Royal Norwegian Government (NORAD) is guided by the principle of promoting and protecting human rights. An underlying principle of the rights approach to development is that emphasis is placed on justice, as a matter of rights, rather than on charity. Recognition of the fact that justice is a matter of entitlement, combined with awareness on how to press rights claims, may have the potential of empowering marginalized groups and thereby serving as an incentive to their participation in the development process. The priority areas in this regard are right to access-justice; right to liberty and security-against trafficking of women and children; right to equality and non-discrimination-gender discrimination; right to livelihood-land; and right to livelihood-child labour.

The NORAD is of the view that notwithstanding the Constitutional commitment and clear international obligations, Bangladesh’s national capacity to protect and fulfill human rights remains weak. The general lack of accountability on the part of the state agents in general, and law enforcement officials in particular, are matters of concern in this regard. A non-functioning judiciary with huge backlogs of pending cases and a general lack of credibility combined with legislation countering Constitutional guarantees, constitute a serious threat to the principle of the rule of law (NORAD, 2001).

Norway’s human rights and democracy support in Bangladesh has in all these years been overwhelmingly oriented towards funding of
NGOs in terms of number of interventions as well as in terms of volume of assistance. Issues of local governance are embedded in various projects undertaken and implemented by NGOs with NORAD’s assistance. State to state support in this area has been limited. Some of the projects that have relevance with issues of governance are, Institutional Strengthening of Electoral Training Institute, Support to Election Commission Secretariat, Support to Bangladesh Centre for Development Journalism and Communication etc.

Department for International Development (DFID)

The United Kingdom's Department for International Development (DFID) follows a sectoral approach in extending developmental assistance to Bangladesh. The DFID's new strategy for development assistance contains six thematic objectives that provide the framework for decisions on detailed priorities and for subsequent accountability for the impact of its programs. These are, sustainable improvements in livelihoods and basic services for the poor, extreme poor and those vulnerable to poverty; sustainable broad-based and pro-poor growth; better governance and more effective institutions; improved realization of human rights; improvements in the position of women in society, etc. To ensure better governance and more effective institutions, the DFID supports activities that will foster parliamentary effectiveness, fair elections, and improve national and local political accountability particularly to the poor and assist political parties to develop their internal democratic processes. It will also review opportunities to assist local government to respond to local needs, and assess how to work with NGOs and community based organizations to strengthen the voices of the poor. The DFID will also assist, within broader programs, organizations in civil society which articulate and lobby for pro-poor policies at national level (DFID, 1998).

The DFID is also committed to the task of eliminating world poverty. It believes that sustainable livelihoods approaches are the most sensible and practical way of thinking about, planning, and implementing development. Objectives of the livelihoods approaches are a more realistic understanding of poor people's livelihoods and the factors that shape them; support for development that builds on the strengths of poor people to provide them with opportunities to improve their livelihoods through, improved production through sustainable practices, improved economic well-being so the poor are better able to afford education, health care etc., and contribute to national economic growth, an improved ability to withstand short term adversities such as, ill health, unemployment or a poor harvest (DFID, 2001).

Projects undertaken under the DFID’s different sectoral areas have components that directly or indirectly address various issues on local governance. Local governance does not constitute a specific area of development assistance of the DFID. Besides, projects falling under the sustainable livelihoods programs have also local governance components. Currently, the DFID is developing a project under sustainable livelihoods program for the comprehensive development of the North-Western Charlands of Bangladesh. It is presumed that the proposed project will have components that will address various issues of local governance of the project area. Moreover, a new fund titled 'Human rights and Governance fund' is going to be launched very soon by the DFID.

The Netherlands

The Netherlands also pursues a sectoral approach in extending development assistance to Bangladesh. The sectors are: health; education; integrated water management; and rural electrification. It does not have any specific program on local governance. However, different NGOs receive funds from the Netherlands for implementing their projects. These funds are generally channeled from the headquarters. However, some funds are also provided from the country office. It is believed that the programs and projects implemented under different sectors and by the NGOs addresses issues of local governance either directly or indirectly.

United Nations Capital Development Fund (UNCDF)

The United Nations Capital Development Fund (UNCDF) was established as a special purpose fund primarily for small-scale investment in the poorest countries. Today, UNCDF works to help eradicate poverty through local development programs and micro-finance operations. UNCDF’s overarching goal is to help reduce poverty. Its particular approach is to invest with the poor, building the productive capacity and self-reliance of poor communities by increasing their access to essential local infrastructure and services. The Fund also works to strengthen these communities’ influence over economic and social investments that directly affect their lives and livelihoods.
Investing with the poor implies close partnership and emphasizes participation, engagement and dialogue. This is why UNCDF-sponsored investments are planned, implemented and monitored with broad local leadership and popular participation. This is also why UNCDF focuses sharply on promoting transparent and accountable local governing institutions that can take on the responsibility of managing civic assets in the common interest.

In the area of local governance, the UNCDF promotes poverty reduction in direct partnership with local authorities and community institutions. UNCDF supports programs which promote a decentralized participatory approach to the provision of basic infrastructure and the management of natural resources, in order to ensure that local investments match local needs, are managed efficiently, and are sustainable in the long run. The UNCDF uses seed capital to develop local institutional capacities in planning and financial management by coupling technical assistance with real resource management responsibilities (UNCDF, 2001). Currently, the UNCDF, in association with the United Nations Development Program (UNDP), the Government of Bangladesh (GOB) and local elected bodies, is implementing a project on strengthening of local governance in the district of Sirajgang.

Swiss Agency for Development and Cooperation (SDC)

The Swiss Agency for Development and Cooperation’s (SDC) country program for Bangladesh is based on a number of core values and norms. These are, self-reliance, sustainable benefits and empowerment of the poor. The achievement of the above mentioned goals also takes into account aspects of gender balance and preservation of the environment and economic viability. The operational strategy of SDC’s development assistance is founded on the principle of concentration on a limited number of vectors and sectors of activity and on a medium term plan of transition. The vectors ‘Human and Institutional Development and Enabling Employment Generation’ define overarching operational goals pursued by the majority of projects (SDC, 2001).

The vector ‘Human and Institutional Development’ has four pillars. One of them aims at the strengthening of civil agents of change through local governance and community development. In line with the above policy declaration, currently a number of projects are being supported by the SDC in Bangladesh. Two of these projects deal with strengthening relationship between community organizations and local government bodies. The rest deal with in identifying various informal and civil society organizations and their role in local level governance. These projects are being implemented in partnership with research organizations and NGOs. Currently, the SDC’s five year country program is under formulation. It is envisaged that the governance issue in general and local governance in particular would receive more attention than before.

In Bangladesh, different development partners have different policy guidelines and objectives to achieve through their development assistance programs. But it has been observed that the issue of governance especially local level governance is very much there in their agenda of development assistance to Bangladesh. Though governance as a specific area of intervention is not mentioned in the policy declarations of the development partners, excepting the USAID. But the issue is crosscutting and embedded in different specified areas of interventions. It has been revealed that the development partners are taking increasing interest in local level governance in Bangladesh. It seems that in the coming years there would be vigorous and intensive interventions by them in the area of governance (Khan & Hussain, 2001).

Current Trends of Development Partners’ Assistance in Local Governance

The state of local governance in any country should be looked into by taking the elements like, role and functions, central-local relations, resource mobilization/generation, institutional capacity, accountability and transparency of the local government bodies into consideration. In Bangladesh, on all the above stated aspects, LG units have serious lacking. Most of these lacking are results of limitations of the LG legal frameworks. The others arise out of lack of awareness and competency.

In recent time, attention, with development partners assistance, has been directed towards strengthening LG in Bangladesh as a response to the crisis in governance at the central level, particularly in the area of service delivery. Policy advocacy for a decentralized, efficient, accountable and responsive local government system has been on going. At the same time, various interventions are being made at
the institution and community levels to improve the capacities and responsiveness of local government bodies. Some of the more effective interventions are based on the approach to strengthen both the supply side, LG units by building capacity; and the demand side, developing the community through awareness creation.

Currently, in line with the above, efforts to strengthen LG unit’s governance are done by facilitating and strengthening participation of the people especially disadvantaged and women in local elected bodies; building the capacity of the Union Parishads by awareness and competency development in the areas of roles and functions, budgeting, planning and implementation of development plan and projects, gender sensitizing, and enhancing service delivery, local resource mobilization, transparency and accountability; and advocating for legal reform for the establishment of real decentralized LG system in the country.

But it has been observed that the above approaches lack comprehensiveness. They do not take into account other critical factors like, the nature of relationship between the LG and the local bureaucracy. For example, it should be understood that if LG units are to function effectively with authority they need to have adequate powers and authority to ensure the services of the local line agency officials of the government. The existing legal framework does not provide such authority to the LG units. Therefore, legal reform is essential. Again, legal reforms are generally initiated by the national level politicians and bureaucrats who have so far failed to live up to their commitments for true decentralization of LG as reflected in reforms undertaken so far. The advocacy components of current projects do not adequately direct or focus on changing the prevailing mindset of the politicians and the bureaucrats in maintaining the status quo.

The other critical area overlooked in the development partners’ support to existing interventions in the area of strengthening LG is the nature of relationship between the intervening organizations, i.e., NGOs/CBOs and the LG unit and the community. The NGOs/CBOs are supposed to play the role of facilitators while implementing governance related projects but there are fears that in the course they might emerge as intermediaries between the LG units and the community (Khan and Hussain, 2001).

Conclusion

Local government institutions in any country are an integral part of the whole governance process. Good governance at the national level is very much dependent on effective governance at the local level. The characteristics that determine good governance at the local level are quite similar to those of the national level. In Bangladesh, during more than a century of the existence of the local government institutions different innovations in the form of reforms and reorganizations were tried. But qualitative change in governance at these levels still remains a far cry. Local government institutions have not yet emerged as truly decentralized bodies. Moreover, due to certain institutional constraints these bodies are failing to function as effective institutions. The development partners, both bilateral and multilateral, have been extending assistance to Bangladesh from the very emergence of the country in 1971. But assistance for improving governance or good governance is a new phenomenon though their respective policy frameworks are quite different from one another. But governance related issues are embedded in one form or other in their various areas of interventions. It has been observed that currently the major focus of the development partners’ assistance in the area of local governance is on two areas, such as, advocacy for legal reform for establishing truly decentralized form of local government institutions; and capacity building of the local institutions for effective performance. But different studies reveal that these efforts lack comprehensiveness. All relevant elements and stakeholders involved in the governance process are not adequately addressed in the present development partners assisted interventions. Moreover, these efforts have very limited area coverage. Unless these are scaled up to cover wider areas the real impact cannot be properly assessed. As such, it is believed that if comprehensive approach with wider area coverage is undertaken then state of governance at the local level is expected to improve to a great extent.
Bibliography


Department for International Development (DFID), Sustainable Livelihoods Approach: Building on Strengths, Dhaka.

Government of Bangladesh (GOB), (1972), The Constitution of the People’s Republic of Bangladesh.


World Bank (2001), Aid Memoire, Dhaka.